

**PROPOSED**

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD  
2 COUNTY, FLORIDA, PERTAINING TO WASTE LIMITATION; AMENDING  
3 SECTION 14-2 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE");  
4 PROHIBITING OPERATORS OF SOLID WASTE MANAGEMENT FACILITIES FROM  
5 LANDFILLING CERTAIN SPECIFIED WASTE; AND PROVIDING FOR SEVERABILITY,  
6 INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

7 (Sponsored by Vice-Mayor Beam Furr)

8  
9 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
10 BROWARD COUNTY, FLORIDA:

11 Section 1. Section 14-2 of the Broward County Code of Ordinances is hereby  
12 amended to read as follows:

13 **Sec. 14-2. Regulations generally.**

14 (a) *Purpose and Intent.* It is the purpose and intent of this section to exercise  
15 the police powers of the county and authority granted to the county pursuant to  
16 Chapter 403, ~~F.S.~~ Florida Statutes, to plan for and regulate the disposal of processable  
17 waste in the most feasible and environmentally safe manner and to conserve the limited  
18 landfill capacity available in Broward County. In order to accomplish these goals and the  
19 duties and obligations imposed on the county by law, all operators of solid waste  
20 management facilities shall be prohibited from landfilling: (i) any processable waste in  
21 excess of one thousand (1,000) tons per day at any facility so long as there exists capacity

22 at any operating resource recovery facilities in the county ~~which~~ that are available to  
23 accept and dispose of processable waste; and (ii) "garbage," as that term is defined in  
24 Rule 62-701.200, Florida Administrative Code, within any portion of the solid waste  
25 management facility that is located above an elevation of two hundred twenty-five (225)  
26 feet National Geodetic Vertical Datum (NGVD), except during a disaster declared by any  
27 level of government, including federal, state, or local, or as directed by the County  
28 following an express finding by the Board of County Commissioners that the landfilling of  
29 "garbage" as would otherwise be prohibited is in the best interests of the public. Nothing  
30 herein shall prohibit the landfilling of "Class III waste," "construction and demolition  
31 debris," "sludge" (excluding liquid sludge), "ash residue," "bottom ash," or "fly ash," as  
32 those terms are defined in Rule 62-701.200, Florida Administrative Code, or  
33 nonhazardous soils.

34 . . .

35 Section 2. Severability.

36 If any portion of this Ordinance is determined by any court to be invalid, the invalid  
37 portion will be stricken, and such striking will not affect the validity of the remainder of this  
38 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be  
39 legally applied to any individual, group, entity, property, or circumstance, such  
40 determination will not affect the applicability of this Ordinance to any other individual,  
41 group, entity, property, or circumstance.

42 Section 3. Inclusion in the Broward County Code of Ordinances.

43 It is the intention of the Board of County Commissioners that the provisions of this  
44 Ordinance become part of the Broward County Code of Ordinances as of the effective

45 date. The sections of this Ordinance may be renumbered or relettered and the word  
46 "ordinance" may be changed to "section," "article," or such other appropriate word or  
47 phrase to the extent necessary to accomplish such intention.

48 Section 4. Effective Date.

49 This Ordinance is effective as of the date provided by law.

ENACTED

**PROPOSED**

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:  
Andrew J. Meyers, County Attorney

By: /s/ Alexis Marrero Koratich 09/23/2024  
Alexis Marrero Koratich (date)  
Assistant County Attorney

By: /s/ Maite Azcoitia 09/23/2024  
Maite Azcoitia (date)  
Deputy County Attorney

AIK/gmb  
Waste Limitation Ordinance  
10/09/2024  
#70056.0070

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.