

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO BATTERY RECYCLING; AMENDING
3 SECTIONS 14-150 THROUGH 14-153 OF THE BROWARD COUNTY CODE OF
4 ORDINANCES (“CODE”); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE
5 CODE, AND AN EFFECTIVE DATE.

6 (Sponsored by Senator Steve Geller)

7

8 WHEREAS, on April 1, 2025, the Broward County Board of County Commissioners
9 (“Board”) enacted an ordinance regulating the management and disposal of single-use
10 and rechargeable batteries within Broward County;

11 WHEREAS, since enactment of the ordinance, the County has received additional
12 input and feedback from industry stakeholders; and

13 WHEREAS, the Board now desires to amend the ordinance to incorporate certain
14 industry feedback and to facilitate the safe and effective management of single-use and
15 rechargeable batteries,

16 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
17 BROWARD COUNTY, FLORIDA:

18 Section 1. Section 14-150 of the Broward County Code of Ordinances is hereby
19 amended to read as follows:

20 **Sec. 14-150. Definitions.**

21 . . .

22 *Retailer* means a person or entity engaged in the retail sale of Batteries or
23 Rechargeable Battery Products at a physical location in Broward County and who derives
24 more than twelve thousand dollars (\$12,000.00) per year in gross revenue, in the
25 aggregate, from Battery sales of Batteries or Rechargeable Battery Products at the Place
26 of Business. Gross revenues per year will be calculated on a calendar year basis. The
27 term Retailer includes Large Volume Retailers, Repair Service Retailers, and Small
28 Volume Retailers, defined as follows:

29 (a) *Large Volume Retailer* means a Retailer who is engaged in the sale of
30 Batteries or Rechargeable Battery Products to the public and dedicates more than an
31 aggregate total of fifteen (15) linear square feet of store space within its Place of Business
32 for such sale.

33 . . .

34 Section 2. Section 14-151 of the Broward County Code of Ordinances is hereby
35 amended to read as follows:

36 **Sec. 14-151. Recycling and Disposal of Batteries, Excluded Batteries, and**
37 **Specialized Care Batteries.**

38 (a) ~~Single-Use Disposable Batteries and Rechargeable Batteries~~ that are not
39 Specialized Care Batteries may be ~~recycled with Retailers providing Battery collection~~
40 ~~service pursuant to Section 14-152 of the Code, or otherwise safely~~ recycled or disposed
41 of in compliance with the requirements of state and federal law.

42 . . .

43 Section 3. Section 14-152 of the Broward County Code of Ordinances is hereby
44 amended to read as follows:

45 **Sec. 14-152. Retail Specialized Care Battery Collection and Recycling Program.**

46 (a) *Retailer Onsite ~~Battery~~ Collection of Specialized Care Batteries and*
47 *Rechargeable Battery Products.*

48 (1) *Establishment of Onsite ~~Battery~~ Collection and Recycling Program.* All
49 Retailers must implement an onsite ~~Battery~~ collection, disposal, and
50 recycling program for Specialized Care Batteries and Rechargeable Battery
51 Products ("C&R Program"), at no expense to Consumers, in compliance
52 with this article and that is distinct from any local government curbside
53 program or other local government collection system.

54 (2) *Collection Hours.* A Retailer's onsite ~~Battery~~ collection C&R Program must
55 accept Specialized Care Batteries and Rechargeable Battery Products from
56 Consumers any day that the Place of Business is open for business, with
57 such collection service provided beginning no later than one (1) hour after
58 the opening time of the Place of Business and ending no more than one (1)
59 hour before the closing time of such Place of Business.

60 (3) *Batteries Collected.* A Retailer's onsite ~~Battery~~ collection C&R Program
61 must accept Specialized Care Batteries and Rechargeable Battery
62 Products from Consumers in compliance with the following minimum
63 standards:

64 a. A Large Volume Retailer must accept any and all Specialized Care
65 Batteries and Rechargeable Battery Products that are of a similar

66 size and kind as those sold by the Large Volume Retailer, regardless
67 of brand, at such Retailer's Place of Business.

68 b. A Repair Service Retailer must accept any and all Specialized Care
69 Batteries and Rechargeable Battery Products that are of a similar
70 size and kind as those sold or repaired by the Repair Service
71 Retailer, regardless of brand, at such Retailer's Place of Business.

72 c. A Small Volume Retailer must accept from each Consumer up to
73 ten (10) Specialized Care Batteries per day of a similar size and kind
74 of Specialized Care Batteries as those sold at the Small Volume
75 Retailer's Place of Business, regardless of brand, unless such
76 Consumer purchases Specialized Care Batteries that day at such
77 Retailer's Place of Business. If a Consumer purchases Specialized
78 Care Batteries from the Small Volume Retailer, then on that day of
79 purchase the Small Volume Retailer must accept from such
80 Consumer up to five (5) times the number of Specialized Care
81 Batteries purchased by such Consumer. A Small Volume Retailer
82 must also accept from each Consumer up to ten (10) Rechargeable
83 Battery Products per day of a similar size and kind as those sold at
84 the Small Volume Retailer's Place of Business. A Small Volume
85 Retailer may not impose any other limits on the number of
86 Specialized Care Batteries accepted.

87 (4) *Placement of Collection ~~Boxes~~ Areas*. A Retailer must designate and
88 maintain ~~collection boxes or other receptacles suitable for the safe~~

89 ~~collection of Batteries and Rechargeable Battery Products~~ at a conspicuous
90 and easily identifiable location within its Place of Business ~~that is convenient~~
91 ~~for use by~~ for the safe collection of Batteries and Rechargeable Battery
92 Products from Consumers. The location designated by a Retailer within its
93 Place of Business must be convenient for Consumers to access and use
94 and may include collection boxes or other suitable receptacles.

95 (5) *Rules.* A Retailer may establish rules for the orderly and safe collection of
96 Specialized Care Batteries and Rechargeable Battery Products from
97 Consumers in compliance with this article.

98 (b) *Processing Handling, Transportation, and Recycling of Collected Batteries.*

99 (1) ~~*Handling, Transportation, and Destination.*~~ A Retailer must ensure that all
100 Specialized Care Batteries, whether single-use or rechargeable, and all products
101 containing Specialized Care Batteries that cannot be easily removed, collected at its
102 Place of Business are handled, transported, processed, and ~~disposed of or~~ recycled
103 safely in compliance with all applicable state and federal law, including, but not limited to,
104 laws regulating Universal Waste in 40 C.F.R. §§ 273.13 and 273.33, as applicable.

105 (2) ~~*Recycling of Specialized Care Batteries.*~~ ~~A Retailer must ensure that all~~
106 ~~Specialized Care Batteries, whether single-use or rechargeable, collected~~
107 ~~at its Place of Business are recycled in compliance with applicable state and~~
108 ~~federal law.~~

109 (c) *Signage.*

110 (1) A Retailer must post and maintain, in a conspicuous location at or near the
111 point of entry to its Place of Business ~~and also proximate to the location~~

112 where Batteries or Rechargeable Battery Products are displayed for sale,
113 legible signs, not less than eight and one-half by eleven inches (8.5"x 11")
114 in size, stating that used Specialized Care Batteries or Rechargeable
115 Battery Products may not be disposed of as solid waste and that the Place
116 of Business is a collection site for Specialized Care Batteries or
117 Rechargeable Battery Products.

118 (2) Each such sign posted and maintained by a Retailer must state the following
119 in letters at least one-half inch (0.5") in height:

120 "THE UNSAFE DISPOSAL OF RECHARGEABLE, LITHIUM, OR BUTTON-
121 CELL BATTERIES IS KNOWN TO CAUSE FIRES. IT IS ILLEGAL IN
122 BROWARD COUNTY TO DISPOSE OF ~~MOST TYPES OF~~
123 RECHARGEABLE, LITHIUM, OR BUTTON-CELL BATTERIES IN THE
124 TRASH OR RECYCLING BINS. USED BATTERIES ARE ACCEPTED
125 HERE FOR SAFE ~~DISPOSAL~~ AND PROPER RECYCLING."

126 (d) All Retailers must be in compliance with the provisions of this article no later
127 than ~~March~~ May 1, 2026.

128 Section 4. Section 14-153 of the Broward County Code of Ordinances is hereby
129 amended to read as follows:

130 **Sec. 14-153. Penalties and Remedies.**

131 . . .

132 (b) Any person or entity determined to have disposed of Specialized Care
133 Batteries, Rechargeable Battery Products, or Excluded Batteries at a "solid waste
134 disposal facility," as that term is defined by Section 403.703, Florida Statutes, located
135 within Broward County in violation of this article or a rule or regulation posted at that

136 facility shall be required to pay a civil penalty of two hundred fifty dollars (\$250.00) for the
137 first violation and five hundred dollars (\$500.00) for each repeat violation; provided such
138 rule or regulation is posted on a legible sign that is not less than twelve by eighteen inches
139 (12" x 18") in size with letters at least one-half inch (0.5") in height. Each day such violation
140 continues shall constitute a separate offense.

141 . . .

142 Section 5. Severability.

143 If any portion of this Ordinance is determined by any court to be invalid, the invalid
144 portion will be stricken, and such striking will not affect the validity of the remainder of this
145 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
146 legally applied to any individual, group, entity, property, or circumstance, such
147 determination will not affect the applicability of this Ordinance to any other individual,
148 group, entity, property, or circumstance.

149 Section 6. Inclusion in the Broward County Code of Ordinances.

150 It is the intention of the Board of County Commissioners that the provisions of this
151 Ordinance become part of the Broward County Code of Ordinances as of the effective
152 date. The sections of this Ordinance may be renumbered or relettered and the word
153 "ordinance" may be changed to "section," "article," or such other appropriate word or
154 phrase to the extent necessary to accomplish such intention.

155 Section 7. Effective Date.

156 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/ Matthew Haber 02/05/2026
Matthew Haber (date)
Senior Assistant County Attorney

By: /s/ René D. Harrod 02/05/2026
René D. Harrod (date)
Chief Deputy County Attorney

MH/tb
Battery Recycling Second Amendment
02/05/2026
#1,214,819.4

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