

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD  
2 COUNTY, FLORIDA, PERTAINING TO WASTE COLLECTION SERVICES; AMENDING  
3 SECTION 38.39 OF THE BROWARD COUNTY ADMINISTRATIVE CODE  
4 ("ADMINISTRATIVE CODE") TO PRESCRIBE A REVISED FRANCHISE FEE RATE  
5 AND REVISED LICENSE FEES FOR WASTE COLLECTION SERVICES IN THE OPEN  
6 MARKET AREA; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE  
7 ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

8

9 WHEREAS, Broward County is responsible for ensuring the collection, hauling,  
10 and transportation services for solid waste generated within the unincorporated areas of  
11 Broward County, including the portion known as the "Open Market Area";

12 WHEREAS, prior to providing hauling services in the Open Market Area, private  
13 collectors must first receive a license from Broward County Solid Waste and Recycling  
14 Services;

15 WHEREAS, prior to a license being issued, Section 14-78 of the Broward County  
16 Code of Ordinances requires private collectors to enter into a license agreement with  
17 Broward County and to pay monthly franchise fees for such a license;

18 WHEREAS, Section 38.39 of the Broward County Administrative Code  
19 ("Administrative Code") sets forth the franchise fee rates for waste collection services in  
20 the Open Market Area as well as other fees associated with these licenses; and

21 WHEREAS, the Board of County Commissioners finds it is reasonable and in the  
22 best interest of the public to amend Section 38.39 of the Administrative Code to revise  
23 the fees associated with these licenses for waste collection services in the Open Market  
24 Area, effective for all services rendered on or after April 1, 2026, NOW, THEREFORE,

25 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
26 BROWARD COUNTY, FLORIDA:

27 Section 1. Section 38.39 of the Broward County Administrative Code is hereby  
28 amended to read as follows:

29 **38.39. Waste Collection Services for Unincorporated Areas Within Broward  
30 County.**

31 . . .

32 c. Franchise Fees.

33 . . .

34 2. Commercial, Industrial, and Mobile Home Park Franchise Fees: All  
35 authorized waste collectors retained by the County to provide Collection  
36 Services for commercial establishments, industrial establishments, and/or  
37 mobile home parks in one or more Service Areas shall pay to the County,  
38 no later than the 15th calendar day of each month, a franchise fee for the  
39 preceding calendar month ~~based on 15% equal to the following~~  
40 percentage(s) of the total monies or equivalent value received by the waste  
41 collector for all such Collection Services. performed in the applicable  
42 Service Area(s):

43 (a) Service Area 1: ..... N/A

44	<u>(b)</u> <u>Service Area 2:</u> .....	<u>N/A</u>
45	<u>(c)</u> <u>Service Area 3:</u> .....	<u>N/A</u>
46	<u>(d)</u> <u>Service Area 4:</u> .....	<u>15%</u>
47	<u>(e)</u> <u>Open Market Area:</u> .....	<u>20%</u>

48       No franchise fee shall be owed for container rental and temporary roll-off container  
49       service at construction sites.

50       ...

51       d.      Open Market Area License Fees. All waste collectors applying to obtain a  
52       new license or a license renewal from the County to perform Collection Services in the  
53       Open Market Area shall pay the County a ~~\$500.00~~ \$1,000.00 license application  
54       processing fee at the time the application is submitted and, if such license is approved or  
55       renewed, a ~~\$2,000.00~~ \$2,500.00 license fee upon issuance of the approval or renewal,  
56       as applicable. The County may withhold processing and issuance of a license to a waste  
57       collector until all fees provided for in this section are paid.

58       Section 2.   Severability.

59       If any portion of this Administrative Code Resolution is determined by any court to  
60       be invalid, the invalid portion will be stricken, and such striking will not affect the validity  
61       of the remainder of this Administrative Code Resolution. If any court determines that this  
62       Administrative Code Resolution, in whole or in part, cannot be legally applied to any  
63       individual, group, entity, property, or circumstance, such determination will not affect the  
64       applicability of this Administrative Code Resolution to any other individual, group, entity,  
65       property, or circumstance.

66       Section 3.    Inclusion in the Broward County Administrative Code.  
67       It is the intention of the Board of County Commissioners that the provisions of this  
68       Administrative Code Resolution become part of the Broward County Administrative Code  
69       as of the effective date. The sections of this Administrative Code Resolution may be  
70       renumbered or relettered and the word "resolution" may be changed to "section," "article,"  
71       or such other appropriate word or phrase to the extent necessary to accomplish such  
72       intention.

73       Section 4.    Effective Date.

74       This Administrative Code Resolution is effective on April 1, 2026.

ADOPTED this           day of           , 2026.                           **PROPOSED**

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

By: /s/ Matthew Haber                           01/26/2026  
          Matthew Haber                                   (date)  
          Senior Assistant County Attorney

By: /s/ Michael J. Kerr                           01/26/2026  
          Michael J. Kerr                                   (date)  
          Chief Counsel