

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.

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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

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

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

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

38.39. Waste Collection Services for Unincorporated Areas Within Broward County.

...

c. Franchise Fees.

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

(a) Service Area 1: N/A

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

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

...

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

Section 2. Severability.

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

Section 3. Inclusion in the Broward County Administrative Code.

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

Section 4. Effective Date.

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