

**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:

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

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

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

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

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

a. A Large Volume Retailer must accept any and all Specialized Care Batteries and Rechargeable Battery Products that are of a similar size and kind as those sold by the Large Volume Retailer, regardless of brand, at such Retailer's Place of Business.

- b. A Repair Service Retailer must accept any and all Specialized Care Batteries and Rechargeable Battery Products that are of a similar size and kind as those sold or repaired by the Repair Service Retailer, regardless of brand, at such Retailer's Place of Business.
- c. A Small Volume Retailer must accept from each Consumer up to ten (10) Specialized Care Batteries per day of a similar size and kind of Specialized Care Batteries as those sold at the Small Volume Retailer's Place of Business, regardless of brand, unless such Consumer purchases Specialized Care Batteries that day at such Retailer's Place of Business. If a Consumer purchases Specialized Care Batteries from the Small Volume Retailer, then on that day of purchase the Small Volume Retailer must accept from such Consumer up to five (5) times the number of Specialized Care Batteries purchased by such Consumer. A Small Volume Retailer must also accept from each Consumer up to ten (10) Rechargeable Battery Products per day of a similar size and kind as those sold at the Small Volume Retailer's Place of Business. A Small Volume Retailer may not impose any other limits on the number of Specialized Care Batteries accepted.

- (4) *Placement of Collection Boxes.* A Retailer must maintain collection boxes or other receptacles suitable for the safe collection of Specialized Care Batteries and Rechargeable Battery Products at a conspicuous location within its Place of Business that is convenient for use by Consumers.

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

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

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

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

(c) *Signage.*

(1) A Retailer must post and maintain, in a conspicuous location at or near the point of entry to its Place of Business ~~and also proximate to the location where Batteries or Rechargeable Battery Products are displayed for sale,~~ legible signs, not less than eight and one-half by eleven inches (8.5"x 11") in size, stating that used Specialized Care Batteries or Rechargeable Battery Products may not be disposed of as solid waste and that the Place of Business is a collection site for Specialized Care Batteries or Rechargeable Battery Products.

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

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

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

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

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

. . .

(b) Any person or entity determined to have disposed of Specialized Care Batteries, Rechargeable Battery Products, or Excluded Batteries at a "solid waste disposal facility," as that term is defined by Section 403.703, Florida Statutes, located within Broward County in violation of this article or a rule or regulation posted at that facility shall be required to pay a civil penalty of two hundred fifty dollars (\$250.00) for the first violation and five hundred dollars (\$500.00) for each repeat violation; provided such rule or regulation is posted on a legible sign that is not less than twelve by eighteen inches (12" x 18") in size with letters at least one-half inch (0.5") in height. Each day such violation continues shall constitute a separate offense.

...

Section 5. Severability.

If any portion of this Ordinance 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 Ordinance. If any court determines that this Ordinance, 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 Ordinance to any other individual, group, entity, property, or circumstance.

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

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

151 Section 7. Effective Date.

152 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 10/28/2025  
Matthew Haber (date)  
Senior Assistant County Attorney

By: /s/ René D. Harrod 10/28/2025  
René D. Harrod (date)  
Chief Deputy County Attorney

MH/tb  
Battery Recycling Amendment  
10/28/2025  
#1185591.10

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