



C&D Ordinance Development

C&D and Commercial Recycling Subcommittee
Meeting Jan. 13, 2026

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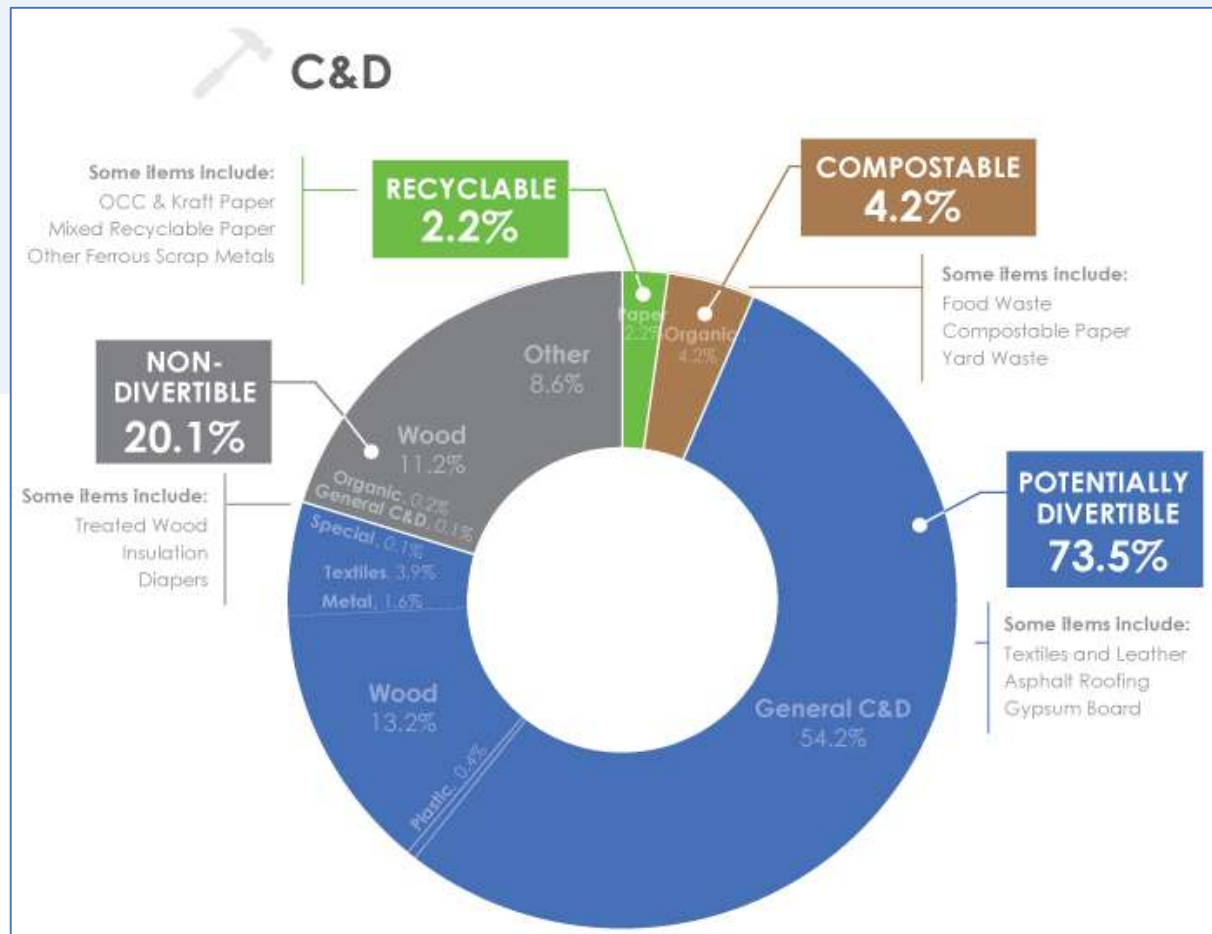


The Need for C&D Diversion

- C&D makes up over 25% of Florida's waste stream (DEP)
- The 2023 Broward County waste characterization study found that over 70% of C&D materials could be recoverable
- High recyclability for some materials including asphalt roofing, wood, brick, concrete, metals
- Recycling helps conserve landfill capacity, support local economy, and further sustainability goals
- There are existing C&D processing facilities, who have stated they have adequate capacity to handle the additional recycling that would be generated by municipal ordinances.



The Need for C&D Diversion – 2023 Waste Characterization Study



County Legal Authority

1

F.S. 403.706 grants counties solid waste control-
“each county must implement a program for recycling
construction and demolition debris”

2

Allows development of ordinances and flow control policies

3

The ordinance is envisioned to apply to residential and
commercial construction, demolition, and remodel projects
that require permits and which are over a certain size, with
exemptions for small scale projects.





Regulatory Framework for Processing Facilities

- 1 — Regulated under
F.A.C. 62-701.720–730
- 2 — Facilities must evaluate economic
feasibility of recycling annually
- 3 — DEP Form 62-701.900(36)
used for compliance

- Ban disposal of key recoverable materials
- Supports routing to certified C&D processors while still supporting open market competition
- Envisioned the County would enforce ordinance at disposal sites



C&D Recycling Ordinance(s) Framework

County can ban direct haul of C&D materials, originating from specified projects, to disposal sites and require C&D materials to first be processed at a certified C&D recycling facility.

Complimentary ordinance can be enacted by the county and each city to develop recycling goals for specified projects with a fee imposed for noncompliance.

Additional considerations:

- Each city to enforce their ordinance as part of their internal permit review process
- Staff would verify whether recycling goal is met for each project prior to issuing CO
- Projects that do not meet recycling goal are assessed new C&D waste fee, with the fees to be used by each city to help fund administrative cost
- Exemptions to be developed to not be overly burdensome for small projects, emergency response situations, etc.

Core Ordinance Feature: Fee-Based System for Projects

1

Fee tied to Final permits

2

No Fee upon proof of diversion

3

Encourages compliance

Ordinance Feature: Separate Diversion Targets for Facilities vs Projects

Recycling requirements for facilities and projects can be increased over time

Recycling goals and associated fees based on project type and size



Core Ordinance Feature: Facility Certification

- FDEP-permitted processors only
- C&D recycling rates certified by specialized 3rd party
- Must meet diversion and reporting standards
- Provides transparency in facility recycling rates



Envisioned Ordinance Features

- Minimize administrative burden on municipalities
 - Simple weight tracking and certification form for projects
- Strong verification system via 3rd party certification of facilities
 - Transparent reporting structure
- Certification allows both public and private facilities
 - Encourages competition while ensuring standards and transparency on each C&D facility's recycling rates

Enforcement & Compliance

1

Fee tied to final Certificate of Occupancy:

- Non-compliance = fee assessed
- Includes appeals and variances

2

Penalties:

- Noncompliance, falsified records, or improper disposal

3

Exemptions & Waivers:

- Hardship, small projects, emergency demo



Comparison Model: Lee County, FL

- Final fee program tied to permit compliance
- Requires certified facilities and documentation, with county staff certifying facility recycling rates
- Staff report high compliance, low administrative effort, and strong increase in recycling rates

Your Input is Needed on Key Policy Decisions

- Utilization of a 3rd party organization to certify C&D processing facilities vs municipal staff
- Hold facilities accountable for the amount of targeted materials remaining in their residue vs overall recycling rate requirements
- Determining appropriate recycling rate goals for C&D projects
- Determining appropriate fees for noncompliance
- Determining appropriate exemptions

Proposed Implementation Timeline

- **Q1 2026:** Scoping and Input
- **Q1 2026:** Drafting Ordinance
- **Q2–Q3 2026:** Adoption & Implementation
- **Q2–Q4 2026:** Education & Outreach prior to ordinances taking effect

Next Steps

Engage
Stakeholders

Refine
Ordinance
Language

Define
Certification
Process

Develop
Outreach
and Education
Materials