



1 itself. Additionally, expanded polystyrene breaks into pieces easily when crushed and can be  
2 detrimental to wildlife, if mistaken for food and then ingested.

3  
4 The Village's goals are to reduce the use of expanded polystyrene and encourage the use  
5 of reusable, recyclable, or compostable alternatives.

6  
7 Sec. 15-161. – Definitions.

8 For purposes of this section only, the following definitions shall apply:

9  
10 Village contractor means a contractor, vendor, lessee, concessionaire of the Village, or  
11 operator of a Village facility or property.

12  
13 Expanded Polystyrene is a petroleum-based plastic made from the styrene monomer. It is  
14 commonly referred to as Styrofoam, which is actually the trade name of a polystyrene foam  
15 product used for housing insulation. Expanded Polystyrene is a light-weight material, about 95%  
16 air. In most cases, expanded polystyrene foam is white and is composed of small, interconnected  
17 beads. It is made by combining the chemicals ethylene and benzene, to make a compound known  
18 as styrene. The styrene is then treated with other chemicals which cause the styrene molecules to  
19 polymerize and then cool prior to molding.

20 Expanded polystyrene food service articles means plates, bowls, cups, containers, lids,  
21 trays, coolers, ice chests, and all similar articles that consist of expanded polystyrene.

22  
23 Village facility means any building, structure, or park, owned, operated, or managed by  
24 the Village.

25  
26 Village property means any land, water, or air rights owned, operated, or managed by the  
27 Village.

28  
29 Special event permittee means any person or entity issued a special event permit by the  
30 Village for special event on Village property or in a Village facility.

31  
32 Sec. 15-162. – Prohibitions regarding sale or use by Village contractors and special event  
33 permittee.

34 Village contractors and special event permittees shall not sell, use, provide food in, or  
35 offer the use of expanded polystyrene food service articles in Village facilities or on Village  
36 property. A violation of this section shall be deemed a default under the terms of the Village  
37 contract, lease, or concession agreement and is grounds for revocation of a special event permit.  
38 This subsection shall not apply to expanded polystyrene food service article used for prepackaged  
39 food that have been filled and sealed prior to receipt by the Village contractor or special event  
40 permittee.

41  
42 Sec. 15-163. – Exclusions.

43 Any Village contract, lease, or concession agreement entered into prior to the effective  
44 date of this section or any special event permit issued prior to the effective date of this section  
45 shall not be subject to the requirements of this section, unless the Village contractor or special  
46 event permittee voluntarily agrees thereto.

1  
2 **Section 2.** The provisions of this Ordinance are declared to be severable and if any  
3 section, sentence, clause or phase of this Ordinance shall for any reason be held to be invalid or  
4 unconstitutional, such decision shall not affect the validity of the remaining sections, sentences,  
5 clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative  
6 intent that his Ordinance shall stand notwithstanding the invalidity of any part.  
7

8 **Section 3.** All Sections or parts of Sections of the Code of Ordinances, all ordinances or  
9 parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance  
10 are repealed to the extent of such conflict.  
11

12 **Section 4.** It is the intention of the Village Council, and it is hereby ordained that the  
13 provisions of this Ordinance shall become and made a part of the Code of the Village of  
14 Palmetto Bay; that the sections of this Ordinance may be renumbered or re-lettered to  
15 accomplish such intention; and that the word "Ordinance" shall be changed to "Section" or  
16 other appropriate word.  
17

18 **Section 5.** This Ordinance shall be effective immediately upon adoption on second  
19 reading.  
20

21 First reading: February 16, 2016  
22

23 PASSED AND ENACTED this 4<sup>th</sup> day of April, 2016.  
24

25  
26 Attest: Meighan Alexander  
27 Meighan Alexander  
28 Village Clerk  
29

Eugene Flinn  
Eugene Flinn  
Mayor

30 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
31 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:  
32

33 Dexter W. Lehtinen  
34 Dexter W. Lehtinen  
35 Village Attorney  
36

37 FINAL VOTE AT ADOPTION:

38 Council Member Karyn Cunningham YES  
39 Council Member Tim Schaffer YES  
40 Council Member Larissa Siegel Lara YES  
41 Vice-Mayor John DuBois YES  
42 Mayor Eugene Flinn YES