

RESOLUTION NO. 2017-76

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, IN SUPPORT OF LEGISLATION TO RESTRICT THE USE OF PLASTIC SHOPPING BAGS, OR IN THE ALTERNATIVE TO REPEAL THE BAN ON LOCAL AND STATE REGULATION OF THE USE OF PLASTIC SHOPPING BAGS; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember Larissa Siegel Lara and Co-Sponsored by Councilmember Karyn Cunningham)

WHEREAS, the Village of Palmetto Bay (the “Village”) is increasingly concerned about the adverse environmental consequences of the use of plastic shopping bags by retail establishments when a good alternative to their use - paper or reusable bags – already exists; and

WHEREAS, to date, more than 40 countries and municipalities around the world have instituted plastic bag bans. The United Nations Environmental Programme Secretariat has recommended a ban on all plastic bags globally; and

WHEREAS, National Geographic Magazine has estimated that, worldwide, as many as one trillion plastic bags are used each year. In the United States, according to the EPA, over 380 billion plastic bags and wraps are used yearly, requiring 12 million barrels of oil to create; and

WHEREAS, plastic shopping bags are made from polyethylene, a thermoplastic made from oil, and reducing our dependence on plastic bags will correspondingly reduce our dependence on foreign oil; and

WHEREAS, according to the EPA, the recycling rate of polyethylene bags, sacks, and wraps grew 11 percent between 2010 and 2013, from 14.7 percent to 16.3 percent, which means that 83.7 percent of plastic bags end up as trash in landfills, oceans and other areas; and

WHEREAS, plastic bags account for over 10 percent of the debris washed up on the US coastline according to the National Marine Debris Monitoring Program; and

1 **WHEREAS**, plastic bags cause over 100,000 sea turtle and other
2 marine animal deaths every year when animals mistake them for food; and
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4 **WHEREAS**, according to The Wall Street Journal, the US goes
5 through 100 billion plastic shopping bags annually at an estimated cost to
6 retailers of \$4 billion; and
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8 **WHEREAS**, education to retailers and consumers regarding the
9 harmful environmental effects of plastic shopping bags and the cost
10 effective alternatives is a positive first step in bringing about consumer and
11 retailer changes in the use of plastic bags; and
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13 **WHEREAS**, the Florida Legislature has enacted Florida Statutes §
14 403.7033 which prevents local government, local agency or state agency
15 from enacting, "any rule, regulation, or ordinance regarding use,
16 disposition, sale, prohibition, restriction, or tax of such auxiliary containers,
17 wrappings, or disposable plastic bags," until 2010; and
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19 **WHEREAS**, the Florida Legislature has not taken action to address
20 the issue either, inaction that perpetuates the use of these bags and
21 exacerbates their adverse effect upon the environment; and
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23 **WHEREAS**, the Village believes that it is in the best interest of the
24 Village, the State of Florida, and the United States of America to act
25 decisively to reduce the use of plastic shopping bags by retail
26 establishments, especially given the fact that a good alternative exists in
27 the form of paper or reusable bags.
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29 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE**
30 **VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA,**
31 **AS FOLLOWS:**
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33 **Section 1. Recitals.** The above recitals are true and correct and
34 are incorporated herein by this reference.
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36 **Section 2. Support.** The Village hereby supports and urges the
37 members of the Florida Legislature to either repeal Florida Statutes §
38 403.7033 to allow local governments to regulate the use of plastic shopping
39 bags by retail establishments, or in the alternative take action themselves
40 to either ban altogether or at least severely limit the use of plastic shopping

1 bags by retail establishments, especially given the fact that a good
2 alternative exists in the form of paper or reusable bags.

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4 **Section 3. Education Campaign.** The Village strongly encourages
5 retail establishments to educate their staff to promote reusable bags and to
6 post signs encouraging customers to use reusable bags.

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8 The Village Manager is directed to collaborate with the South Dade
9 Chamber of Commerce (the Chamber), the Palmetto Bay Business
10 Association and others in a joint education effort aimed at businesses &
11 customers. The education campaign should be aimed at informing special
12 events permittees, retail establishments, and customers of the important
13 environmental impacts of the use of plastic bags. The campaign may
14 include: community meetings, workshops, green products expos, the use of
15 social media, citywide newsletters, programming on WBAY, printed
16 informational materials, website, resident letters and/or emails and mail
17 inserts.

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19 **Section 3. Effective Date.** This Resolution shall take effect immediately
20 upon adoption.

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24 **PASSED and ADOPTED** this 5th day of June, 2017.

25
26 DocuSigned by:
27 *Missy Arocha*
28 _____
29 Missy Arocha
30 Village Clerk

DocuSigned by:
Eugene Flinn

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

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36
37 DocuSigned by:
38 *Dexter W. Lehtinen*
39 _____
40 Dexter W. Lehtinen
Village Attorney

1 FINAL VOTE AT ADOPTION:
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3 Council Member Karyn Cunningham YES
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5 Council Member David Singer YES
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7 Council Member Larissa Siegel Lara YES
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9 Vice-Mayor John DuBois YES
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11 Mayor Eugene Flinn YES