

RESOLUTION NO. 13 – 2214

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA IN SUPPORT OF LEGISLATION RESTRICTING 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; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the Town of Surfside (“Town”) is increasingly concerned about the adverse environmental consequences of the use of plastic shopping bags by business establishments; and

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

WHEREAS, National Geographic estimated that between 500 billion and 1 trillion plastic bags are consumed worldwide each year (as of 2003); and

WHEREAS, the United States alone uses 100 billion plastic shopping bags annually at an estimated cost to retailers of \$4 billion (Wall Street Journal); and

WHEREAS, less than 1 percent of plastic bags are recycled because it costs more to recycle a bag than to make a new one (Christian Science Monitor); and

WHEREAS, plastic bags account for over 10 percent of the debris washed up on the U.S. coastline (National Marine Debris Monitoring Program); and

WHEREAS, the Florida Legislature enacted Fla. Stat. 403.7033 which prevents local governments from enacting “any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable bags” pending completion of an analysis by the Florida Department of Environmental Protection; and

WHEREAS, the Florida Department of Environmental Protection submitted the “Retail Bags Report to the Legislature” in 2010; and

WHEREAS, the Florida Legislature has not taken any action to further address the issue and such inaction perpetuates the use of plastic bags and exacerbates their adverse effect upon the environment; and

WHEREAS, the Town Commission believes it is in the best interest of the Town to urge the Florida Legislature to act decisively to responsibly manage the use of plastic shopping bags by business establishments.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Support by the Town of Surfside Town Commission to the Florida Legislature. The Town Commission hereby urges the Florida Legislature to either repeal Fla. Stat. 403.7033 to allow local governments to regulate the use of plastic shopping bags by business establishments or in the alternative take action to responsibly manage the use of plastic bags.

Section 3. Authorization and Approval. The Town Commission authorizes and approves the Town Manager and/or his designee to take all actions necessary to implement this Resolution.

Section 4. Direction to the Town Clerk. The Town Clerk is hereby directed to transmit a copy of this Resolution to the Miami-Dade County Legislative Delegation, the Officers of the Florida Legislature and the Governor of the State of Florida.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 10th day of December 2013.

Motion by Commissioner Graubart, second by Commissioner Kligman.

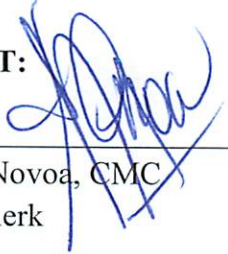
FINAL VOTE ON ADOPTION

Commissioner Joseph Graubart
Commissioner Michelle Kligman
Commissioner Marta Olchyk
Vice Mayor Michael Karukin
Mayor Daniel Dietch


yes
yes
yes
Absent
yes


Daniel Dietch, Mayor

ATTEST:


Sandra Novoa, CMC
Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


Linda Miller, Town Attorney