



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#17-0494**

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**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** April 19, 2017

**TITLE:** Resolution Encouraging State to Allow Local Regulation of Single-Use  
Plastic Bags

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**Recommendation**

It is recommended that the City Commission approve the attached resolution in support of initiatives by local municipalities in Florida to lessen the negative impact of single-use plastic bags on our environment and to encourage the Florida Legislature to allow regulation of these issues within the local community.

**Background**

On April 4, 2017, the City Commission received a communication from the Sustainability Advisory Board “urg[ing] the City Commission to adopt the attached resolution supporting the initiatives by local municipalities in Florida to lessen the negative impact of single-use plastic bags on our environment”. In 2008, the Florida Legislature passed The Energy, Climate Change, and Economic Security Act. Florida Statutes § 403.7033 requires that the Florida Department of Environmental Protection (DEP) perform analysis of statewide and local regulation of bags used by consumers to carry products from retail establishments.

In 2010, the DEP submitted a Retail Bags Report proposing guidelines for regulating plastic. That report recommended “that the Legislature review the available options and take action to discourage the use of single-use paper and plastic retail bags and encourage the use of reusable retail bags.” The report stated that retail bags affect Florida's water resources and animal welfare. Improper disposal of plastic bags hampers recycling, waste management, stormwater management, and litter control. In addition, land and marine animals have been known to ingest or become entangled in plastic bags. Bags are the fourth most frequently found item during coastal cleanups worldwide, as well as in Florida.

State law currently prohibits local governments from enacting any rule, regulation, or ordinance regarding the use, disposition, sale, prohibition, or restriction of plastic bags. In previous years, state legislation was proposed to create statewide standards for carryout bags and legislation was proposed to allow certain municipalities the ability to establish pilot programs for regulating or banning disposal plastic bags. In both cases,

the legislation died. In 2016, the House and Senate considered companion bills (HB 93 and SB 162, respectively) which would allow “certain municipalities to establish pilot programs to regulate or ban disposable plastic bags”. As of April 7, 2017, both bills were in Committee.

The attached resolution encourages the State to allow local municipalities in the State to regulate these issues in their own communities and opposes any statewide preemption on such local efforts. To date, over 40 Florida municipalities have approved similar resolutions including the following neighboring cities and counties: Coral Gables, Davie, Hallandale Beach, Hollywood, Miami Beach, Miami-Dade County, and West Palm Beach.

### **Resource Impact**

There will be no resource impact to the City.

### **Strategic Connections**

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Infrastructure Cylinder of Excellence, specifically advancing:

- Goal 2: Be a sustainable and resilient community.
- Objective 4: Reduce solid waste disposal and increase recycling.

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are United*.

### **Attachment**

Exhibit 1 – Resolution

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Prepared by: Glen Hadwen, Public Works

Department Directors: Paul Berg, Public Works