

Draft

**CITY OF FORT LAUDERDALE
SUSTAINABILITY ADVISORY BOARD
PUBLIC WORKS SUSTAINABILITY LAB
101 NE 3RD AVENUE – SUITE 1400
FORT LAUDERDALE, FLORIDA 33301
August 27, 2018 - 6:15 PM**

Cumulative Attendance					
1/2018 through 12/2018					
	Members	Appt By	Attendance	Present	Absent
1	Jason Liechty, Chair	IV	P	7	1
2	Lawrence Clark, Vice Chair	I	P	8	0
3	Carol Tamburry	III	P	8	0
4	Carolann Mazza	III	P	6	2
5	Cushla Talbut	II	A	3	1
6	Douglas Meade	I	P	6	2
7	Elizabeth Adler	M	P	6	2
8	Enrique Vadiveloo	IV	P	5	3
9	Owen Cylke	C	P	6	2
10	Susan Wood	M	P	8	0
11	Vacant	II	--	--	--

Staff Present

Public Works Department

Glen Hadwen, Sustainability Manager

Call of Order/Roll Call

The meeting was called to order by Chair Liechty at 6:15 p.m. The roll was called and a quorum was present. Mr. Cylke and Ms. Mazza arrived at 6:17 p.m.

Communication to the City Commission

The Sustainability Advisory Board (SAB) provides the following Communication to the City Commission:

It was recently requested of the Board that we provide the Commission a list of sustainability issues on which we believe the City should focus. We have begun working on this list and will be presenting it to you soon.

However, in July, the SAB received a presentation from the Broward chapter of the Surfrider Foundation on a potential citywide ban of plastic straws. We support this idea and urge the Commission to enact a ban on the sale and distribution of plastic straws. Many jurisdictions around the globe have already taken such action, including Miami Beach, Hollywood, and Hallandale Beach.

We believe this is an opportunity for the City to take another important step in establishing itself as a leader in environmental sustainability.

Although plastic straw regulation is still within the City's home rule powers, it could be preempted by the Florida Legislature in the next legislative session, as plastic bags and polystyrene already have been.

We have attached the information we received from the Surfrider Foundation on this topic.

Thank you for your consideration.

Motion

Motion made by Vice Chair Clark and seconded by Mr. Cylke to advance the above Communication to the City Commission. The motion passed unanimously.

From: Broward Chair
To: [Aneisha Nicholas](#)
Subject: Straws upon request only
Date: Monday, May 21, 2018 11:13:41 AM
Attachments: [Jupiter StrawOrdinance 42018.docx](#)

Good morning Aneisha,

Attached is a straw ordinance that has been drafted by a friend, Marilu Flores, for the city of Jupiter. This past legislative season, Tallahassee tried to sneak in an amendment that would take away home rule for plastic straw ordinances, so it is very important for as many cities as possible to pass a straw ordinance before this next coming legislative season. This ordinance would require biodegradable/compostable straws ONLY upon customer request.

The United Nations has declared ocean plastic a global crisis, and it has gained a lot of attention lately with a National Geographic cover dedicated to plastic pollution. We find many straws at our beach cleanups. Straws are a very easy thing to cut down on, especially since many restaurants automatically straw every single drink, whether a customer wants one or not. Many cities are passing ordinances requiring that establishments only give out straws upon customer request. The city of Hollywood code enforcement has begun enforcing this. Miami Beach enforces this ordinance very well. This is a great time to be passing a straw ordinance, and it saves businesses money because they don't have to buy as many straws. It is a win-win for everyone. . Let me know if we can assist further with this initiative.

Thanks so much.

--

Catherine "Cat" Uden
Chair@Broward.Surfrider.org

Surfrider is dedicated to the protection and enjoyment of the world's beaches, oceans, and waves through a powerful activist network. There are currently 11 chapters in the state of Florida. Please follow us on Facebook- Surfrider Foundation Broward County Chapter

surfrider.org

AN ORDINANCE ADDING ARTICLE _____ TO THE TOWN OF JUPITER MUNICIPAL CODE TO ENACT PROCEDURES AND PROHIBITIONS REGARDING THE DISTRIBUTION OF BEVERAGE STRAWS TO REDUCE WASTE AND SETTING FORTH THE PENALTIES FOR VIOLATION

WHEREAS, on **DATE**, the Town Council adopted Resolution No. 0000, Series 0000, in which the Town announced its intention to strive to implement zero waste strategies; and

WHEREAS, one of the Town Council goals is to Pursue Environmental Sustainability; and

WHEREAS, the Town Council desires to conserve resources and reduce greenhouse gas (GHG) emissions, waste, litter, and pollution; and

WHEREAS, eliminating the distribution of unneeded and “single use plastic” straws provided to customers reduces the amount of plastic that can end up in our environment through litter, windblown debris, and over flowing trash cans; and

WHEREAS, to increase awareness in our community of the simple decisions we can all make to reduce waste; and

WHEREAS, to allow customers to make a choice regarding whether or not they want a straw for their beverage; and

WHEREAS, straws defined as or qualifying as made of “single use plastic” or of a “non renewable resource such as a fossil fuel.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF JUPITER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Town Council hereby adopts the recitals of this Ordinance as true and correct and such recitals are hereby incorporated by reference as though fully set forth in the text of this Ordinance.

SECTION 2. Section 00.00 shall be added to the Town of Jupiter Municipal Code as follows:

ARTICLE 0000 BEVERAGE STRAWS

00.00.000

Definitions.00.00.000

Beverage Straws Upon Request 00.00.000

Penalties 00.00.000

Definitions.

For the purposes of this article the following words and phrases shall have the meanings respectively ascribed to them by this section:

1. (a) "Beverage Straw" means a tube for transferring a beverage from its container to the mouth of the drinker.
2. (b) "Dine-In Customer" means a customer that orders and consumes Prepared Food on a Restaurant's premises.

3. (c) "Fast Food Service Vendor" means food service establishments that serve food and/or beverages (1) via a drive-through; (2) in a packaged form for take-out/take-away; or (3) from stands or kiosks which provide no shelter or seating for customers.
4. (d) "Person" means an individual, business, event promoter, trust, firm, joint stock company, corporation, non-profit, including a government corporation, partnership, or association.
5. (e) "Prepared Food Vendor" means food or beverage prepared for consumption on the Restaurant's premises, using any cooking or food preparation technique.
6. (f) "Restaurant" means any vendor located or providing food within the TOWN OF JUPITER which provides Prepared Food for public consumption on its premises.
7. (g) "Single-Use" means a product that is designed to be only used one time in its same form by the customer, food vendor or other entity.
8. (h) "Take-Out Food Orders" means prepared meals or other food or beverage items that a customer purchases at a Restaurant and intends to eat elsewhere.

00.00.000 Beverage Straws Upon Request

On and after September 1, 2018:

(a) Restaurants/Fast Food Service Vendor/Person/Prepared Food Vendor - shall ask each Dine-In Customer or Take-Out Food Order Customer, if the customer wants a Single-Use Beverage Straw before providing a sustainable Single Use Beverage Straw, such as one made of a renewable or compostable option to the customer.

00.00.000 Penalties

(a) Any Person violating any section of this article is guilty of an infraction. The first violation shall be subject to a fine not to exceed one hundred dollars (\$100). The second violation within a six-month period shall be subject to a fine not to exceed two hundred dollars (\$200), and not to exceed five hundred dollars (\$500) for the third and subsequent violations occurring within a one-year period.

The remedies provided herein shall be in addition to all other remedies authorized by law and the enumeration of certain remedies in this article shall not preclude the application of any other remedies not herein enumerated.

(b) An administrative citation including associated fines may be issued for any violation of this article pursuant to Jupiter Municipal Code

Ordinance No. 0000

SECTION 3. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The Town Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

SECTION 4. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same or a summary thereof to be published as required by law.

SECTION 5. This Ordinance shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

INTRODUCED on the 00 rd day of Month, 2018, and PASSED AND ADOPTED by the Town Council of the TOWN OF JUPITER on this 0th day of Month, 2018, by the following vote.