



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#19-0102

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

FROM: Alain E. Boileau, City Attorney

DATE: January 22, 2019

TITLE: Ordinance Amending Chapter 16 by Creating Article VII, Code of Ordinances of the City of Fort Lauderdale, Florida to Prohibit the Sale and Distribution of Plastic Straws, Except as Otherwise Provided

Recommendation

It is recommended that the City Commission adopt the attached Ordinance amending Chapter 16 by creating Article VII, Code of Ordinances of the City of Fort Lauderdale, Florida prohibiting the sale and distribution of plastic straws, except as otherwise provided.

Background

The City of Fort Lauderdale (the "City") is committed to environmental protection and stewardship, and finds that it is in the best interest, safety and welfare of the citizens and visitors to the City to reduce litter and pollutants on the lands and in the surrounding waters of the City in order to continue to protect the wildlife of the City.

The small size and disposable nature of single-use plastic straws causes these items to become an environmental blight for coastal communities worldwide. Plastic straws are one of the most commonly found littered items during beach cleanups and pose a challenge to daily cleaning efforts carried out by the City. It is estimated that Americans use 500 million plastic straws every day. Many of these straws end up in the ocean, where it takes approximately 200 years to begin degrading. According to a United Nations (UN) article, over eight million metric tons of plastic are found in our oceans every year, impacting our marine wildlife, fisheries, and tourism, and costing at least \$8 billion in damage to marine ecosystems. Plastic straws are among the top 10 marine debris items.

The remains and broken-down particles of these types of plastic are ingested by wildlife such as shore birds, sea turtles, and fish. The UN takes the position that it is critical to the public's health, safety, and welfare to reduce litter and pollutants. Accordingly, the UN has launched a full campaign to encourage countries around the world to reduce their dependency on single-use plastics.

As a result of the increasing awareness of this issue, cities throughout the United States have addressed this concern by developing campaigns and policies to ban the use of plastic straws. Several Florida cities, including but not limited to the City of Miami Beach, City of Dania Beach, City of Deerfield Beach, City of Sanibel, City of Hallandale

Beach, City of Hollywood, City of Marco Island, Town of Surfside, and the Town of Fort Myers Beach, have adopted ordinances to address the sale, distribution, and use of plastic straws.

The attached Ordinance is proposed in order to reduce the amount of plastic pollution in the City's environment, outside of the waste stream, and in the City's stormwater management system and waterways, through litter and the circulation of windblown debris, as well as to improve the City's water quality.

The proposed Ordinance amends Chapter 16 of the City Code of Ordinances, to create definitions for plastic straws and to prohibit the sale or distribution of plastic straws in or by any commercial establishment or at any City facility or City property or by any Special Event Permittee.

Following adoption of the Ordinance, the City will be required to engage in public education efforts for a period of six (6) months. Following the successful completion of the public education efforts and for a period of six (6) months, no commercial establishment shall distribute plastic straws except upon a customer's specific request. The Ordinance would take full effect one (1) year after adoption (the "Effective Date"), at which point the City Code Compliance Officer(s) shall enforce violations accordingly.

The Ordinance would not apply to any City contract, lease, or concession agreement entered into prior to the Effective Date, or any special event permit issued prior to the Effective Date, unless the City contractor or special event permittee voluntarily agrees thereto.

Resource Impact

The adoption of this Ordinance has no direct fiscal impact on the City of Fort Lauderdale.

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.
- and the Internal Support Cylinder of Excellence, specifically advancing:
- Goal 12: Be a leading governmental organization, managing our resources wisely and sustainably.
 - Objective 1: Ensure sound fiscal management.

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

Attachment

Exhibit 1 – Ordinance

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Charter Officer: Alain E. Boileau, City Attorney