BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 24-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, SUPPORTING SENATE BILL 182 AND HOUSE BILL 6043 RELATING TO THE REPEAL OF A STATE PREEMPTION ON LOCAL LAWS AND ORDINANCES REGULATING PLASTICS; AND PROVIDING FOR AN EFFECTIVE DATE.

* * * * *

WHEREAS, on February 23, 2017 the United Nations Environment Program launched an unprecedented global campaign to eliminate major sources of marine litter including microplastics and the excessive, wasteful usage of single-use plastic by the year 2022; and

WHEREAS, more than 300 million tons of plastic is produced each year worldwide, of which more than fifty percent is single-use; and

WHEREAS, the United States recycles just 9 percent of its plastic trash, which is less than half of the world's national average; and

WHEREAS, more than 350 cities, counties, and states in the U.S. have banned or heavily taxed single-use plastic bags; and

WHEREAS, the City Commission of Stuart adopted ordinance 2413-2019 providing for the regulation of expanded polystyrene and single-use plastic products on city-owned property and rights-of-way in its commitment to achieve a goal of zero waste; and

WHEREAS, the City Commission adopted ordinance 2416-2019 providing for the regulation of the distribution of single-use plastic straws citywide following a veto by Governor DeSantis of House Bill 771, which would have prohibited local governments from regulating plastic straws within their jurisdiction; and

WHEREAS, the Florida Legislature adopted a preemption of local ordinances of plastics in the Energy, Climate Change, and Economic Security Act of 2008 in order to study the impacts of short and long-term regulation of plastic use; and

WHEREAS, the Florida Department of Environmental Protection completed its Retail Bags Report in 2010 as requested by the Florida Legislature, but no recommendations within the report have since been adopted by general or special law; and

WHEREAS, the City finds that there are alternatives to expanded polystyrene and single-use plastic products which are reasonable, less harmful or unharmful to the natural environment, and can be composted or biodegrade in landfill; and

WHEREAS, the City of Stuart supports Senate Bill 182 and House Bill 6043, which would repeal the state preemption of local laws and ordinances governing the distribution and use of expanded polystyrene and plastic materials, thereby reinstating the right of the people of Stuart to exercise broad home rule powers granted by the Florida Constitution on an environmental issue of critical significance.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, THAT:

SECTION 1: The foregoing precatory language is adopted as if set forth below.

SECTION 2: The City Commission of the City of Stuart, Florida supports Senate Bill 182 and House Bill 6043 which would repeal the state preemption of local ordinances governing the distribution and use of expanded polystyrene and plastic materials. The City Commission hereby

requests that members of the state legislature support these measures and the reinstatement of home rule powers to local governments on an environmental issue of critical significance.

SECTION 3: This Resolution shall become effective upon its adoption and the City Clerk shall transmit a copy to the Martin County Legislative Delegation upon its execution.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

	YES	NO	ABSENT	ABSTAIN
MICHAEL J. MEIER, MAYOR				
EULA R. CLARKE, VICE MAYOR				
BECKY BRUNER, COMMISSIONER				
KELLI GLASS LEIGHTON, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				

ADOPTED this ___ day of _____, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL
CITY ATTORNEY