

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, DIRECTING THAT THE CITY MANAGER SHALL DEVELOP LANGUAGE THAT RESTRICTS THE USE OF POLYSTYRENE BY INDIVIDUALS ON PUBLIC PROPERTY, TEMPORARY VENDORS ON PUBLIC PROPERTY, OR ENTITIES ENGAGED IN A CONTRACTUAL RELATIONSHIP WITH THE LOCAL GOVERNMENT FOR THE PROVISION OF GOODS OR SERVICES, UNLESS SUCH USE IS OTHERWISE PREEMPTED BY LAW; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission finds that it is in the interest of public health, safety, and the welfare of residents, visitors, and wildlife to reduce litter and pollutants on the land and in the waters surrounding Key West; and

WHEREAS, Polystyrene products (in the form known as 'Styrofoam' or as plastic), commonly used for food service are neither readily recyclable nor biodegradable; and

WHEREAS, discarded single-use polystyrene/plastic items, including but not limited to single-use plastic straws, bags, single use plastic dinnerware and "to go" packages, degrade and litter beaches, sidewalks, storm drains and nearshore waters; and

WHEREAS, Florida Statutes Section 500.90 specifically "does not limit the authority of a local government to restrict the use of polystyrene by individuals on public property, temporary

vendors on public property, or entities engaged in a contractual relationship with the local government for the provision of goods or services, unless such use is otherwise preempted by law;" and

WHEREAS, many local vendors have already banned straws and switched to reusable or biodegradable single-use products, and the City Commission seeks to support this trend; and

WHEREAS, the City Commission finds that the inconvenience or financial impact of implementation to be minor, while the benefit achieved through a City requirement to eliminate the use of single-use polystyrene products would have a positive and lasting impact on the environment; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the city manager shall develop language that restricts the use of polystyrene by individuals on public property, temporary vendors on public property, or entities engaged in a contractual relationship with the local government for the provision of goods or services, unless such use is otherwise preempted by law.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held
this _____ day of _____, 2019.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2019.

Filed with the Clerk on _____, 2019.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK