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Sustainability by reducing single use plastic products and Styrofoam.

The preemption laws in Florida do NOT prevent local governments from banning single use plastics and Styrofoam on city owned property. This includes city buildings, event venues and parks.

- FL 500.90 - Regulation of polystyrene products.
- FL 403.7033 - Departmental analysis of particular recyclable materials regarding plastic bags
- SB 588/ HB 603 – Remove regulatory powers from local government for plastic straws

A list of some of the cities in Florida to institute ban for city departments, contractors or special event permit holders to sell or disburse these two types of products;

- **Boynton Beach**. 04/20/2021. Also specifies use of balloons and confetti in outdoor areas of city property.
- **Largo** 12/18/18. Ordinance 2019-19.
- **Stuart** 11/5/2019. Ordinance 2413-2019
- **Orange County** 02/03/2020. Also specifies plastic bags, plastic straws, stirrers foam cups/plates/containers
- **Ft. Lauderdale** July 2019 Ordinance 16-140 and 11/17/2020 Ordinance 16-151. Also specifies plastic bags, plastic straws, stirrers foam cups/plates/containers
- **Orlando** 10/01/2019 Ordinance 137.2

There are 10+ more



Single-Use Products on Public Property

Policy Briefing Sheet

Objective:

To further advance the environmental sustainability of Orlando by reducing the use of non-biodegradable polystyrene products and single-use plastics in the City and encouraging the use of recyclable, reusable, or compostable alternatives on City-owned property, venues, parks, and/or affiliates events.

Purpose:

To provide and maintain for the citizens and visitors of the City a healthy and aesthetically-pleasing experience, while simultaneously advancing the City's sustainability goals and contributing to its long-term economic vitality, by eliminating the use of these non-biodegradable and environmentally deleterious products into surrounding ecosystems and landfills.

Background:

- Green Works Orlando mission: "Transform Orlando into the most environmentally-friendly, socially inclusive, and economically vibrant City in America." - Orlando Mayor Buddy Dyer
- In 2017, Mayor Dyer asked Chris Castro to explore a policy to eliminate polystyrene and single-use products from city-owned property.
- 2017 Green Works Municipal Sustainability Action Plan
 - Goal #7: 100% of municipal materials meet environmentally-preferential purchasing (EPP) and disposal standards by 2030
- 2018 Green Works Community Sustainability Action Plan
 - Strategy #25: Implement a Polystyrene, Plastic Bag and Plastic Straw Ban for All City Facilities, Parks and Affiliated Events

Issues with polystyrene and single-use plastic items:

- Made of fossil fuels and synthetic chemicals, contributing to air pollution and climate change.
- Non-biodegradable products that add waste to our landfills
- Put wildlife at risk if accidentally mistaken for food
- Contaminate our stormwater ponds, lakes, parks, and nearby marine environment
 - Plastic Bags
 - 102 billion plastic bags used annually in the US; 12 million barrels of oil¹
 - 113 countries + 127 cities in the U.S. have bag bans or charge fee for plastic bags²

¹ Waste Management statistics: <http://www.wmnorthwest.com/guidelines/plasticvspaper.htm>

² Center for Biological Diversity: https://www.biologicaldiversity.org/programs/population_and_sustainability/sustainability/plastic_bag_facts.html



- Plastic Straws³
 - America uses 500 million drinking straws every day
 - 1/10 of the marine debris around the World
- Expanded Polystyrene (EPS aka Styrofoam)⁴
 - 25 billion Styrofoam coffee cups every year
 - 3 million tons of EPS are produced each year

Key reasons for moving this policy forward:

1. Expanded polystyrene (aka styrofoam), plastic bags, and plastic straws are **non-biodegradable products** that are made from fossil fuels and contributing to environmental degradation. These items are often used for a few minutes and discarded, only to be around in our environment for hundreds of years for plastic, and in the case of expanded polystyrene, over 1 million years before they decompose. They are simply unsustainable.
2. The current recycling markets in Orlando and across America is having challenges with **contamination in recycling**, products that people are putting into the bin because they wish it can be recycled. The three top items found to contaminate recycling streams are expanded polystyrene, plastic bags, and plastic straws. As such, to improve our recycling diversion rates and minimize our contamination in recycling, we are addressing the root of the problem by moving away from using those contaminants where the City has control.
3. The **main litter items** found in our parks, lakes, rivers, and oceans are expanded polystyrene, plastic bags, and plastic straws. They are hazardous for wildlife as they get confused as food, they make these natural places unpleasant aesthetically, they affect water quality, and they are beginning to impact human health with the onset of bioaccumulation of microplastics.

Current State pre-emptions regarding plastic bags, polystyrene, and plastic straws overview:

- FL 500.90 - Regulation of polystyrene products.
- FL 403.7033 - Departmental analysis of particular recyclable materials regarding plastic bags
- SB 588/ HB 603 – Remove regulatory powers from local government for plastic straws
(Passed Spring 2019 legislature. Vetoed by Governor Ron DeSantis)

Community outreach & stakeholder engagement:

- Executive Offices (Mayor, CAO, City Attorney)
- OCNR
- OFB / Procurement
- Real Estate (4Rivers, Relax Grill, Mesa21, Super Rico, Tropical Smoothie)
- FPR
- Orlando Venues

³ New York Times, <https://www.nytimes.com/2018/07/09/business/starbucks-plastic-straws.html?module=inline>

⁴ Earth Day Network, "How Much Disposable Plastic?": <https://www.earthday.org/2018/04/18/fact-sheet-how-much-disposable-plastic-we-use/>



- EDV
- DDB / CRA
- Permitting
- OPD

Additional Florida cities with Polystyrene, Bag, and/or Straw policies

- Polystyrene ban (5): Miami-Dade County, Coral Gables, Gainesville, Hollywood, St. Petersburg
- Plastic Bag ban (2): Coral Gables and Gainesville
- Plastic Straw ban (10): St. Petersburg, Miami Beach, Surfside, Sanibel, Marco Island, Hallandale Beach, Ft. Myers, Deerfield Beach, Dania Beach, Hollywood
- No city or County in Florida has passed internal policy to eliminate all three items

Summary of Recommended policy, 137.2:

- Define "Single-use products" as food service related products that are designed to be used only once in the same form and then disposed of or destroyed. Single-use products include, but not limited to, polystyrene products, plastic straws, and plastic bags.
- Recommended policy would mean "single-use products", as defined above, may not be sold or disbursed on City property or used by City contractors, permittees, or licensees, unless authorized by the Chief Administrative Officer, Chief Financial Officer, Chief Venue Officer, or designee.
- Policy would require the use of compostable materials, biodegradable materials, reusable materials, or recyclable materials (plastic #1 and #2) as alternatives.
- In recognition of the needs of customers with disabilities, plastic straws may be provided upon request.
- Policy would affect all City-owned facilities, venues, parks, and affiliated events (18A permits).
- Applicable contracts, agreements, leases, permits, and licenses should include a notice to contractors, permittees, and licensees that single-use products are not permitted on City property. The use of recyclable, reusable, biodegradable, and compostable alternatives is encouraged.
- This policy only applies to new contracts solicited or entered into, and permits granted, after its effective date.



- Exemptions:
 - Single-use products used for pre-packaged food that have been filled and sealed prior to receipt by the City contractor or permittee, or for packaging unwrapped food items, such as raw meat, poultry and fish.
 - Single-use products used by a City permittee for events or facility rentals attended by 100 people or less.
- Effective date: October 1st, 2019

Enforcement

- The City may revoke or cancel any permit for non-compliance with this policy, and may use past non-compliance as grounds for not renewing or re-issuing a permit.
- Where applicable under the terms of a contract, the City may pursue appropriate contractual remedies for non-compliance with this policy, including termination and/or preclusion or debarment from future City contracts.
- The City may hold the “damage deposit” for any park event or 18A permitted event following non-compliance with this policy.
- Events or facility rentals by 100 people or less will be encouraged to comply by receiving the “Parks Rules” which will include this policy. No enforcement will be needed as these events are exempt.

Financial impact:

- Alternative products range from cost neutral to \$0.06/unit in additional cost, depending on the alternative being selected.
- See matrix of items for reference

Timeline:

- **Nov 2018 – April 2019:** Stakeholder engagement
- **March 2019 – May 2019:** Policy language development and stakeholder feedback
- **May 28th, 2019:** Policy recommendation to Operations Committee for approval
- **June 3rd, 2019:** City Council resolution
- **October 1st, 2019:** Policy begins