



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 17-02

City Council

1/12/2017

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Sherri F. Myers

**SUBJECT:**

Resolution No. 17-02 - Support of repeal of, or in the alternative, an amendment to Section 403.7033, Florida Statutes, allowing for local regulation of non-degradable bags and containers

**RECOMMENDATION:**

That City Council Adopt Resolution No. 17-02.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA SUPPORTING LEGISLATIVE EFFORTS TO REPEAL, OR IN THE ALTERNATIVE, AMEND SECTION 403.7033, FLORIDA STATUTES, SO THAT LOCAL GOVERNMENTS ARE NO LONGER PREEMPTED FROM ENACTING LEGISLATION REGULATING NON-DEGRADABLE CONTAINERS.

**AGENDA:** Regular

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The Florida Legislature has enacted Florida Statutes § 403.7033 which prevents local government, local agency or state agency from enacting, “any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction or tax of such auxiliary containers, wrappings, or disposable plastic bags,” until such a time that the Legislature adopts recommendations of the Department of Environmental Protection. To date the Legislature has taken no action.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

- 1) RESOLUTION- Non-degradable containers. 2017

**PRESENTATION:** No