

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, DIRECTING THE CITY MANAGER, OR DESIGNEE, TO CREATE THE "PLASTIC FREE KEY WEST" PROGRAM, FOR BUSINESSES WITHIN THE CITY OF KEY WEST TO BE LAUNCHED DURING EARTH MONTH (APRIL 2023); DIRECTING THE CITY MANAGER OR DESIGNEE TO WORK WITH LOCAL NONPROFIT ORGANIZATIONS, BUSINESSES AND GOVERNMENT AGENCIES IN THE DEVELOPMENT AND IMPLEMENTATION OF THE VOLUNTARY CERTIFICATION PROGRAM; URGING THE FLORIDA LEGISLATURE TO ADOPT LEGISLATION THAT WOULD ALLOW LOCAL GOVERNMENTS TO REGULATE THE USE OF AUXILIARY CONTAINERS, WRAPPINGS, OR DISPOSABLE PLASTIC BAGS USED BY CONSUMERS TO CARRY PRODUCTS FROM RETAIL ESTABLISHMENTS IN THE CITY OF KEY WEST; AUTHORIZING THE CITY CLERK TO PROVIDE CERTIFIED COPIES OF THIS RESOLUTION TO DESIGNATED OFFICIALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission finds that single-use plastics, including polystyrene, commonly known by its commercial brand name "Styrofoam," are made primarily from fossil fuel-based chemicals and are meant to be disposed of after one use; and

WHEREAS, single-use plastics are commonly found in the form of wrappers, straws, containers and bags; and

WHEREAS, single-use plastics and polystyrene are neither readily recyclable nor biodegradable, and can take hundreds to thousands of years to degrade in the environment; and

WHEREAS, according to a study by Washington University, polystyrene takes more than 500 years to decompose in nature; and

WHEREAS, single-use plastics contribute to overburdened landfills, threaten wildlife and marine life, and degrade and litter drainage and sewer systems, as well as the beaches and water off the coast of Florida; and

WHEREAS, according to the Florida International University Institute of Environment, plastics and other non-recyclable products often end up in waterways, canals, and storm drain systems, harming marine life, damaging our resources and creating pollution; and

WHEREAS, it is in the interest of public health and safety to take action to reduce the use of plastics and polystyrene, thereby reducing litter and pollutants on the lands and in the waters surrounding Key West; and

WHEREAS, Florida Statutes Section 403.7033 preempts local governments from enacting laws prohibiting the use of certain single-use plastics; and

WHEREAS, according to section 500.90, Florida Statutes, local governments and municipalities are not limited from restricting the use of polystyrene in their own public properties; and

WHEREAS, counties and municipalities around the state have taken action to protect the environment by creating programs and policies outside of the scope of the State of Florida preemption; and

WHEREAS, the City of Coral Gables, in partnership with the Coral Gables Chamber of Commerce created a "Green Business Certification" Program to recognize and reward businesses for their eco-friendly efforts, Miami Beach launched the "Plastic Free Miami Beach" program in 2019, together with Debris Free Oceans, to highlight the businesses that have taken steps to reduce the use of plastics in their operations, Miami-Dade County Launched "Plastic Free 305" in 2022, with a three-tiered certification program for businesses, committed to reducing single-use plastic products, and other pilot programs and initiatives have been enacted in South Florida to combat the harmful effects of plastics on the environment; and

WHEREAS, the City Commission finds that initiating a similar program, or joining with Monroe County and other municipalities and counties in South Florida to participate in a regional volunteer certification program, would benefit the environment, and enhance the health and welfare of every citizen and visitor to Key West and the Florida Keys; and

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

Section 1: That the City Commission directs the City Manager to designate a staff member to create and implement a "Plastic Free Key West" program to be ceremonially implemented during Earth Month (April) 2023. The program shall be a voluntary certification program for businesses in the City of Key West to commit to reduce the use of single-use plastics.

Section 2: That the City Commission directs the City Manager to work with local non-profits, private sector businesses and government agencies in the development and implementation of the voluntary certification program.

Section 3: That the City Commission urges the Florida Legislature to enact legislation that would allow local governments to regulate the use of auxiliary containers, wrappings or disposable plastic bags used by consumers to carry products from retail establishments.

Section 4: That the City Clerk is hereby authorized to transmit certified copies of this Resolution to Governor Ron DeSantis, Florida Senator Ana Maria Rodriguez, Florida

Representative James "Jim" Mooney, Jr., Monroe County Mayor
Craig Cates, City of Marathon Mayor Luis Gonzalez, Islamorada
Mayor Peter Bacheler, Layton Mayor Bruce Halle, Key Colony
Beach Mayor Patricia Trefry.

Section 5: 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 _____, 2023.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2023.

Filed with the Clerk on _____, 2023.

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

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK