

**RESOLUTION NO. 2015-75**

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA SUPPORTING FLORIDA HOUSE BILL 143, RELATING TO DISPOSABLE PLASTIC BAGS; INCLUDING CREATING SECTION 403.70325, FLORIDA STATUTES AUTHORIZING CERTAIN MUNICIPALITIES TO ESTABLISH PILOT PROGRAMS FOR THE REGULATION OR BAN OF DISPOSABLE PLASTIC BAGS; DIRECTING THE VILLAGE CLERK TO FORWARD THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)**

**WHEREAS**, North Bay Village is concerned about the adverse environmental consequences of the use of plastic shopping bags by retail establishments when an alternative to their use, re-usable bags, already exists; and

**WHEREAS**, studies show that Americans used almost 90 billion retail bags as of 2003; and

**WHEREAS**, plastic shopping bags are made from polyethylene, a thermoplastic made from oil; and

**WHEREAS**, as plastic degrade, overtime they break down into smaller, more toxic petro-polymers which eventually may contaminate soils and waterways; and

**WHEREAS**, the Florida Legislature enacted 403.7033, Florida Statutes which prevents local governments from enacting “any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable bags” pending completion of an analysis by the Florida Department of Environmental Protection; and

**WHEREAS**, the Florida Department of Environmental Protection submitted the “Retail Bags Report” to the Legislature in 2010 and recommended that the Legislature review the available options and take action to discourage the use of single-use paper and plastic retail bags and encourage the use of reusable retail bags; and

**WHEREAS**, Florida House Bill 143 authorizes the creation of 403.70325, Florida Statutes, to allow municipalities with a population of less than 100,000 to establish pilot programs to regulate or ban disposable plastic bags; and

**WHEREAS**, the Commission of North Bay Village has determined that regulating or banning disposable plastic bags is in the public’s interest; and

**WHEREAS**, the Commission of North Bay Village, Florida, supports House Bill 143.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are incorporated herein by reference.

**Section 2. Support of House Bill 143.** The Commission of North Bay Village, Florida supports passage and adoption of House Bill 143 and urges the Florida Legislature to pass and the Governor to sign House Bill 143.

**Section 3. Directions to Clerk.** The Village Clerk is directed to distribute this Resolution to the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, and each of the municipalities in Miami-Dade County.

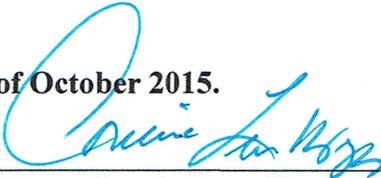
**Section 4. Effective Date.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Commissioner Richard Chervony, who moved for its adoption. This motion was seconded by Vice Mayor Jorge Gonzalez, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Wendy Duvall	<u>Absent</u>
Commissioner Eddie Lim	<u>Yes</u>

**PASSED AND ADOPTED this 13th day of October 2015.**

  
\_\_\_\_\_  
Mayor Connie Leon-Kreps

Attest:

  
\_\_\_\_\_  
Yvonne P. Hamilton, CMC  
Village Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Robert L. Switkes & Associates, P.A.  
Village Attorney