

RESOLUTION NO. 19-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO PROPOSE AN AMENDMENT TO FLORIDA STATUTE § 403.7033 TO ALLOW LOCAL LEGISLATIVE EFFORTS TO ADDRESS AND REGULATE AUXILIARY CONTAINERS, WRAPPINGS, AND DISPOSABLE BAGS AND ADOPT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION’S “RETAIL BAGS REPORT FOR THE FLORIDA LEGISLATURE”; PROVIDING FOR TRANSMITTAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Cutler Bay (the “Town”), a coastal community located adjacent to the Biscayne Bay Aquatic Preserves, is diligent in its efforts of environmental preservation, including our ocean, waterways, wetlands and land in between, which is vital to our regional economy and the State of Florida (the “State”); and

WHEREAS, as a leader in the State for promoting environmental stewardship, the Town has adopted various Resolutions in order to protect the natural environment of the planet and of this community and conserve natural resources by minimizing its impact on said environment and resources; and

WHEREAS, in 2008, the Florida Legislature passed Florida Statute § 403.7033, finding that “prudent regulation of recyclable materials is crucial to the ongoing welfare of Florida’s ecology and economy”; and

WHEREAS, the Town Council encourages the Florida Legislature to propose an amendment to Florida Statute § 403.7033 that would permit local governments to enact rules, regulations, or ordinances regarding the use, disposition, sale, prohibition, restriction, or tax of auxiliary containers, wrappings, and disposable bags; and

WHEREAS, the Town Council further encourages the Florida Legislature to adopt the Florida Department of Environmental Protection’s recommendations set forth in the February 1, 2010 “Retail Bags Report for the Legislature”; and

WHEREAS, finds that this Resolution will promote the health, safety and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, THAT:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Urging. The Town Council hereby urges the Florida Legislature to propose an amendment to Florida Statute § 403.7033 that would permit local governments to enact rules, regulations, or ordinances regarding the use, disposition, sale, prohibition, restriction, or tax of auxiliary containers, wrappings, and disposable bags. The Town Council further encourages the Florida Legislature to adopt the Florida Department of Environmental Protection's recommendations set forth in the February 1, 2010 "Retail Bags Report for the Legislature.

Section 3. Transmittal. The Town Clerk is hereby directed to transmit a copy of this Resolution to Governor Ronald Dion DeSantis; the State Senate President; the State Speaker of the House; the Miami-Dade County Legislative Delegation; and the Florida Environmental Regulation Commission.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this ____ day of September, 2019.

TIM MEERBOTT
Mayor

Attest:

DEBRA E. EASTMAN, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Tim Meerbott _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Robert “BJ” Duncan _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____