



CITY OF DELRAY BEACH

COMMISSION ACTION MEMORANDUM

TO: Mayor and Commissioners
FROM: Dr. Ana Puszkin-Chevlin, Sustainability Officer
THROUGH: Mark R. Lauzier, City Manager; India J. Adams, Assistant City Manager
SUBJECT: Proposed Plastic Straw Ordinance
DATE: September 11, 2018

SUMMARY:

The detrimental impact of plastic straws has received national attention and at least nine cities, including four in Florida, have moved forward on ordinances that either limit their distribution or prohibit their use. At the May 18th meeting of the Green Implementation Advancement Board (GIAB), the board unanimously passed a resolution requesting that the City Commission consider an Ordinance that requires all restaurants to distribute plastic straws to their customers *only on request*, and 18 months after passage of the ordinance, prohibits restaurants from offering single use plastic straws, but allows reusable straws made of materials that can be recycled or compostable material. Staff seeks City Commission direction on advancing the proposed ordinance.

STRATEGIC POLICY PRIORITY:

A plastics straw ordinance that would encourage the reduction of plastic straw usage is a step towards achieving strategic policy priority goal 4 of the City's Strategic Plan:

- To advance a culture of excellence by pursuing a comprehensive approach to local sustainability issues.

BACKGROUND:

The 2018 world-wide Earth Day theme was the detrimental impact of plastics on the environment. Following this event, long standing, but relatively discreet anti-straw campaigns by numerous organizations made headlines nationally, prompting major corporations including American Airlines, Starbucks, Disney and McDonalds, to commit to eliminating the use of plastic straws, over the next two years. While motivated in part by public relations issues, they were also addressing plastic straw ban ordinances passed in a growing number of cities, including Malibu, San Obsipo, and Oakland, CA, Monmouth Beach, NJ, Seattle, WA and Fort Meyers Beach, Miami Beach and Marco Island, Florida.

Delray Beach's GIAB noted the negative impact of plastic straws on our beaches, waterways, and sea turtles, as well as the growing national movement to eliminate their use. At their May 2018 board meeting they passed a resolution requesting that City Commission consider an ordinance restricting their use. Working with the Sustainability Officer and based on research on what other cities have enacted, GIAB proposed a two-phased approach. Initially, the ordinance would restrict distribution of plastic straws and stirrers only to customers that specifically request them, an approach taken by Oakland, CA. Then after an 18-month period, the ordinance would ban use of plastic straws by restaurants and bars, an approach taken by Monmouth Beach, NJ Malibu, CA and Seattle, WA. The two-phase approach was perceived as less harsh, more business friendly, and still effective. They also requested that the Office of Sustainability begin an immediate education and outreach program to engage bars and restaurants on a voluntary basis. As part of a successful "Skip the Straw" campaign, 19 local restaurants and bars chose to voluntarily comply with the campaign and provide recyclable straws.

ISSUE:

An ordinance that restricts the distribution or use of plastic straws is an important first step to reduce the use of single use plastics. While it can be argued that plastic straws are just a small part of an overall environmental problem, they are representative of unnecessary plastic consumption and create awareness of the need to reduce the use of other single-use plastics. Additionally, because straws are very small and lightweight, they cannot be recycled, are easily blown out of garbage cans and trucks into

the streets and storm water systems, and they pose a risk to sea animals.

Cities have approached plastic straw bans from various angles. Some restrict them along with other plastics, including plastic cutlery, Styrofoam and plastic bags. This is not currently possible in Florida, as the state has preempted localities from enacting laws on plastic bags and Styrofoam. Other cities have banned them in geographic areas close to water bodies. This approach is a potential alternative but is not recommended. Plastic straw litter is a city-wide issue, as our storm drains extend to areas away from the waterfront. Creating an artificial boundary for business that can use plastic straws and those that cannot would be cumbersome and run contrary to educating the public to simply not use unnecessary plastics. The City of Jupiter chose to adopt a resolution promoting public education about the detrimental impacts of plastic straws. Staff feels that a resolution is not effective in changing behavior and it does not reflect our objectives to present Delray Beach as strong on environmental sustainability.

CITY ATTORNEY REVIEW:

The City Attorney will take direction on drafting an ordinance based on City Commission's direction.

FISCAL IMPACT & FUNDING SOURCE:

Stakeholders and businessowners may raise issues about the cost of changing to more sustainable alternatives. While compostable plastic, paper straws, seaweed, hay and compostable plastics can be double the price, it represents one to five cents. It is hoped that Skip the Straw would lead establishments to distributing fewer straws, thus allowing them to absorb the higher price point.

Product type	Brand	Cost per straw
Plastic (traditional)	Amazon	\$0.01
Compostable Plastic	Cello	\$0.015
Paper	Aardvark	\$0.02 - \$0.06
Seaweed	Loli Straw	\$0.02
Hay	Hay! Straw	\$0.03 - \$0.08
Steel	Steely Drinkware	\$0.76

RECOMMENDATION:

Staff recommends moving forward with the two phased approach, which allows for a period of adjustment for both local businesses and consumer. Staff recommends prompt action on the ordinance as there is concern that the State may pass legislation pre-empting municipalities from enacting laws on plastic straws, as has been the case with plastic bags and polystyrene containers previously. In these cases, municipalities with laws already in effect, such as Miami Beach, were, "grandfathered". Staff and GIAB would like to ensure that should the State move to limit local jurisdictions capacity to legislate, we can be considered "grandfathered."