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OCT 26 2015

**BREVARD COUNTY
NATURAL RESOURCES MGT.**

October 21, 2015

MEMORANDUM

TO: Virginia Barker, Natural Resources Interim Director

RE: Item II.A.1., Resolution Supporting Home Rule for Local Regulation of Single Use Plastic Carry-Out Shopping Bags

The Board of County Commissioners, in regular session on October 20, 2015, adopted Resolution No. 15-205, supporting Home Rule for local regulation of single use plastic carry-out shopping bags. Enclosed are two fully-executed Resolutions for your action.

Your continued cooperation is always appreciated.

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for: Donna Scott
Tammy Etheridge, Deputy Clerk

/kg

Encls. (2)

RESOLUTION NO: 2015- 205

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, SUPPORTING HOME RULE FOR LOCAL REGULATION OF SINGLE USE PLASTIC CARRY-OUT SHOPPING BAGS.

WHEREAS, the improper disposal of plastic retail bags can hinder waste management, stormwater management, litter control, and can be harmful to wildlife, and;

WHEREAS, single use plastic bags are difficult to recycle and frequently contaminate material that is processed through the County's curbside recycling, and;

WHEREAS, plastic bags that do make it to the landfill are difficult to control because they are easily carried by the wind and create unsightly litter, and;

WHEREAS, the Board of County Commissioners of Brevard County, Florida (Board) acknowledges that some Brevard businesses have taken affirmative steps to accomplish this goal and recognizes their proactive efforts, and;

WHEREAS, Section 403.7033, Florida Statutes was enacted in 2008 requiring the Florida Department of Environmental Protection (FDEP) to study the need for new or different auxiliary containers, wrappings, or disposable plastic bags used by consumers to carry products from retail establishments, and;

WHEREAS, the FDEP report was submitted to the legislature on February 1, 2010, but no FDEP recommendations have been adopted, and;

WHEREAS, in accordance with Section 403.7033, F.S., until the FDEP's recommendations are adopted, no state agency or governmental entity may regulate containers, wrappers, or plastic bags, and;

WHEREAS, the FDEP report presents a wide range of options for decreasing the number of bags being used and recommends that the Legislature review the available options to take action to discourage the single use of paper and plastic bags, and;

WHEREAS, the Brevard County Citizen Efficiency and Effectiveness Recommendation to petition the State to amend Section 403.7033 to provide for local regulation and enforcement of bags or request the repeal of Section 403.7033 so that local governments are no longer pre-empted from enacting appropriate legislation relating to the regulation of plastic bags.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida as follows:

1. The Board hereby authorizes the County Manager, or designee, to include a statement in the Brevard County Legislative Program supporting statewide home rule for the regulation of single use plastic carry-out shopping bags without limitation on the use of fees or taxes.

2. The Board also authorizes the County Manager, or designee, to direct the Brevard County legislative team to track future legislation regulating the use of plastic bags and advocate for statewide home rule policies related to the regulation of plastic bags without limitation on the use of fees or taxes.

3. The Resolution shall be effective immediately upon adoption.

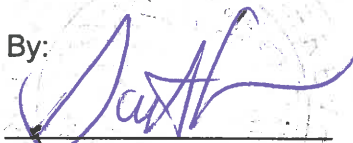
DONE, ORDERED AND ADOPTED in Regular Session this 20th day of October, 2015.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

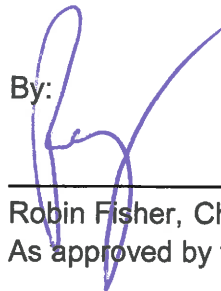
Clerk of the Court:

By:



Scott Ellis, Clerk

By:



Robin Fisher, Chairman

As approved by the Board on 10/20/15