



# City of Coral Gables

## Implementation Order of the City Manager

Implementing Order No.: 2019-02

Title: Prohibition on Single Use Plastic Straws and Stirrers

Ordered: 1/8/19

Effective: 7/9/19

### **AUTHORITY:**

Section 2-731, Coral Gables City Code; Section 62-264, Coral Gables City Code

### **PURPOSE**

The purpose of this policy is to provide guidance in implementing the single-use plastic straw and single-use plastic stirrer ordinance. The goal is to reduce the impact that plastic litter is having on the environment, both land and marine, and to replace single-use plastic beverage straws and stirrers with reusable, recyclable, or sustainable alternatives (bamboo, metal, paper, etc.) whenever possible.

### **APPLICABILITY**

This policy applies to all city parks and facilities, special event permittees, and city contractors and Vendors.

### **DEFINITIONS**

For the purpose of this policy-

- *Single-use plastic beverage straw* means a tube, intended for only one-time use that is made predominantly of plastic derived from either petroleum or a biologically based polymer, including polymers derived from corn or other plant sources, for transferring a beverage from its container to the mouth of the drinker. Single-use plastic beverage straw includes compostable and biodegradable petroleum or biologically based polymer straws, but does not include straws that are made from non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.
- *Single use plastic stirrer* means a device that is used to mix beverages, intended for only one-time use, and made predominantly of plastic derived from either petroleum or a biologically based polymer, including polymers derived from corn or other plant sources. Single-use plastic stirrer includes compostable and biodegradable petroleum or biologically based polymer stirrers and lid plugs (splash sticks), but does not include stirrers that are made from non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.

- *City Contractor* means a contractor, vendor, concessionaire of the city, or operator of a city facility or property.
  - *City Facility* includes, but is not limited to, any building, structure, park, or golf course owned, operated or managed by the city.
  - *Special Event Permittee* means any person or entity, and their subcontractor, issued a special events permit by the city for a special event on city property, in a city facility or in the city's right-of-way.
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### **Section 1: Exceptions**

- (1) The requirements shall not restrict a city contractor or special event permittee from providing a beverage with, or offering the use of, a single-use plastic beverage straw or single-use plastic stirrer upon request by or for an individual with a disability or medical condition that necessitates the use of a single-use plastic beverage straw or single use plastic stirrer. Such request does not require disclosure of the individual's disability.
  - (2) This prohibition shall not apply to single-use plastic beverage straws or single-use plastic stirrers used, provided, or given out by individuals who are special events permittees for the purpose of hosting a small private event (100 people or less) (e.g. birthday party, family reunion).
  - (3) This prohibition shall not apply to pre-packaged drinks where plastic straws have been attached to or sealed with beverages prior to receipt.
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### **Section 2: Penalties**

Enforcement will begin on July 9, 2019.

#### ***Contractors***

- (1) City contractors shall not sell or use single-use plastic beverage straws or single-use plastic stirrers within the city or in completing their duties to the city under contract.
- (2) A violation of this section shall be deemed a default under the terms of the city contract, lease or concession agreement.
- (3) Any city contract, or concession agreement entered into prior to the effective date of this section shall not be subject to the requirements of this section, unless the city contractor voluntarily agrees thereto. This section shall not apply to contract extensions where the contractor has the option. If the city has the option of extension, however, the city manager may consider whether the contractor complies or is willing to comply with subsection (b)(1) of this section in determining whether to extend the contract.

### ***Special Event Permittees***

- (1) Special event permittees and their subcontractors shall not sell, use, or provide a beverage with a single-use plastic beverage straws or single-use plastic stirrers in city facilities.
- (2) Upon warning, the special event permittee must stop use of single-use plastic beverage straws or single-use plastic stirrers or replace them with a non-single-use plastic alternative as soon as practicable. If the special events permittee does not do so within a reasonable amount of time, he/she may be forced to discontinue the service, sale or participation in the event.
- (3) A violation of this section shall constitute a city code violation and may result in the revocation of the special events permit and fines and may be grounds for the placement of conditions on or for denial of a future special events permit.

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### **Section 3: Timeline and Education Campaign**

This ordinance includes a six month education campaign for city contractors and special-event permittees. Enforcement will begin on July 9, 2019. In addition, the city in partnership with the Coral Gables Chamber of Commerce, is educating the business community on sustainable alternatives through a "Skip the Straw" campaign and through the launch of Coral Gables Green Business Program which incentivizes and recognizes businesses for their sustainable practices. This includes outreach in the city's E-News, Living in the City Beautiful Magazine, Miami Herald, CGTV, Social Media, etc.

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### **Section 4: Staff Implementation**

Staff will develop an informational flyer and video in English and Spanish and share through the City's various communications mechanisms (e-news, social media, website, community events, etc.)

Procurement will update the standard contract language for all engagements after the policy is effective. A violation of this section shall be deemed a default under the terms of the city contract, lease or concession agreement.

- (1) Any city contract, or concession agreement entered into prior to the effective date of this section shall not be subject to the requirements of this section, unless the city contractor voluntarily agrees thereto. This section shall not apply to contract extensions where the contractor has the option. If the city has the option of extension, however, the city manager may consider whether the contractor complies or is willing to comply with subsection (b) (l) of this section in determining whether to extend the contract.

Staff will include ordinance language and requirements along with an informational flyer in the Coral Gables special events application.

- (1) Upon warning, the special event permittee must stop use of single-use plastic beverage straws or single-use plastic stirrers or replace them with a non-single-use plastic alternative as soon as practicable. If the special events permittee does not do so within a reasonable amount of time, he/she may be forced to discontinue the service, sale or participation in the event.
- (2) A violation of this section shall constitute a City code violation and may result in the revocation of the special events permit and fines and may be grounds for the placement of conditions on or for denial of a future special events permit.

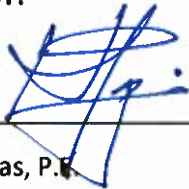
The initial warning provided to a special events permittee can be issued by city staff, including Code Enforcement staff and Parks and Recreation staff.

For any city department events/meetings/conferences, etc., on or off site of City property, please avoid the use of single use plastic straws and stirrers and follow the same guidelines outlined above for city contractors/vendors and special event permittees.

In addition, for those employees who manage purchasing office supplies, please avoid purchasing single use plastic straws and stirrers and follow the same guidelines outlined above for city contractors/vendors and special event permittees.

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**APPROVED BY:**



Peter J. Iglesias, P.E.

City Manager

4/30/19

Date