

# TOWN OF PALM BEACH

Information for Town Council Meeting on: September 10, 2019

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Emergency Ordinance to Rescind Ordinance No. 24-2019  
**Ordinance No. 37-2019**

Date: September 4, 2019

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## **STAFF RECOMMENDATION**

Staff recommends that Town Council adopt on first reading Emergency Ordinance No. 37-2019, to rescind Ordinance No. 24-2019, prohibiting single-use plastic bags and polystyrene containers.

## **GENERAL INFORMATION**

At the July 11, 2019, Town Council meeting, Ordinance No. 24-2019 was adopted by Town Council on second reading prohibiting single-use plastic bags and polystyrene containers. Subsequent to the adoption of said ordinance, a letter was received from the Florida Retail Federation and Florida Restaurant and Lodging Association urging Council to repeal it. The letter was presented to Town Council at the August 14, 2019, meeting for review and consideration. After some discussion and learning about the Third District Court of Appeal's ruling against the City of Coral Gables Council voted unanimously to notice its intent to rescind Ordinance No. 24-2019 at the September 10, 2019 Town Council meeting. Attached is a copy of the Third District Court of Appeals Opinion filed on August 14, 2019, and a copy of Coral Gables' Notice of Intent to Repeal. Immediately after the August 14 meeting the Florida Retail Federation was notified in writing of the Town's intent to rescind Ordinance No. 24-2019, to comply with Chapter 57.112 of the Florida Statutes.

Adoption of Emergency Ordinance No. 37-2019 on September 10, 2019, will satisfy the sixty (60) day requirement of FSS Chapter 57.112.

## **TOWN ATTORNEY REVIEW**

Emergency Ordinance No. 37-2019 was prepared by and approved by the Town Attorney for legal form and sufficiency.

Attachments

cc: John C. Randolph, Town Attorney