

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COMMISSION OF  
CORAL GABLES, FLORIDA SUPPORTING THE  
FLORIDA DEPARTMENT OF AGRICULTURE AND  
CONSUMER SERVICES' RULEMAKING PROCESS  
TO PHASE-OUT THE USE AND SALE OF  
POLYSTYRENE IN REGULATED FOOD  
ESTABLISHMENTS.**

**WHEREAS**, expanded polystyrene, a petroleum by-product commonly known as Styrofoam, is neither readily recyclable nor biodegradable and can take thousands of years to degrade in the environment; and

**WHEREAS**, products made from expanded polystyrene have little value, are not accepted in single stream recycling facilities, and cause serious harm and death to wildlife; and

**WHEREAS**, the City of Coral Gables has, and continues to, support the reduction and elimination of polystyrene products for the benefit of the environment, as evidenced by Ordinance No. 2016-08, Resolution No. 2019-250, City of Coral Gables, FL v. Florida Retail Federation, Inc. et al., the City's ongoing prohibition on the use of polystyrene products by special event permittees, and the City's commitment not to use polystyrene products or allow its vendors to do so; and

**WHEREAS**, Commissioner Nikki Fried recently announced the Florida Department of Agriculture and Consumer Services ("Department") has begun rulemaking to phase out the use of polystyrene products in Florida grocery stores, markets, convenience stores, and other regulated businesses; and

**WHEREAS**, the Department's draft rule, 5K-4.045, would begin a multi-year phase-out of polystyrene packaging beginning in 2022, with a maximum allowable amount of polystyrene to be sold or distributed decreasing each year; and

**WHEREAS**, based on the phase-out plan, full elimination of polystyrene products in regulated businesses would occur by 2028; and

**WHEREAS**, the draft rule would also require regulated entities to file an annual report of the amount of polystyrene sold or distributed that year; and

**WHEREAS**, the Department is currently undergoing the rulemaking process, to include workshops and public comment periods; and

**WHEREAS**, the rule would be established and enforced through the Department’s statutory authority, Chapter 500.90, Florida Statutes; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission of Coral Gables, Florida hereby supports the Florida Department of Agriculture and Consumer Services’ rulemaking process to phase-out the use and sale of polystyrene in regulated Food Establishments.

**SECTION 3.** That the City Clerk is directed to transmit an official copy of this Resolution to the Florida Department of Agriculture and Consumer Services.

**SECTION 4.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWELFTH DAY OF OCTOBER, A.D., 2021.

APPROVED:

VINCE LAGO  
MAYOR

ATTEST:

BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS  
CITY ATTORNEY