

**RESOLUTION NO. 268-2019, ADOPTING LOCAL LAW  
NO. 15 -2019, A LOCAL LAW TO PROHIBIT THE  
DISTRIBUTION OF SINGLE USE PLASTICS IN COUNTY  
PARKS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on February 13, 2019, a proposed local law entitled, "**A LOCAL LAW TO PROHIBIT THE DISTRIBUTION OF SINGLE USE PLASTICS IN COUNTY PARKS**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 15 -2019, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO PROHIBIT THE DISTRIBUTION OF SINGLE  
USE PLASTICS IN COUNTY PARKS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF  
SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the County of Suffolk is a national leader in the field of environmental protection, as it strives to protect the natural resources and beauty of Long Island.

This Legislature also finds and determines that the County has enacted a wide variety of environmental protection laws, from the establishment of farmland and open space preservation programs to recent legislation which imposed a fee on single use plastic bags and established a task force to reduce the consumption of single use plastics locally.

This Legislature further finds and determines that straws contribute to plastic pollution that litters the ground and clogs oceans, rivers and waterways.

This Legislature finds that while many plastics are recyclable, plastic straws are so lightweight that they are not captured by mechanical sorters that pick up waste. As a result, straws are frequently found as pollution debris in our environment, parks and beaches.

This Legislature determines that the County owns and stewards a vast network of parkland to provide passive and active outdoor recreation opportunities while preserving the natural beauty of Long Island.

This Legislature also finds that concessions are available at some County parks with active recreation areas, which offer food and drinks for sale to park visitors. Presently, many of these concessionaires provide plastic drinking straws, cups and utensils to customers with the products they sell.

This Legislature further finds that there are a number of alternatives to single-use plastics, including products made from paper, bamboo or other biodegradable materials.

This Legislature determines that in order to better protect the pristine nature of County parkland, reduce litter and encourage environmentally sustainable practices, concessionaires in Suffolk County parks should be required to provide disposable straws, cups and utensils to its customers which are biodegradable.

Therefore, the purpose of this law is to require that all future contracts with concessionaires at County parks include a clause prohibiting the use of plastic or non-biodegradable single use plastic beverage straws, cups and utensils.

## **Section 2. Definitions.**

As used in this law, the following terms shall have the meanings indicated:

**BEVERAGE STRAW** – a tube used for transferring a beverage from its container to the mouth of a consumer.

**BIODEGRADABLE** – the ability of a material to break down, within one year, into natural materials in the natural environment without causing harm.

**DISABILITY** – a physical, intellectual or sensory impairment that substantially limits one or more major life activities.

**MEDICAL CONDITION** – any illness, disease, disorder or injury that requires medical treatment.

**PLASTIC** - a synthetic material made from organic polymers, including, but not limited to, polypropylene and polystyrene, that can be molded into shape while soft, and then set into a rigid or slightly elastic form.

**SINGLE USE** – a product that is designed and intended to be used only once and is generally recognized by the public as an item that is to be discarded after one use.

**UTENSIL** – a fork, spoon, knife or beverage stirrer.

## **Section 3. Future Concession Licenses.**

- A. All concession licenses and license renewals entered into by the Suffolk County Department of Parks, Recreation and Conservation on or after the effective date of this law shall contain a provision barring the concessionaire from selling or distributing single use cups, utensils, plates, trays, bowls, or beverage straws made from plastic or other non-biodegradable substances. This restriction shall not apply to pre-packaged individual serving beverages where a small plastic straw is included in the packaging.
- B. Concessionaires may provide suitable beverage straws, including those prohibited by this section, to an individual that requires a plastic straw due to a disability or medical condition.

**Section 4. Applicability.**

This law shall apply to all concession license contracts and license renewals entered into pursuant to Requests for Proposals issued by the Department of Parks, Recreation and Conservation on or after the effective date of this law.

**Section 5. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 6. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 7. Effective Date.**

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

DATED: April 9, 2019

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: April 26, 2019

After a public hearing duly held on April 25, 2019  
Filed with the Secretary of State on May 9, 2019