

**RESOLUTION NO. 376 -2019, ADOPTING LOCAL LAW
NO. 17 -2019, A LOCAL LAW TO ENCOURAGE SUSTAINABLE
PACKAGING MATERIALS FOR GOODS PURCHASED BY THE
COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 5, 2019, a proposed local law entitled, "**A LOCAL LAW TO ENCOURAGE SUSTAINABLE PACKAGING MATERIALS FOR GOODS PURCHASED BY THE COUNTY**"; now, therefore be it

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

LOCAL LAW NO. 17 -2019, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO ENCOURAGE SUSTAINABLE PACKAGING
MATERIALS FOR GOODS PURCHASED BY THE COUNTY**

**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 purchases a wide variety of goods for use by County employees in discharging their duties, from office supplies to electronics, tools and construction materials, to name a few.

This Legislature further finds and determines that because the County requires tremendous variety in the goods it utilizes, it contracts with a number of vendors to meet its many needs.

This Legislature finds that the County also buys a large quantity of goods throughout the year, which requires vendors to package and send orders to each County department regularly.

This Legislature determines that many types of packaging materials are comprised of plastic, styrofoam or other non-biodegradable substances.

This Legislature also finds that the County of Suffolk has been a leader in environmental protection for decades, preserving land and stemming pollution in County waters.

This Legislature further finds that the County should take a leading role in ensuring that additional non-biodegradable materials do not clog local landfills.

This Legislature also determines that requiring County vendors in future purchasing contracts to use biodegradable packaging materials will substantially reduce the County's non-biodegradable waste and provide regional leadership in protecting the environment of Long Island.

Therefore, the purpose of this local law is to require vendors of goods to the County to utilize biodegradable materials when shipping goods to the County.

Section 2. Definitions.

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

BACKYARD COMPOSTABLE – a product that can be placed into a composition of decaying biodegradable materials, and eventually turns into a nutrient-rich material.

BIODEGRADABLE - a product or package that will completely break down and decompose into elements found in nature within a reasonably short period of time after proper disposal.

PACKING MATERIAL – loose fill peanuts, bubble wrap or other materials utilized in the packaging of goods for shipment.

VENDOR – a purveyor of goods which maintains a contract to provide materials to the County.

Section 3. Contract requirements.

A. All County contracts with vendors for the purchase of goods shall contain a provision which requires all vendors to utilize biodegradable and/or backyard compostable packing materials to the greatest extent possible when shipping goods ordered by any County department. This requirement shall not apply to the packaging and shipping of goods which are regulated by the State or federal authorities. In the event a vendor is unable to provide biodegradable and/or backyard compostable packing materials for a shipment of goods, it must notify the County in writing of the items being shipped in non-compliant packing and the reason why such packaging is necessary.

B. The original packaging of goods shall be exempt from these provisions.

Section 4. Applicability.

This law shall apply to all contracts with vendors entered into pursuant to Requests for Proposals issued 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 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