

AN ORDINANCE

BY COUNCILMEMBER AMIR FAROKHI

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE X, DIVISION 1 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO CREATE A NEW SECTION 2-1115 TO PROHIBIT THE BUYING, PURCHASING, OR OTHERWISE ACQUIRING OF ANY NON-RECYCLABLE SINGLE-USE PLASTIC PRODUCTS FOR USE BY THE CITY OF ATLANTA IN ACCORDANCE WITH THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY; TO AMEND CHAPTER 22, ARTICLE III, DIVISION 3, SUBDIVISION II OF THE CITY OF ATLANTA CODE OF ORDINANCES TO CREATE A NEW SECTION 22-136 TO PROHIBIT THE UTILIZATION OF NON-RECYCLABLE SINGLE-USE PLASTIC PRODUCTS BY COMMERCIAL OPERATIONS LOCATED IN ATLANTA HARTSFIELD-JACKSON INTERNATIONAL AIRPORT; TO AMEND CHAPTER 74, ARTICLE III, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PROHIBIT THE UTILIZATION OF NON-RECYCLABLE SINGLE-USE PLASTIC PRODUCTS BY COMMERCIAL OPERATIONS LOCATED IN PUBLIC BUILDINGS AND FACILITIES OWNED, OPERATED, OR LEASED BY THE CITY OF ATLANTA; TO AUTHORIZE THE DIRECTOR OF SUSTAINABILITY TO PROMULGATE ADMINISTRATIVE REGULATIONS TO EFFECTUATE THE PURPOSES OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the health, safety and welfare of its residents and visitors; and

WHEREAS, pursuant to Section 1-102(c)(4) of the City of Atlanta’s Charter, the City of Atlanta has the power to make appropriations and to authorize the expenditure of money for the support of the government of the city; and

WHEREAS, in accordance with this power, Chapter 2, Article X sets forth the law governing the purchase of goods and supplies for the use by the City of Atlanta; and

WHEREAS, pursuant to Section 1-102(c)(14) of the City of Atlanta’s Charter, the City of Atlanta has the power to operate, maintain, regulate, control, parks, public buildings, airports, and other facilities, including the regulation of the use thereof, (See 1996 Ga. L. (Act No. 1019)); and

WHEREAS, in exercise of this power, the City of Atlanta regulates the use and operations of Atlanta Hartsfield-Jackson International Airport, City of Atlanta buildings and facilities, and City of Atlanta Parks in via its Code of Ordinances; and

WHEREAS, in further exercise of this power, and in accordance with the City of Atlanta’s commitment to environmental, economic, and social stewardship the City of Atlanta has declared it to be its policy to integrate green and/or sustainable practices into the operations of all city facilities to the fullest extent possible, City Code §§ 75-1; 75-16 and

WHEREAS, pollution resulting from non-recyclable single-use plastic products is responsible for environmental harm, including damage to groundwater, wildlife, landscapes, rivers and oceans as well as harm to human health; and

WHEREAS, approximately 500 million plastic straws are estimated to be used worldwide per day and, in America alone approximately 100 billion plastic bags and 25 billion Styrofoam cups are estimated to be used and subsequently thrown away, per year; and

WHEREAS, according to studies cited by the U.S. Environmental Protection Agency and the Georgia Recycling Coalition, single-use plastic bags and plastic straws are some of the most littered plastic items and single-use plastics and Styrofoam contribute to landfill capacity problems; and

WHEREAS, the City of Atlanta is committed to the further development of recycling programs and initiatives, having consistently encouraged residents, visitors, employees and businesses to recycle through many citywide initiatives, including the City's CARTLANTA, residential recycling and internal recycling programs; and

WHEREAS, the City of Atlanta is authorized under its Charter and Code of Ordinances to prohibit the use of non-recyclable single use plastics, (plastic bags, plastic straws, and Styrofoam), by City of Atlanta operations, by commercial operations located in public buildings and public facilities owned or operated by the City of Atlanta, and in Atlanta Hartsfield-Jackson International Airport;

WHEREAS, in support of the City of Atlanta's continued efforts to serve as a model in the protection of our environment, and in its ongoing effort to reduce, reuse and recycle, the City of Atlanta desires to prohibit the use of non-recyclable single use plastics, (plastic bags, plastic straws, and Styrofoam), by City of Atlanta operations, by commercial operations located in public buildings and public facilities owned or operated by the City of Atlanta, and in Atlanta Hartsfield-Jackson International Airport

WHEREAS, it is the desire of the City of Atlanta to authorize the Director of Sustainability or his/her designee to promulgate administrative regulations to effectuate the proscriptions contained in this ordinance.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

SECTION 1: That Chapter 2, Article X, Division 1, of the City of Atlanta Code of Ordinances be amended to add a new Section 2-1115 which shall read as follows:

Sec. 2-1115. – Purchase of Non-Recyclable Single-Use Plastic Products Prohibited.

- (a) No non-recyclable single-use plastic products may be bought, purchased or otherwise acquired for use by any Using agency in accordance with this Article.
- (b) For purposes of this section, non-recyclable single-use plastic products shall mean plastic bags, plastic straws, and Styrofoam items.
- (c) The Director of Sustainability shall have the authority to promulgate administrative regulations to inform the Chief Procurement Officer's effectuation of this section. Such administrative regulations shall include specific descriptions of the non-recyclable single-use plastic products which are the subject of the prohibition contained in this section.

SECTION 2: That Chapter 22, Article III, Division 3, Subdivision II, (Tenants and Lessees), of the City of Atlanta Code of Ordinances be amended to add a new Section 22-136, which shall read as follows:

Sec. 22-136 – Use of Non-Recyclable Single-Use Plastic Products Prohibited.

- (a) No tenant or lessee on the airport shall utilize or make available to the public any non-recyclable single use plastic products.
- (b) For purposes of this section, non-recyclable single-use plastic products shall mean plastic bags, plastic straws, and Styrofoam items.
- (c) The Director of Sustainability shall have the authority to promulgate administrative regulations to effectuate this section. Such administrative regulations shall include specific descriptions of the non-recyclable single-use plastic products which are the subject of the prohibition contained in this section.

SECTION 3: That Chapter 75 of the City of Atlanta Code of Ordinances be amended to add a new Section 75-27, which shall read as follows:

Sec. 75-27 – Use of Non-Recyclable Single-Use Plastic Products Prohibited.

- (a) No commercial operation located in a public building or public facility owned or operated by the City of Atlanta, pursuant to a lease or contractual agreement, shall utilize or make available to the public any non-recyclable single use plastic products.
- (b) For purposes of this section, non-recyclable single-use plastic products shall mean plastic bags, plastic straws, and Styrofoam items.
- (c) The Director of Sustainability shall have the authority to promulgate administrative regulations to effectuate this section. Such administrative regulations shall include specific descriptions of the non-recyclable single-use plastic products which are the subject of the prohibition contained in section.

SECTION 4: That the amendments reflected in this Ordinance shall become effective on [Effective Date].

SECTION 5: That all ordinances or parts thereof in conflict with this ordinance are hereby waived to the extent of the conflict.

SECTION 6: That the Municipal Clerk is instructed to retain all legislative history references in the codified versions of Chapter 2, Chapter 22 and Chapter 75, including Editor’s notes, and shall not delete any such references, but shall amend them to include references to this ordinance.

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