

A LOCAL LAW TO ENCOURAGE SUSTAINABLE PACKING MATERIALS
FOR GOODS PURCHASED BY THE TOWN OF _____

BE IT ENACTED BY THE TOWN as follows:

Section 1. Legislative Intent.

This Board hereby finds and determines that the Town of _____ purchases a wide variety of goods for use by Town employees in discharging their duties. These purchases include office supplies, electronics, tools and construction materials.

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

The Board finds and determines that many types of packing materials are comprised of plastic, polystyrene ("Styrofoam") and other non-biodegradable, non-compostable substances.

The Board further finds that the Town should take a leading role in ensuring that no additional non-biodegradable, non-compostable materials clog local landfills, litter highways and parking lots, or enter our inlets, bays and other surface waters.

The Board determines that requiring Town vendors to use biodegradable packaging materials will substantially reduce the Town'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 Town to utilize non-biodegradable materials when shipping goods to the Town.

Section 2. Definitions.

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

COMPOSTABLE – a product or package that can be placed into a body of decaying biodegradable materials and eventually decompose into nutrient-rich material within a reasonably short period of time after proper disposal.

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

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

VENDOR – Any entity or individual maintaining a contract to provide materials to the Town.

Section 3. Contract requirements.

A. All Town contracts with vendors for the purchase of goods shall contain a provision requiring vendors to utilize biodegradable and/or compostable packing materials to the greatest extent possible when shipping goods ordered by any Town 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, the vendor must notify the Town in writing of the items being shipped in non-compliant packing and the reason why the use of such materials is necessary.

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

Section 4. Applicability.

This law shall apply to all purchase orders or 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. Effective Date.

This law shall take effect immediately.