

TOWN OF SEABROOK ISLAND

2001 Seabrook Island Road • Seabrook Island, SC 29455
Phone: (843) 768-9121 • Fax: (843) 768-9830

Mayor:
Ronald J. Ciancio
Council:
Skip Crane
Jeri Finke
John W. Gregg
John B. Wells
Town Administrator:
Joseph M. Cronin
Clerk:
Faye Allbritton
Administrative Assistant:
Lynda Whitworth
Municipal Judge:
Dennis E. O'Neill

April 10, 2019

Honorable Peter M. McCoy
House District 115
Blatt Building, Room 512
Columbia, SC 29401-2211

Dear Representative McCoy:

I have enclosed for your review and consideration, a copy of a resolution passed by our Town Council reflecting its intention to adopt an ordinance to regulate the use of certain plastic bags by food providers within the jurisdiction of the Town of Seabrook Island.


In that regard, I join with my mayoral colleagues of other South Carolina coastal communities in objecting to Senate Bill S0394, sponsored by Senators Talley and Climer, the effect of which would be to limit the home rule power of municipalities to regulate, among other things, single use plastic containers or other packaging made of "plastic, including foamed or expanded plastic, . . . expanded polystyrene . . . or similar materials" designed for consuming transporting or protecting merchandise, food, or beverages from or at a food service or retail facility. I understand that a number of my colleagues testified before the Senate Labor, Commerce and Industry Regulatory and Local Government subcommittee last week and that the chairman of that subcommittee indicated his intention to hold several more hearings to debate the bill. I likewise understand that S0394 has been modeled after the House version of the bill which failed during the previous legislative session. While it may be too late for this bill to get a majority vote this year, it remains on the 2020 legislative agenda.

As noted in the enclosed resolution, our council thinks that plastics, especially single-use plastic bags made from forms of polyethylene terephthalate (PET), a nonrenewable petroleum or natural gas by-product that is non-biodegradable, have proven to be an environmental hazard worldwide and have contributed to the extensive litter and water pollution that is life-threatening to wildlife, marine species and humans. Local single-use plastic bans are effective solutions to address this problem.

As you are aware, several other coastal communities including Isle of Palms, Folly Beach, Sullivan's Island, Mount Pleasant, James Island, Charleston, Surfside Beach and every municipality in Beaufort County have already passed bans. If passed, S0394 would render all of these recently adopted ordinances null and void and would leave further decisions on this subject up to the General Assembly. Accordingly, while we would very much prefer that the legislature reject this proposed legislation, at a minimum, it should include a "grandfather clause" which would exempt communities which have taken meaningful steps, such as adoption of resolutions in the form attached, to address single-use plastics. Our council

would have already adopted a plastics ban ordinance, but for the need to allow enough time to obtain meaningful input from our local businesses in the food and beverage industry. I can confirm my understanding that such a ban on single-use plastic bag has the support of a substantial majority of our community and our local business community.

Very truly yours,



Ronald J. Ciancio
Mayor

Enclosure

cc: Councilmembers:
John Gregg
Skip Crane
Jeri Finke
John Wells

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April 10, 2019

Honorable George E. Campsen
Senate District 043
Gressette Building, Room 305
Columbia, SC 29201

Dear Senator Campsen:

I have enclosed for your review and consideration, a copy of a resolution passed by our Town Council reflecting its intention to adopt an ordinance to regulate the use of certain plastic bags by food providers within the jurisdiction of the Town of Seabrook Island.

In that regard, I join with my mayoral colleagues of other South Carolina coastal communities in objecting to Senate Bill S0394, sponsored by Senators Talley and Climer, the effect of which would be to limit the home rule power of municipalities to regulate, among other things, single use plastic containers or other packaging made of "plastic, including foamed or expanded plastic, . . . expanded polystyrene . . . or similar materials" designed for consuming transporting or protecting merchandise, food, or beverages from or at a food service or retail facility. I understand that a number of my colleagues testified before the Senate Labor, Commerce and Industry Regulatory and Local Government subcommittee last week and that the chairman of that subcommittee indicated his intention to hold several more hearings to debate the bill. I likewise understand that S0394 has been modeled after the House version of the bill which failed during the previous legislative session. While it may be too late for this bill to get a majority vote this year, it remains on the 2020 legislative agenda.

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Very truly yours,


Ronald J. Ciancio
Mayor

Enclosure

cc: Councilmembers:
John Gregg
Skip Crane
Jeri Finke
John Wells

STATE OF SOUTH CAROLINA

RESOLUTION NO. 2019-18

TOWN OF SEABROOK ISLAND

A resolution to express the position of the SEABROOK ISLAND TOWN COUNCIL regarding the regulation of certain plastic bags and other non-biodegradable items and any attempt by the South Carolina General Assembly to preempt the Town's authority to enact such regulation.

WHEREAS, Seabrook Island hosts a sensitive and vulnerable ecosystem composed of maritime forest, freshwater inlets and waterways, salt marshes, and sand dunes that open to miles of beach, a portion of which is designated critical or protected habitat for wildlife and marine species;

WHEREAS, residents of the Town of Seabrook Island have repeatedly demonstrated their desire, intent, and commitment to protect and preserve the natural environment of the island;

WHEREAS, actions to preserve the natural beauty and protect the wildlife of Seabrook Island are environmentally responsible and appropriate, such actions also contribute to maintaining property values, supporting tourism, and protecting businesses dependent on local natural resources;

WHEREAS, plastics, especially single-use plastic bags made from forms of polyethylene terephthalate (PET), a nonrenewable petroleum or natural gas by-product that is non-biodegradable, have proven to be an environmental hazard worldwide, contributing to extensive litter and water pollution that is life-threatening to wildlife, marine species, and humans;

WHEREAS, the threat of plastics contamination is a significant threat to the Seabrook Island ecosystem, it is appropriate and within the scope of the Town's authority to enact such regulation as may be necessary to abate this threat;

WHEREAS, legislation has been introduced in the South Carolina General Assembly that would prohibit the Town of Seabrook Island and other municipalities in the State from establishing regulations banning certain plastic bags and other non-biodegradable items, thus preempting local jurisdiction and ignoring unique local interests and environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Seabrook Island do hereby confirm their intent to continue and complete in 2019 the process of enacting an ordinance to ban the use of single-use plastic bags for the delivery of food or merchandise within the jurisdiction of the Town of Seabrook Island;

BE IT FURTHER RESOLVED, that the Mayor and Town Council intend to continue to seek community and stakeholder input during the development and consideration of any ordinance for the Town of Seabrook Island that would ban the delivery of food or merchandise in single-use plastic bags, including whether other non-biodegradable food service or packaging items should be included in such ban;

BE IT FURTHER RESOLVED, that the Mayor and Town Council do hereby confirm their adamant opposition to any legislation pending in the South Carolina General Assembly that would override local jurisdiction and prevent local regulation of plastics contamination;

BE IT FURTHER RESOLVED, that the Seabrook Island Town Council instructs the Mayor to send a copy of this resolution to any relevant Representatives and Senators in the South Carolina General Assembly.

SIGNED AND SEALED this 9th day of April, 2019, having been duly adopted by the Town Council for the Town of Seabrook Island on the 26th day of March 2019.



Ronald J. Ciancio
Mayor

Witness:



Joseph M. Cronin
Town Administrator