

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee recommends passage of “A LOCAL LAW adding Chapter 539 to the Laws of Westchester County to prohibit the intentional release of helium filled balloons in the County of Westchester.”

Your Committee is aware that Balloons are often seen as fun, harmless decorations. However, they become deadly litter as soon as they are released into the air and forgotten. Plastic pollution is one of today's biggest environmental challenges. Microplastics have been found in our drinking water, food and even the air we breathe. While many people are trying to reduce their use of single-use plastic bags, bottles, utensils and straws, balloons are often overlooked. Deliberate releases of tens, hundreds or sometimes thousands of balloons are common sights at weddings, graduations, memorials, sporting events and other celebrations. These fleeting feel-good acts inflict long-lasting and potentially deadly consequences on the environment and wildlife. The Ocean Conservancy’s annual International Coastal Cleanup reports that from 2008 to 2016 almost 300,000 balloons were found along U.S. beaches, or well over 31,000 balloons per year.

Your Committee is informed that according to the digital platform EcoWatch, a long-time leader in environmental news, balloons filled with helium – a finite and rapidly dwindling resource – travel hundreds or even thousands of miles. They land as litter on beaches, rivers, lakes, oceans, forests and other natural areas. The two most common types of balloons are Mylar and latex. Mylar balloons, also called foil balloons, are made from plastic nylon sheets

with a metallic coating and will never biodegrade. They also cause thousands of power outages every year when they come into contact with power lines or circuit breakers.

Your Committee is further informed that according to Eco Watch, while some manufacturers claim that natural latex balloons made from liquid rubber are biodegradable, they still take years to break down because they are mixed with plasticizers and other chemical additives that hinder the biodegradation process. Other latex balloons are synthetic, made from a petroleum derivative called neoprene – the same material used to make scuba diving wetsuits – and will remain in the environment indefinitely, breaking down into smaller and smaller pieces over time. Unlike Mylar balloons, latex balloons burst in the atmosphere, shredding into small pieces that, when floating on the surface of water, resemble jellyfish or squid. Plastic debris in the ocean can also become coated with algae and other marine microbes that produce a chemical scent, which sea turtles, seabirds, fish and other marine life associate with food. Because they are soft and malleable, latex balloons easily conform to an animal's stomach cavity or digestive tract and can cause obstruction, starvation and death. As a result, latex balloons are the deadliest form of marine debris for seabirds. They are 32 times more likely to kill than hard plastics when ingested. Balloons tied with ribbons and strings also rank just behind discarded fishing gear and plastic bags and utensils due to the high risk of entanglement and death that they pose to marine life.

Your Committee notes that it is necessary to curb the intentional release of balloons in order to prevent the wasting of natural resources, the littering and pollution of our communities and waterways, and the unnecessary harming of marine and wildlife. The negative impact on

animals and the environment prompted the U.S. Fish and Wildlife Service and local chapters of the National Audubon Society to urge people to stop releasing balloons and instead find more humane alternatives that are safer for animals and our planet.

Your Committee is advised that this Local Law would ban the organized or intentional release of any balloons as well as the intentional disposal of balloons except in public receptacles, in private receptacles, or in authorized commercial receptacles, by any person, firm, corporation or other entity. These restrictions on balloon releases would not apply to balloons that are being used for the purpose of carrying scientific instrumentation during the performance of an experiment or testing procedure or by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes, hot air balloons that are recovered after launching, balloons released indoors and that remain indoors and are properly disposed of or balloons that are not part of an organized release and are unintentionally released. A violation of this law would be punishable by a fine not exceeding \$50 and a second or subsequent violation would be punishable by a fine not exceeding \$250.

Your Committee is informed that the proposed project does not meet the definition of an action under New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning, dated January 12, 2023, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

Your Committee, after careful consideration, recommends adoption of this Local Law.

Dated: _____, 2023
White Plains, New York

COMMITTEE ON

RESOLUTION NO. ____ – 2023

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2023, entitled “A LOCAL LAW adding Chapter 539 to the Laws of Westchester County to prohibit the intentional release of helium filled balloons in the County of Westchester.” The public hearing will be held at __.m. on the ____ day of _____, 2023 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.