Ordinance Framework Prohibiting the Use, Sale and Distribution of Single-Use Plastic and Polystyrene (Styrofoam) Goods and Materials

Public Works Commission

July 21, 2022
Background

• Disposable Foodware Accessories Ordinance
• Transitional step towards Single-Use Plastic and Polystyrene (Styrofoam) Prohibition Ordinance
• Expand the Disposable Foodware Accessories Ordinance
Ordinance Elements

- Purpose
- Restriction and Requirements
- Affected Stakeholders
- Implementation and Timeline
- Exemptions and Waivers
- Enforcement and Penalties
Element No. 1: Purpose
Element No. 2: Restrictions and Requirements
### Element No. 3: Affected Stakeholders

<table>
<thead>
<tr>
<th>Stakeholder Types</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Operations and Services (Multiple Departments)</td>
<td>1</td>
</tr>
<tr>
<td>Pharmacies</td>
<td>20</td>
</tr>
<tr>
<td>Grocery stores</td>
<td>3</td>
</tr>
<tr>
<td>Food Services Establishments (including restaurants, mobile food trucks, coffee shops, etc.)</td>
<td>300</td>
</tr>
<tr>
<td>Hospitality (Hotels)</td>
<td>16</td>
</tr>
<tr>
<td>Other Retail and Services</td>
<td>1315</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,655</strong></td>
</tr>
<tr>
<td>Stakeholder Type</td>
<td>Phase</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Local Government</td>
<td>1</td>
</tr>
<tr>
<td>Groceries and Pharmacies</td>
<td>2</td>
</tr>
<tr>
<td>Food Service Establishments (including restaurants, coffee shops, mobile food trucks, etc.)</td>
<td>2</td>
</tr>
<tr>
<td>Retail stores</td>
<td>2</td>
</tr>
<tr>
<td>Hospitality (Hotels)</td>
<td>2</td>
</tr>
</tbody>
</table>
Element No. 5: Exemptions and Waivers

- Exemptions and Waivers are issued to:
  - Exhibit financial hardship
  - Exhibit there are no alternative materials.
- Exemption is for 1 calendar year.
- Maximum of 2 exemptions/waivers.
Element No. 6: Enforcement and Penalties

• Intent is to educate and guide towards compliance.

• Subject to Administrative Citation set forth in BHMC
  – $100 for first violation after the written warning notice is given
  – $200 for the second violation after the written warning notice is given
  – Fine not exceeding $500 for third and subsequent violations after a written warning notice has been given
Communitywide Stakeholder Engagement Process

• Goal: educate all the stakeholders of the proposed ordinance. Refine proposed ordinance, if needed, based on the stakeholder input.

• Community Outreach Plan:
  – 6 months
  – Community workshops, Chamber of Commerce, Rotary, various organization.
  – Print, social media, direct contact
Next Steps

• If the elements are supported, staff will begin stakeholder engagement process and draft ordinance.

• Staff plans to present the draft ordinance to PWC by December 2022.

• If ordinance is recommended, present to City Council for adoption by February 2023.
DISCUSSION