



# Expanded Polystyrene Ordinance Amendments

**February 4, 2020**

# The Expanded Polystyrene Ordinance

- Adopted April 17, 2018.
- Prohibits the use of single-use food and beverage containers made from expanded polystyrene (EPS) foam, rigid polystyrene #6, and non-recyclable and non-compostable material for prepared food distribution.
- Phased approach to allow businesses time to comply:
  - Phase 1 (City-owned facilities and events): September 3, 2018
  - Phase 2 (Large food providers 101+ seats): March 3, 2019
  - Phase 3 (Small food providers <101 seats): December 3, 2019



# Additions to the Expanded Polystyrene Ordinance

- On October 15, 2019, the City Council expanded the Ordinance directing staff to include language that would ban the use of plastic or bio-plastic straws and eliminate cup lids exemption by March 15, 2020.
  - Staff recommends an exemption for consumers who self-identify as a person with a disability making the use of a plastic straw necessary.
- Provide a recommendation that includes the extension of the ban into retail sales.

## Straws

- **20 Cities in California have an ordinance regarding use of straws.**
  - **Ordinances range from: restriction of material type allowed and how the straw is served.**

## Retail

- **26 Cities in California have retail ordinances restricting the sale of polystyrene products.**
  - **Ordinances include: food service ware, packaging material, ice chests/coolers, beach toys, egg cartons, meat and produce trays, dock floats, mooring buoys, or anchor or navigational markers.**



## Staff Recommendation – Retail Sales

- No person, vendor, business or event promoter in the City shall sell, rent or otherwise provide polystyrene food service ware products which are not wholly encapsulated or encased within a more durable material, including, but not limited to, cups, cup lids, condiment cups, food trays, plates, bowls, clamshells and other products for food service use.
- No person, vendor, business or event promoter in the City shall sell, distribute, or otherwise provide polystyrene packing material, including, but not limited to, foam peanuts, packing peanuts, foam popcorn or packing noodles.
- No person, vendor, business or event promoter may sell, rent, or otherwise distribute within the City, meat and fish trays, produce trays or egg cartons made, in whole or in part, from polystyrene, either as separate items or as part of the sale of meat, fish, poultry, vegetables, fruit, or eggs sold to consumers.

- 85% Compliance as of January 31, 2020
- Ordinance Outreach and Promotion:
  - Mailers to businesses impacted by the ordinance
  - Social Media
  - Knock & Talk
  - Giveaways
- Multilingual Educational tools and Marketing :
  - Print Advertising
  - Website resource



# Timeline and Implementation

- **Straws and Lids: Effective March 15, 2020**
- **Retail Ban: October 1, 2020**

**Questions?**