



## Legislation Text

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**File #:** 19-1033, **Version:** 1

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Recommendation to request City Attorney to amend the Polystyrene Food Packaging ordinance in the Long Beach Municipal Code (Chapter 8.63) to remove the exemption for #6 plastic lids to encourage a transition to recyclable alternatives; include language that all straws be made available only upon request in any food establishment and that those straws must not be plastic or bio-plastic; and

Request City Manager to work with Public Works Environmental Services Bureau and other appropriate departments to align implementation of these amendments with Phase 3 of the Expanded Polystyrene Ordinance, on December 3, 2019.

In 2018, the City of Long Beach began an Expanded Polystyrene (EPS) ordinance with an 18-month phased implementation plan. Following the first stage of implementation which included all City facilities, we are now in the second phase requiring restaurants seating more than 101 persons to become foam-free. The final stage will be effective December 3, 2019, will apply to all restaurants in the city. The program has been very successful, and there are already more than 60 local businesses who have become foam free prior to the final stage. It also has encouraged broader public outreach and education programs, including Bring Your Own LBC.

This Council recommendation requests two amendments to the existing EPS ordinance to address limitations of the current program. First, the ordinance as written permits #6 coffee lids as an exception to the prohibited packaging. Yet these lids are not recyclable and there are readily available alternatives that present virtually no additional cost to business owners. By eliminating this exception, the City can more effectively encourage a transition to recyclable or reusable alternative lids.

The second proposed amendment is to make all straws available only upon request in any food establishment and mandate that those straws requested are not made of plastic or bio-plastic. Currently, the City's EPS ordinance enforces the "upon request" rule for straws at to-go food service establishments, and California state law enforces the "upon request" rule for straws only at full-service restaurants. Dine-in restaurants where you order at the counter and/or seat yourself are not covered by the City ordinance or State law. Furthermore, neither City nor State law direct the type of straw material that is available upon request.

By making the ordinance apply to all food establishments and specifying the acceptable straw materials, this proposed amendment will more effectively minimize our impact on the environment. The Cities of Manhattan Beach, Malibu, and Santa Monica have all adopted

ordinances that only allow for straws available upon request that come from non-plastic sources, such as paper, pasta, sugar cane, wood, or bamboo, or made of a reusable material. The proposed language for the City of Long Beach's EPS ordinance would not allow for plastic or bio-plastic straws. This provides options for customers who require the use of a straw due to accessibility needs and helps reduce costs for business owners, since they will not need as many straws in stock.

This matter was reviewed by Budget Manager, Grace H. Yoon, on May 30, 2019.

This recommendation is to request amendments to the Expanded Polystyrene (EPS) ordinance. The implementation of this recommendation is anticipated to result in a minimal impact to staff hours beyond normal budgeted scope of duties and a minimal impact on City Council priorities.

Approve recommendation.

ROBERTO URANGA  
COUNCILMEMBER, SEVENTH DISTRICT

JEANNINE PEARCE  
COUNCILMEMBER, SECOND DISTRICT

SUZIE PRICE  
COUNCILWOMAN, THIRD DISTRICT

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