

MODEL SINGLE-USE FOODWARE & LITTER REDUCTION ORDINANCE

SUMMARY

1. Makes on-site ("sit-down") dining disposable-free, and creates environmental standards for take-out disposables.
2. Phases in 25 cent fee on disposable to-go cups and containers to discourage use, and level the playing field for reuse services for take-out and delivery.
3. Creates incentives for food service businesses to develop or utilize reusable take-out and delivery services and build convenient infrastructure for customers returning used cups and containers.
4. Incentivizes BYO (bring-your-own) for coffee cups.

BENEFITS

1. Saves businesses money (100% of the time for on-site dining)
2. Saves cities money (less waste and cleanup)
3. Reduces litter, natural resource extraction, plastic pollution and carbon emissions from disposables
4. Creates new business opportunities and jobs
5. Makes for better dining experience and increases community pride

WHO IS AFFECTED?

Applies to all vendors of prepared food, which include brick and mortar food service (carryout, quick service, full-service), temporary food facility, bakeries, cafeterias, grocery stores, restaurants, drugstores, theaters, bars and other similar establishments that sell prepared food to be consumed on or off premises. Ordinance also applies to foodware purchased by the city for use at city facilities and sponsored events. Prepared food means prepared on vendor's premises by cooking, processing, slicing, mixing, squeezing, or other processing which requires no further preparation to be consumed.

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THE DETAILS

I. Accessory Items

- A. Accessory items (straws, stirrers, lids, napkins, etc.) available only on request or at a self-serve station, EXCEPT for take-out beverage container tops, spill plugs, and sleeves.
- B. Prepared food vendors serving customers take-out via online orders use “opt-in” to provide accessory items (e.g. don’t provide them automatically).
- C. Straws - vendors keep a small supply of plastic straws made available on request.
- D. Condiments - vendors are encouraged to use dispensers rather than individually wrapped servings.

II. Reusable Cups

Temporary facilities shall serve customers who BYO reusable cups unless in poor condition as specified.

III. Compostable Disposable Foodware

- A. Take-out foodware must conform to the *Disposable Foodware Standards*.
- B. Accessories used in take-out must also conform to the *Disposable Foodware Standards*.
- C. Delivery services must conform to the *Disposable Foodware Standards*.
- D. Prepared food vendors must charge \$0.25 for every disposable cup and container provided. Income to be retained by vendor. Customers who show a payment card or voucher for WIC or EBT food assistance are exempt. Charges shall be shown on receipts, menus, ordering platforms, or other displays.
- E. Vendors may request a waiver for specific *Disposable Foodware Standards*.

IV. Reusable Foodware for Dining on the Premises

- A. Only reusables can be used for on-site dining, except paper and foil wraps, paper napkins, and straws that meet the *Disposable Foodware Standards*.
- B. A waiver may be obtained if the vendor can demonstrate inadequate dishwashing capacity, either due to space restraints or financial hardship.
- C. All Disposable Foodware on the premises due to a waiver must conform to the *Disposable Foodware Standards*.

V. Disposable Foodware Standards

- A. Must be acceptable in municipal compost.
- B. The City shall maintain a website of acceptable products.
- C. Requires 90-day notice to food vendors of changes in acceptable products.

VI. Separate Disposable Foodware Waste Receptacles

- A. Vendors must have a three-bin system for landfill, recycle, and compost that is easily accessible placed together in the same location.
- B. City shall identify materials for collection on its website. Color coding required.

VII. Waivers - Process to obtain

Waivers may be granted by City Manager for up to two years. During this term, Prepared Food Vendor shall make diligent efforts to become compliant- additional waivers of up to two years can be granted. All waivers expire automatically in the event of a significant remodel or renovation.



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