



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

Public Works Commission

April 13, 2023



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 Businesses
- Implementation and Timeline
- Exemptions and Waivers
- Enforcement and Penalties





Compliance Cost

Average compliance cost

Foodware Type	Plastic Avg. Unit Price	Compostable Avg. Unit Price	Delta
Utensils	\$0.01	\$0.03	\$0.02
Beverage Containers	\$0.07	\$0.12	\$0.05
Take Out Containers	\$0.20	\$0.26	\$0.06
Straws	\$0.01	\$0.04	\$0.03



Outreach Plan

- 8-months
- Direct communication and meetings
- Community base organization
- City events – Earth Day
- Public meetings





Early Adopter Program Criteria

Estimated \$500 worth of foodware items.

- Brick and mortar business
- Less than 26 employees (full and part-time)
- Less than 20 in-dining tables
- Using polystyrene and single-use plastic foodware
- Demonstrate financial hardship
- Good standing with the City





Recommendation

- Commission recommend moving forward with City Council consideration.



DISCUSSION



- Extra Slides



Element No. 1: Purpose





Element No. 2: Restrictions and Requirements





Element No. 3: Affected Stakeholders

Stakeholder Types	Number
City Operations and Services (Multiple Departments)	1
Pharmacies	20
Grocery stores	3
Food Services Establishments (including restaurants, mobile food trucks, coffee shops, etc.)	300
Hospitality (Hotels)	16
Other Retail and Services	1315
Total	1,655



Element No. 4: Implementation and Timeline

Stakeholder Type	Phase	Implementation Timeline after the Ordinance Adoption
Local Government	1	6 months
Groceries and Pharmacies	2	1-year after adoption or January 1*
Food Service Establishments (including restaurants, coffee shops, mobile food trucks, etc.)	2	1-year after adoption or January 1*
Retail stores	2	1-year after adoption or January 1*
Hospitality (Hotels)	2	1-year after adoption or January 1*



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