



AGENDA REPORT

DATE: May 15, 2018

TO: Members of the City Council

FROM: Mayor Tom Butt

ITEM: AMENDMENT TO CHAPTER 9.17 FOOD WARE ORDINANCE TO PROHIBIT PLASTIC STRAWS AND PLASTIC STIRRERS

STATEMENT OF THE ISSUE:

The excessive use and disposal of plastic straws and plastic stirrers pose significant risks to the health of marine wildlife, environment, and human populations.

RECOMMENDED ACTION:

ADOPT an ordinance (second reading) amending Richmond Municipal Code Chapter 9.17 Food Ware Ordinance to update the disposable food ware regulations and prohibit the use, distribution or sale of plastic straws and plastic stirrers by retail establishments, food providers, transient lodging establishments, and the city government.

FINANCIAL IMPACT:

There is no financial impact related to this item.

DISCUSSION:

The purpose of amending Chapter 9.17 is to prohibit plastic straws and plastic stirrers, from being used, provided, distributed, or sold by retail establishments, food providers, transient lodging establishments, and the city government.

The first reading of the ordinance amending Chapter 9.17 was passed unanimously by City Council on May 1, 2018 with a motion to remove provision "(b)" from section 9.17.040 – Enforcement and penalties.

The Richmond Food Wares Ordinance, Chapter 9.17, currently includes two key provisions related to disposable food wares and polystyrene foam products. Last amended July 16, 2013, the scope of the ordinance was expanded to prohibit the sale and use of all polystyrene foam product, the most common being cups, plates, bowls, take-out containers, coolers, packing peanuts and other disposable items.

Additionally the ordinance regulates the types of disposable food wares in food establishments including all retail businesses and any other entity which sells or distributes food to the public. Under the current regulation, disposable food wares must be either compostable or recyclable and the definition of disposable food wares includes all containers, bowls, plates, trays, cartons, cups, and take-out service wares. The definition does not include lids, straws, or utensils and does not explicitly mention stirrers.

The new proposed regulations in this amendment would add utensils and lids to the list of disposable food wares which must be made with recyclable or compostable materials. Additionally the ordinance would specifically ban the sale and use of all plastic straws and stirrers including those made from plastic derived from either petroleum or biologically based polymers such as corn or other plant sources.

The amendment extends the same plastic product regulation to all City of Richmond facilities and any City sponsored events as well as for City franchisees, contractors and vendors.

Plastic straws and stirrers, which are improperly disposed, commonly make their way to storm drains and waterways that lead directly to the San Francisco Bay and the Pacific Ocean. Because of their small size and frequent use, those items are littered across the city and open spaces posing immediate danger to marine life and impacting the local and global ecology which ultimately harms us all.

In Richmond, the annual Coastal Cleanup in September attracts hundreds of volunteers seeking to remove harmful debris from the city's shoreline. Between 2011 and 2017, approximately 5,306 straws and stirrers were collected by volunteers at Shimada Friendship Park. For at least six consecutive years, straws and stirrers have been in the top 5 most collected debris years at the Shimada Park coastal clean-up. At that same location, approximately 1,834 forks, knives spoons, plates and cups were recovered between 2011 and 2012, and 3,899 beverage caps and lids were collected from 2011 through 2013.

In a Fast Company article published on April 24, 2018 titled "There's so much plastic in the ocean it just set a new record," author Melissa Locker states, "...an

estimated 8 million metric tons of plastic end up in our oceans each year (in addition to the estimated 150 million metric tons already there)...” Locker concludes the article by stating that “Currently only 9% of the world’s plastic is recycled, with single-use plastics like plastic bags, food packaging, and straws being the worst offenders.”

A study published in January 2016 by the World Economic Forum titled “The New Plastic Economy – Rethinking the future of plastics,” explains that in a “business-as-usual scenario,” the ocean will contain 1 ton of plastic for every 3 tons of fish by 2025, and that oceans will contain more plastic than fish by 2050.

A February 23, 2018 National Geographic article titled “Straw Wars: The Fight to Rid the Oceans of Discarded Plastic” states that Americans use 500 million straws daily.

Plastic straws and plastic stirrers have been the subject of bans or “by request” policies by several California cities such as Davis, Malibu, San Luis Obispo Berkeley and Manhattan Beach. Assembly Bill 1884 introduced by Assemblymembers Ian Calderon and Richard Bloom would prohibit a food facility, where food may be consumed on the premises, from providing single-use plastic straws to consumers unless requested by the consumer.

ATTACHMENTS:

Chapter 9.17 Food Ware Ordinance Amendment – MARK-UP

Chapter 9.17 Food Ware Ordinance Amendment – CLEAN

Shimada Park Coastal Cleanup Data 2011- 2017