



DATE: March 25, 2014

CATEGORY: Unfinished Business

DEPT.: Public Works

TITLE: **Adopt an Ordinance Adding Article V to Chapter 16 of the Mountain View City Code Related to Polystyrene Foam Food Service Ware (Second Reading)**

RECOMMENDATION

Adopt an Ordinance of the City of Mountain View Adding Article V to Chapter 16 of the Mountain View City Code Related to Use of Polystyrene Foam Food Service Ware by Food Providers. (First reading: 4-2-1; Inks, McAlister no; Kasperzak absent)

SUMMARY

On February 11, 2014, the City Council introduced and discussed an ordinance prohibiting food providers from using polystyrene foam food service ware to serve food and beverage, whether for dine-in, take-out, or complimentary service.

At the meeting, City Council added language to the ordinance (Attachment 1) prohibiting the sale of polystyrene foam food service ware, including ice chests and coolers which are not wholly encapsulated or encased within a more durable material. City Council directed staff to notify businesses which may be affected by the additional provisions and scheduled the second reading and adoption for March 25, 2014. If approved, the ordinance will become effective on July 1, 2014.

On February 20, 2014, letters were mailed to 60 businesses that sell or might sell polystyrene food service ware and unencapsulated ice chests and coolers. Businesses were identified from City business license records and include party, drug, convenience, liquor, retail, restaurant supply, hardware, and grocery stores. The letter provided information about the proposed ordinance and invited businesses to attend the City Council meeting on March 25, 2014. A copy of the proposed ordinance was enclosed with the letter. One party store business has contacted staff for more information.

The purpose of the ordinance is to reduce the amount of polystyrene foam food service ware litter in the environment to improve water quality, comply with new municipal Stormwater Permit requirements, and achieve the City's environmental objectives.

The ordinance regulates only polystyrene foam food service ware and unencapsulated ice chests/coolers. Businesses may choose to use or sell food service ware made from other materials such as paper, plastic, or durable and reusable food service ware, and encapsulated ice chests and coolers.

FISCAL IMPACT

The fiscal impact to the City is minimal. Existing funds from the Solid Waste budget, not to exceed \$3,000, will be utilized to implement the ordinance (for outreach to affected businesses).

PUBLIC NOTICING – Agenda posting.

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CP-LT/7/CAM
920-03-25-14CR-E

Attachment: 1. Ordinance

Approved by:

Michael A. Fuller
Public Works Director

Daniel H. Rich
City Manager