



PLASTIC FREE **RB**

PROHIBITION OF USE, DISTRIBUTION AND SALE OF POLYSTYRENE FOOD SERVICE WARE AND COOLERS AND SINGLE-USE PLASTIC STRAWS, STIRRERS AND UTENSILS

The City of Redondo Beach adopted Ordinance No. O-3201-20 on January 14, 2020 to prohibit the distribution or sale of polystyrene and single-use plastic products by food or beverage providers. This ordinance was developed to address environmental and health-related concerns, including negative impacts to water quality, marine ecosystems, marine life, and human health. **This ordinance prohibits the use, distribution and sale of polystyrene food service ware and coolers, as well as single-use plastic straws, stirrers, and utensils.**

THE PLASTIC POLLUTION PROBLEM Protecting the environment is part of Redondo Beach’s core values. Yet, polystyrene items, plastic straws, and utensils of all shapes, sizes and colors are popping up everywhere, from cocktails to delivery food to unasked-for glasses of water. Collectively, Americans use roughly 500 million plastic straws daily – enough to fill up 125 school buses each day and wrap around our entire planet 2.5 times.

POLYSTYRENE AND SINGLE-USE PLASTIC HARMS WILDLIFE Because they’re not recyclable, most polystyrene products, plastic straws and utensils end up in landfills. The rest can be disposed of improperly and end up polluting the environment. In fact, recent studies show that half of all sea turtles and nearly all seabirds have eaten plastic – and by 2050, it’s expected that there will be more plastic in the ocean than fish, by weight.

REDONDO BEACH IS TAKING ACTION Here in Redondo Beach, we have the opportunity to do something about this problem, just as we did with plastic bags. Polystyrene items, straws, and utensils are in the top six most commonly found pieces of trash during beach cleanups in California, and these are also some of the most harmful pieces of plastic pollution to marine life.

- *Prohibited Single-Use Plastic:* Polystyrene items, plastic disposable straws, utensils, and stirrers distributed by food providers, whether for use on-site, to-go, or delivery, cannot be of plastic origin.
- *Recommended Alternatives:* Disposable straws, stirrers, and utensils must be made from non-plastic, non-polystyrene materials, including, but not limited to, paper, sugar cane, wood, or bamboo.

PROHIBITED ITEMS

POLYSTYRENE

(Styrofoam®, Rigid Polystyrene, Resin Code PS, #6, or PS#6)

- Bowls
- Cartons
- Condiment containers
- Coolers
- Cups/drinkware
- Egg cartons
- Meat and fish trays
- Packing materials (e.g., packing peanuts)
- Plates
- Platters
- Produce trays
- Straws
- Utensils
- Wrappers

SINGLE-USE PLASTIC PRODUCTS

(Includes Resin Codes #1-6; Bioplastic PLA#7)

- Lid plugs
- Straws
- Stirrers
- Utensils

ALLOWABLE ITEMS

The ordinance allows non-plastic single use items, such as straws and utensils made from non-plastic materials (e.g., paper, wood, bamboo, metal, or glass). These disposable alternative straws, stirrers, and utensils can be provided only upon request by the customer. In addition, accommodations may be made to provide plastic straws to people with disabilities who request them to obtain equal access to food and beverage services.





PLASTIC FREE

PROHIBITION ON THE SALE, DISTRIBUTION AND USE OF FOIL, METALIZED OR "MYLAR" BALLOONS AND PROHIBITION OF THE RELEASE OF HELIUM-FILLED LATEX BALLOONS WITHIN CITY LIMITS

The City of Redondo Beach adopted Ordinance No. 3201-20 on January 14, 2020 and Ordinance No. 3213-21 on April 6, 2021 to address issues created by balloons and plastic pollution, which have raised environmental and health concerns related to water quality, the welfare of marine life, and human health. These ordinances prohibit the sale, distribution and use of foil, metalized or "Mylar" balloons and the release of helium-filled balloons within the City limits.

WHY ARE BALLOONS HARMFUL TO OCEAN LIFE?

- Light and buoyant, balloons can travel many miles in the water and air. Free-flying balloons can travel as far as 1,300 miles.
- Birds, turtles and other animals often mistake balloons for food.
- When ingested, a balloon can block the digestive track of the animal, often resulting in death by starvation.
- Ocean and beach wildlife often get entangled in balloon ribbons.
- Sea turtles are the most at-risk, as balloons floating in the sea look like their favorite food: Jellyfish!
- During International Coastal Cleanup Day, nearly 100,000 balloons were picked up on beaches around the world.

HOW CAN I HELP PROTECT OCEAN LIFE?

- Don't let go! Never release balloons into the air.
- Celebrate without balloons. Choose edible or other items, which are less likely to end up in the environment.
- If you receive a balloon for any reason, when done with it, please pop it and dispose of it properly (cut the string/ribbon off, cut the balloon up, and place it in the trash).
- Pick up any balloons or ribbons you find and dispose of them properly.





**Financial Services Department
Licensing Division**

415 Diamond St., Door 1
Redondo Beach, California 90277
www.redondo.org

tel: 310 318-0603
fax: 310 937-6666

April 18, 2022

RE: Ordinances Regulating Polystyrene Food Service Ware and Coolers; Single-Use Plastic Straws, Stirrers and Utensils; Foil, “Metalized” and Mylar Balloons; and Helium Filled Latex Balloons

Dear City of Redondo Beach Business Owner and/or Manager:

The City of Redondo Beach is dedicated to protecting the environment and has been a leader and active partner in supporting critical environmental initiatives. As part of this ongoing effort, the City is committed to reducing plastic-based waste that ends up on our beaches and in the ocean.

The Redondo Beach City Council adopted Ordinance No. 3201-20 on January 14, 2020 and Ordinance 3213-21 on April 6, 2021 adding and amending Chapter 10, Title 5 to the City’s Municipal Code, which regulates polystyrene food service ware and coolers; single-use plastic straws, stirrers and utensils; foil, “metalized” and Mylar balloons; and helium filled latex balloons, as follows:

- a) No food provider or beverage provider shall distribute or sell any polystyrene food service ware in conjunction with the sale of prepared food or raw food or beverages at any location within the City;
- b) No person shall sell any polystyrene food service ware or polystyrene cooler at any location within the City;
- c) No person shall distribute or sell prepared food or raw food or beverages in any polystyrene food service ware at City facilities that have been rented, leased or are otherwise being used with permission of the City;
- d) No person shall use or distribution polystyrene food service ware at City-sponsored events, City-managed concessions and City meetings open to the public.
- e) Food providers and beverage providers shall not use or distribute plastic beverages straws, plastic stirrers, or plastic utensils, whether for use on-site, to-go, or delivery. Disposable straws, stirrers, and utensils must be non-plastic, made from non-plastic materials, such as paper, pasta, sugar cane, wood, or bamboo;
- f) No food provider or beverage provider shall provide non-plastic, single-use straws, utensils or stirrers, except upon the request of the customer.
- g) Food providers and beverage providers, as well as City facilities, City-managed concessions, City-sponsored events, and City-permitted events, may retain and distribute plastic straws as an

Redondo Beach Business – Plastic and Balloon Regulations

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accommodation to people with disabilities who request them to enjoy equal access to food and beverage services with the City;

h) No person, including, but not limited to, a balloon wholesaler, retailer or third-party vendor shall sell or distribute foil, “metalized” or Mylar balloons within the City either as a separate item or included in a packaged product set;

i) No person shall use or distribute foil, “metalized” or Mylar balloons on public property including parks and beaches;

j) No person shall use or distribute latex balloons filled with helium or lighter than air gas at any City function or City sponsored event;

k) No person shall release latex balloons filled with air, helium, or lighter than air gas anywhere within the City limits

A copy of Chapter 10, Title 5 of the City’s Municipal Code has been included with this letter for you to review the entirety of the language associated with these regulations.

Although these ordinances prohibit the distribution and sale of certain single-use plastic and polystyrene items, it does allow for the provision of non-plastic single use items upon request, such as straws and utensils made from non-plastic materials (e.g., paper, wood, bamboo, metal, or glass). In addition, accommodations may be made to provide plastic straws to people with disabilities who request them to obtain equal access to food and beverage services.

The City recognizes that this is an adjustment for business owners and their operations and will work with you to ensure compliance with the ordinance. As defined in the City’s Municipal Code, penalties for non-compliant businesses may include:

- A fine not exceeding one hundred dollars (\$100) for a first violation;
- A fine not exceeding two hundred dollars (\$200) for a second violation by the same person of the same ordinance within twelve (12) months of the date of the first violation; and
- A fine not exceeding five hundred dollars (\$500) for a third and each additional violation by the same person of the same ordinance within twelve (12) months of the date of the first violation.

The City thanks you for your participation and looks forward to working together with our business community on this important initiative. If you have any questions please contact the City's Public Works Department, Engineering Division at 310-318-0661.

Sincerely,

Licensing Division
Financial Services Department

Attachment: RBMC Chapter 10, Title 5

Redondo Beach Municipal Code							
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Title 5 SANITATION AND HEALTH							

Chapter 10 POLYSTYRENE AND SINGLE-USE PLASTIC PRODUCTS

5-10.01 Purpose.

Redondo Beach enacts this chapter in order to address pollution issues created by Balloons and plastic pollution. Balloons and plastic pollution, including single-use plastics and polystyrene, have raised environmental and health concerns related to water pollution, the welfare of marine life, and human health. These regulations reduce single-use waste; reduce greenhouse gas emissions; reduce the distribution of disposable single-use plastic; reduce polystyrene use and litter in the City; keep plastic waste from landfills; and reduce balloon litter threats to natural ecosystems and ocean wildlife, in order to protect the health of the Redondo Beach community and promote environmentally sustainable practices in the City. (Added by § 2, Ord. 3201 c.s., eff. February 13, 2020)

5-10.02 Definitions.

As used in this chapter, unless the context otherwise clearly indicates, the words and phrases are defined as follows:

“Affected retail establishment” means any retail establishment located within or doing business within the geographical limits of the City.

“ASTM Standard Specification” means Standard Specification for Compostable Plastics D6400 or Standard Specification for Biodegradable Plastics D6868 as certified by the Biodegradable Products Institute (BPI), as adopted or subsequently amended by the American Society for Testing and Materials (ASTM).

“Balloon” means a flexible bag, including, but not limited to, those made from rubber, latex, foil, metal, polychloropene, Mylar, or nylon fabric, that is designed to be inflated with air or gas lighter than air such as helium, hydrogen, nitrous oxide, or oxygen, causing it to float.

“Beverage provider” means any business, organization, entity, group, or individual that offers liquid, slurry, frozen, semi-frozen, or other forms of beverages to the public for consumption. Beverage provider also includes any organization, group or individual that regularly provides beverages to its members or the general public as a part of its activities or services.

“BPI” or Biodegradable Products Institute is a multi-stakeholder association of key individuals and groups from government, industry, and academia, which promotes the use, and recycling of biodegradable polymeric materials (via composting). The BPI is open to any materials and products that demonstrate that they meet the requirements in ASTM D6400 or D6868, based on testing in an approved laboratory.

“City contractor” means any person that enters into an agreement with the City to furnish products or services to or for the City.

“City facility” means any building, structure, property, park, open space, or vehicle, owned or leased by the City, its agents, agencies, or departments.

“City-sponsored event” means any event, activity or meeting organized or sponsored, in whole or in part, by the City or any department of the City.

“Compostable” means all the materials in the product or package that will break down, or otherwise become part of usable compost (soil-conditioning material, mulch), such as paper and certified compostable plastics that meet the American Society for Testing and Materials (ASTM) standard specifications for compostable plastics D6400 or biodegradable plastics D6868 for compostability, as certified by the Biodegradable Products Institute (BPI).

“Customer” means any person obtaining goods from an affected retail establishment, vendor or non-profit vendor.

“Disposable food service ware” or “disposables” means single-use, disposable products used for serving, consuming or transporting prepared food and, raw food, or beverages, including, but not limited to, plates, bowls, trays, wrappers or wrapping, platters, cartons, condiment containers, cups or drink ware, straws, lids, utensils, stirrers, lid plugs (splash sticks), or any container in or on which prepared food and, raw food, or beverages are placed or packaged for consumption.

“Foil balloon” includes, but is not limited to, balloons that are made of “metalized” nylon film, and include balloons often referred to as made of Mylar, which is a brand name for a special type of polyester film. Foil or metallic balloons are made of plastic (nylon) sheets coated with polyethylene and metallic materials that are sealed together with heat.

“Food provider” means any person or establishment that provides or sells prepared food or raw food or beverages within the City to the general public to be consumed on the premises or for take-away consumption. Food provider includes, but is not limited to: (1) a grocery store, supermarket, restaurant, drive-thru, cafe, coffee shop, snack shop, public food market, farmers’ market, convenience store, or similar fixed place where prepared food or raw food or beverages is available for sale on the premises or for take-away consumption; and (2) any mobile store, food vendor, caterer, food truck, vending machine or similar mobile outlet. Food provider also includes any organization, group or individual that regularly provides prepared food or raw food or beverages to its members or the general public as a part of its activities or services. Food provider also means any school in the Redondo Beach Unified School District.

“Grocery store” means any dealer in staple foodstuffs, meats, produce and dairy products and usual household supplies.

“Latex balloon” is a balloon made with the sap from a rubber tree. During the manufacturing process many chemicals are added to raw rubber including pigments, oils, curing agents and accelerators.

“Meat and fish tray” means a tray for raw meat, fish, or poultry sold to consumers from a refrigerator case or similar retail appliance.

“Non-profit vendor” means a recognized tax-exempt organization which provides goods as a part of its services.

“Plastic beverage straw” means a tube made predominantly of plastic derived from either petroleum or a biologically-based polymer, such as corn or other plant sources, used to transfer a beverage from its container to the mouth of the drinker. Plastic beverage straw includes compostable, petroleum-based or a biologically-based polymer straw, but does not include straws that are made from non-plastic materials, including, but not limited to, paper, pasta, sugar cane, wood, bamboo, metal, or glass.

“Plastic stirrer” means a plastic device that is used to mix beverages and/or plug the opening of a beverage lid, and intended for only one-time use. Plastic stirrer includes compostable, petroleum-based, or a biologically-based polymer stirrers and lid plugs (splash sticks), but does not include stirrers that are made from non-plastic materials, including, but not limited to, paper, pasta, sugar cane, wood, bamboo, metal, or glass.

“Plastic utensil” means any plastic utensil, including, but not limited to, forks, spoons, sporks, knives, cutlery, and disposable flatware intended for only one-time use. Plastic utensils include compostable, petroleum-based, or biologically-based polymer forms of utensils, but does not include forms of utensils that are made from non-plastic materials, including, but not limited to, paper, sugar cane, wood, bamboo, metal, or glass.

“Polystyrene” means a thermoplastic petrochemical material utilizing the styrene monomer, including, but not limited to, rigid polystyrene and expanded polystyrene, processed by any number of techniques, including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, expanded polystyrene molding, or extrusion-blow molding (extruded polystyrene), and clear or solid polystyrene (oriented polystyrene). The resin code for polystyrene is ‘6’ or ‘PS,’ either alone or in combination with other letters. This definition applies to all polystyrene food service ware, regardless of whether it exhibits a resin code.

“Polystyrene cooler” means any cooler or ice chest made of polystyrene foam, where such foam is not fully encased in another material.

“Polystyrene food service ware” means disposable food service ware that contains or utilizes polystyrene.

“Polystyrene packing material” means polystyrene material used to hold, cushion, or protect items packed in a container for shipping, transport, or storage, including shipping boxes and packing peanuts.

“Prepared food” means any food or beverage that is: (1) ready to consume without any further food preparation, alteration or repackaging; and (2) prepared, provided, sold or served by a food provider using any cooking, packaging or food preparation technique. Prepared food may be eaten either on or off the food provider’s premises.

“Produce tray” means any tray or carton for vegetable, fruit, or eggs sold to consumers from a refrigerator case or similar retail appliance.

“Raw food” means any meat, fish, poultry, vegetable, fruit, or egg.

“Recyclable” means material that can be sorted, cleansed, and reconstituted using Redondo Beach’s available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. Recycling does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

“Resin code” means a resin identification code placed on plastics to identify the material composition for separation of different types of plastics for recycling.

“Retail establishment” means any commercial business facility that sells goods directly to the ultimate consumer including, but not limited to, grocery stores, pharmacies, liquor stores, “mini-marts,” and retail stores and vendors selling clothing, food and personal items.

“Vendor” means any store, shop, restaurant, sales outlet, mobile food vendor, pushcart, or other commercial establishment located within or doing business within the City of Redondo Beach, which provides perishable or nonperishable goods. (Added by § 3, Ord. 3201 c.s., eff. February 13, 2020)

5-10.03 Prohibition of use, distribution, and sale of polystyrene food service ware and coolers.

(a) No food provider or beverage provider shall distribute or sell any polystyrene food service ware in conjunction with the sale of prepared food or raw food or beverages at any location within the City.

(b) No person shall sell any polystyrene food service ware or polystyrene cooler at any location within the City. Food providers and beverage providers that distribute prepared food or raw food or beverages in disposable food service ware shall: (1) distribute only disposables that exhibit a resin code other than “No. 6” or “PS”; and (2) maintain documentation about the composition of the disposable food service ware. Documentation may include information from the supplier, manufacturer, or bulk packaging for the disposables, and any other relevant information demonstrating that the disposable material is not polystyrene.

(c) No person shall distribute or sell prepared food or raw food or beverages in any polystyrene food service ware at City facilities that have been rented, leased or are otherwise being used with permission of the City. This subsection is limited to use of City facilities for which a person has entered into an agreement with the City to rent, lease or otherwise occupy a City facility. All facility rental agreements for any City facility shall include a provision requiring contracting parties to assume responsibility for preventing the utilization and/or distribution of polystyrene food service ware while using City facilities. The facility rental agreement shall indicate that a violating contractor’s security deposit will be forfeited if the City Manager or designee determines that polystyrene food service ware was used in violation of the rental agreement.

(d) No person shall use or distribute polystyrene food service ware at City-sponsored events, City-managed concessions and City meetings open to the public. This subsection shall apply to the function organizers, agents of the organizers, city contractors, food providers, beverage providers and any other person that enters into an agreement with one or more of the function sponsors to sell or distribute prepared food or raw food or beverages or otherwise provide a service related to the function.

(e) The City, its departments, and its city contractors, agents, and employees acting in their official capacity, shall not purchase or acquire polystyrene food service ware, or distribute it for public use. (Added by § 4, Ord. 3201 c.s., eff. February 13, 2020)

5-10.04 Single-use plastic straws, stirrers and utensils prohibition; “upon-request” policy for non-plastic single use straws, stirrers and utensils.

(a) Prohibition on single-use plastic. Food providers and beverage providers shall not use or distribute plastic beverage straws, plastic stirrers or plastic utensils, whether for use on-site, to-go, or delivery. Disposable straws, stirrers, and utensils must be non-plastic, made from non-plastic materials, such as paper, pasta, sugar cane, wood, or bamboo.

(b) “Upon request” policy for non-plastic single use straws, stirrers and utensils. No food provider or beverage provider shall provide non-plastic, single-use straws, utensils or stirrers, except upon the request of the customer.

(c) Accommodations. Food providers and beverage providers, as well as City facilities, City-managed concessions, City-sponsored events, and City-permitted events, may retain and distribute plastic straws as an accommodation to people with disabilities who request them to enjoy equal access to food and beverage services within the City. (Added by § 5, Ord. 3201 c.s., eff. February 13, 2020)

5-10.05 Regulations on the sale, distribution, and use of balloons—Prohibition of the sale, distribution and use of “foil,” “metalized,” or “Mylar” balloons—Prohibition of the release of latex balloons.

(a) No person, including, but not limited to, a balloon wholesaler, retailer (e.g., party supply, craft store) or third-party vendor shall sell or distribute foil, “metalized” or Mylar balloons within the City either as a separate item or included in a packaged product set.

(b) No person shall use or distribute foil, “metalized” or Mylar balloons on public property including parks and beaches.

(c) No person shall use or distribute latex balloons filled with helium or lighter than air gas at any City function or City sponsored event.

(d) No person shall release latex balloons filled with air, helium, or lighter than air gas anywhere within the City limits. (Added by § 6, Ord. 3201 c.s., eff. February 13, 2020, as amended by § 1, Ord. 3213 c.s., eff. May 6, 2021)

5-10.06 Extensions and exemptions.

- (a) The following are exempt from the provisions of this chapter:
- (1) Food prepared or packaged outside of the City, provided such food is not altered, packaged or repackaged within the City limits. This exemption does not apply to raw produce, meat, or eggs.
 - (2) Coolers and ice chests, other than those defined as polystyrene coolers in this chapter.
 - (3) Food brought by individuals for personal consumption to City facilities, including, but not limited to, City parks and the beach, provided the City facility is being used for individual recreation or similar purposes.
- (b) The City Manager or designee may provide extensions of time for compliance or exempt any person from the requirements codified in this chapter, as follows:
- (1) A request for an extension or claimed exemption shall be filed in writing with the City Manager or designee and shall include documentation of the reason for the requested extension or exemption and any other information necessary for the City to make its decision. The City may require the applicant to provide additional information as necessary to make the required determinations.
 - (2) The City Manager or designee may approve the extension or exemption for a maximum of one year, with or without conditions, upon finding that compliance would create an undue hardship. Undue hardship may include, but not be limited to, situations where:
 - a. There are no reasonable alternatives for reasons that are unique to the applicant; or
 - b. Compliance with the requirements codified in this chapter would deprive a person of a legally protected right. The extension or exemption may be extended for additional terms of up to one year each, upon a showing of the continuation of the legal right.
 - (c) The City Manager's written decision on the extension or exemption is effective within ten (10) days of the decision.
 - (d) Decisions of the City Manager may be appealed by the person applying for the extension or exemption to the City Council. Appeals shall be filed in writing with the City Clerk within ten (10) days of the decision and shall be accompanied by a fee set by resolution of the City Council. Notice of hearing shall be given to the applicant at least ten (10) days prior to the hearing. The City Council shall make its decision within sixty (60) days of receiving the appeal. (Added by § 7, Ord. 3201 c.s., eff. February 13, 2020)

5-10.07 Effective date of this chapter.

- (a) The provisions in Section 5-10.03 of this chapter shall not take effect and may not be enforced until six (6) months after the effective date of the ordinance codified in this chapter.
- (b) The provisions in Sections 5-10.04 and 5-10.05 of this Chapter shall not take effect and may not be enforced until one year (twelve (12) months) after the effective date of the ordinance codified in this chapter. (Added by § 8, Ord. 3201 c.s., eff. February 13, 2020)

5-10.08 Certification of compliance.

All businesses that are subject to this chapter shall certify compliance with this chapter on the annual business license renewal application. (Added by § 9, Ord. 3201 c.s., eff. February 13, 2020)

5-10.09 Penalties.

In addition to any other applicable civil or criminal penalty, any person convicted of a violation of this chapter is guilty of an infraction, which is punishable pursuant to the penalty provisions set forth in Section 1-2.02(b) of this Code. (Added by § 10, Ord. 3201 c.s., eff. February 13, 2020)

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