

## **Any Polystyrene Food Service Ware – Ordinance Type B:**

### **A. Food Service Ware**

- No Food Provider shall distribute or sell Prepared Food in any Polystyrene Food Service Ware at any location within the City.
- No Person shall distribute or sell Prepared Food in any Polystyrene Food Service Ware at City Facilities, City-sponsored events, City-managed concessions and City meetings open to the public.
- 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.

### **B. Definitions**

- "Disposable Food Service Ware" or "Disposables" means single-use, disposable products used for serving or transporting Prepared Food. This includes but is not limited to plates, bowls, trays, wrappers or wrapping, platters, cartons, condiment containers, cups or drink ware, or any other container in or on which Prepared Foods are placed or packaged for consumption, but excludes single-use disposable straws, cup lids, and utensils.
- "Polystyrene" means a thermoplastic petrochemical material utilizing the styrene monomer, including but not limited to polystyrene foam or expanded polystyrene, processed by any number of techniques, including but not limited to fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, or extrusion-blow molding (extruded foam polystyrene), and clear or solid polystyrene (oriented polystyrene).
- "Polystyrene Food Service Ware" means Disposable Food Service Ware that contains or utilizes Polystyrene.

### **C. Exemptions**

- Food prepared or packaged outside of the City, provided such food is not altered, packaged or repackaged within the City limits.
- Coolers and ice chests made of Polystyrene intended for reuse.
- Food brought by individuals for personal consumption to City Facilities.
- The City Manager or designee may approve the exemption for a maximum of one (1) year, with or without conditions, upon finding that compliance would create an Undue Hardship where: a. There are no reasonable alternatives to Polystyrene Food Service Ware for reasons that are unique to the applicant; or b. Compliance with the requirements of this chapter would deprive a person of a legally protected right.

### **D. Example**

- **Hermosa Beach Ordinance No. 12-1332**