



OurCounty

Los Angeles County
Draft Single Use Plastic Food Service
Ware Ordinance

LA County Chief Sustainability Office
March 2022

Background

Board of Supervisors motion

- Adopted in October 2019
- Highlights concerns with litter as well as challenges to waste management
- Directives:
 - Contract with UCLA Luskin School to prepare report on state of recycling markets;
 - Stakeholder engagement; and
 - Preparation of an ordinance to prohibit single -use plastics and other materials that cannot be or are not recycled.



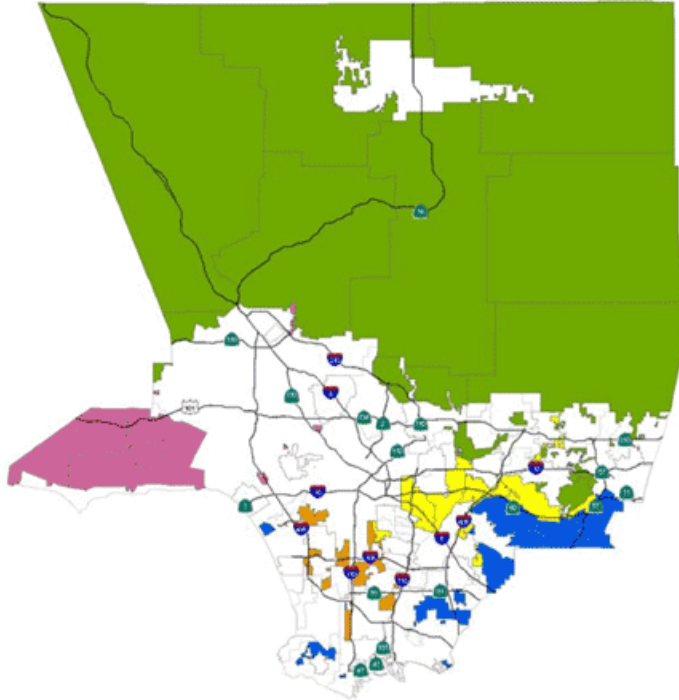
Background

Stakeholder Engagement

- Process to date
 - Stakeholder meeting held in December 2019
 - UCLA released report in January 2020
 - Ordinance development put on hold from April 2020 to fall of 2021
 - Started restaurant surveys in January 2022
 - Sent summary of draft ordinance to stakeholders for review and comment in January 2022
 - Held two listening sessions in February 2022
 - Various meetings and presentations with stakeholders throughout process



Draft Ordinance Provisions: Applicability



- Applies solely to unincorporated portions of Los Angeles County
- Applies to “food facilities” and retail establishments
 - “Food facilities” include, but are not limited to, restaurants, coffee shops, fast food restaurants, food carts, grocery stores, supermarkets, convenience stores, school cafeterias, snack bars, food trucks, juice bars, farmers markets, and temporary food facilities that participate in fairs or events.
- Street vendors are exempted from ordinance requirements.

Draft Ordinance Provisions: Requirements

- Disposable food service ware provided with ready -to-eat foods, food trays, and egg cartons must be either “recyclable” or “compostable.”
- Retail sale or rental of expanded polystyrene (foam) products prohibited.
- Full-service restaurants must use reusable food service ware for dine -in customers
 - A “full-service restaurant” is defined as defined as food facilities where food may be consumed on the premises, customers are escorted or assigned to an eating area, food and beverage orders are delivered directly to customers (except for food in a buffet or salad bar), and servers bring items to customers if requested.
- Businesses must maintain records showing compliance for three years



- The following products are exempted from the ordinance requirements:
 - Articles included in food or beverages that are packaged off the premises of the food facility. (e.g., forks in a salad prepared and packaged offsite or straw attached to a juice box)
 - Emergency supplies and articles used as part of food service for patients in health facilities.
- Exemptions may be granted for items if no appropriate compostable or recyclable alternative exists.
- Full-service restaurants that do not have adequate dishwashing facilities may request a waiver from the requirement to use reusable food service ware for dine-in customers.
- Waivers from the ordinance requirements may also be granted on a limited basis in the case of undue hardships, including but not limited to financial hardship.

Draft Provisions: Implementation Timeline



- Food facilities that operate in a permanent structure and serve food to customers on -site, as well as retail establishments: **one year** after ordinance adoption
- Food trucks: **eighteen months** after ordinance adoption
- Temporary food facilities (e.g. community events, caterers, and farmers markets): **two years** after ordinance adoption

- County Department of Public Works will be enforcement lead with support from Department of Public Health
 - Initially complaint -based
 - County will evaluate whether a more proactive approach is needed during first year of implementation
- Department of Public Health will assist with education and outreach
- Enforcement will prioritize education and working with businesses to bring them into compliance rather than using a punitive approach.
- In instances where this approach does not work, violators may be subject to fines up to \$100 per day per violation up to a maximum of \$1000 per year.

Next Steps

- Restaurant surveys: ongoing through March 2022
- Final ordinance preparation and review: ongoing through March 2022
- Final Draft ordinance to Board of Supervisors: early April 2022 (tentative)
- Second hearing (final approval) at Board of Supervisors: late April 2022 (tentative)





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