



Bureau of Planning and Sustainability
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Nov. 14, 2018

REPORT TO PORTLAND CITY COUNCIL

By-request policy for plastic straws in dine-in areas; as well as an ask-first policy for plastic utensils and condiments for take-out, delivery and fast food orders.

This memo is a follow-up response to a public engagement process developed to research and recommend a proposal to move forward to reduce single-use plastics. On June 20, 2018, Portland City Council adopted a resolution that directed the Bureau of Planning and Sustainability (BPS) to work in collaboration with Mayor’s Office to explore a plastic straw ban and develop a strategy for reducing single-use plastics. The following information details our findings and recommendations to Portland City Council.

Work Group Meetings

In July, a work group was formed to discuss policy options to reduce single-use plastics. The work group consisted of restaurants, wholesalers, a medical facility, American Disability Act (ADA) straw users, and environmental advocates.

City staff led, coordinated and documented the workgroup feedback. Subject matter advisors from Multnomah County, Prosper Portland and the Bureau of Equity and Human Rights participated with the work group to inform the conversation with expertise in the form of restaurant health inspections, economic development and ADA considerations.

Community Outreach Survey

A survey was distributed that focused on City action to reduce single-use plastics. Over 4000 responses resulted from the survey and were overwhelmingly supportive of City action to reduce single-use plastics.

Areas of Consideration

- The community sees the need for government intervention in addressing Portland’s contributions to marine plastics.
- Waste prevention (not using) and reuse are the highest and best available alternatives.
- Representatives from the ADA community expressed a strong response against a plastic straw ban. The plastic straw is a crucial tool for people with disabilities and those recovering from injury or illness. A by request policy balances accessibility with single-use plastic reduction.

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- The survey indicated a desire to find a recyclable or compostable alternative. Due to strong market signals for higher quality feedstocks (the materials and packaging we put in our blue and green bins), small single-use plastics, including compostable plastics are not allowed in City-regulated mixed recycling and compost programs (blue and green carts).
- Environmental regulators cautioned the consequences of attempting to correct one issue (plastic straws littered in the environment) when there may be other consequences (increase of use of carbon intense materials like paper/metal/glass). Replacing plastic items with some alternatives, in a one-to-one replacement scenario, will increase greenhouse gas emissions.
- The work group expressed the need to address human health impacts from single-use plastics. When in contact with hot food or drink, some single-use plastics can be toxic and detrimental to human health.
- The business community expressed a desire for voluntary action, citing current successes.
- Multnomah County expressed support for plastic reduction efforts with political support and potentially support with outreach and notification.

Policy Recommendations

- 1) **No ban on single-use plastic straws.** A ban would decrease accessibility to Portlanders with temporary injury and permanent disabilities; therefore, moving forward with a plastic straw ban is not recommended.
- 2) **Single-use plastic by request policy.** All retail food and drink businesses and institutions (medical, educational and governmental) are required to implement the following:
 - For dine-in situations: Retail food and drink businesses and institutions are required to only provide single-use plastic straws and plastic stirrers upon customer request. Businesses and institutions shall train their employees to deliver a standard server practice of offering no straws; only providing a single-use straw when requested by a customer.
 - For takeout, delivery and fast food situations: Retail food and drink businesses and institutions shall adopt a standard practice of asking customers questions regarding the need for plastic utensils and condiment packets. Businesses and institutions shall also develop a standard server practice and a removal of customer access to single-use plastic utensils and condiment packets.
 - Customer awareness: Businesses and institutions shall also demonstrate to customers a visible commitment to reduce plastics through signage that indicates single-use plastic reduction measures.
 - *Timeline: Ordinance in effect July 1, 2019.*

Notification of policy. Notification, compliance and enforcement. BPS staff will develop a communications plan that includes outreach materials and messages for businesses to use to inform their customers about the importance of reducing single-use plastics and what the business is doing to



reduce single-use plastics. BPS staff will monitor business participation through compliance and enforcement strategies consistent with plastic bags and plastic foam containers.

- *Timeline: Ordinance notification to all retail food and drink businesses and institutions starting in January 2019. BPS will lead the notification process in collaboration with the Multnomah County health inspection team.*

Outreach support for businesses. BPS is committed to work with and provide support to the business community for development of notification and outreach materials, technical assistance and increased consumer awareness.

- *Timeline: January – July 2019.*

Enforcement and fees. Enforcement will be led by BPS. Like the plastic bag ban, this policy would be triggered to enforcement by complaint. Businesses and institutions found out-of-compliance will be given a warning. Upon subsequent violations, the following penalties shall apply: \$100 for the first violation after the written warning in a calendar year; \$200 for the second violation in the same calendar year; and, \$500 for any subsequent violation within the same calendar year. The fee structure is consistent with the City of Portland ban on plastic bags.

- *Timeline: Starting July 1, 2019.*

