

Exhibit A: Amend Restrictions on Single-Use Plastic Serviceware (Ordinance; amend Code Sections 17.103.300-310)

17.103.300 Definitions for Restrictions on Single-Use Plastic Serviceware.

As used in Sections 17.103.300 through 17.103.320, the following terms have the following meanings:

A. “Condiment ~~P~~ackaging” means plastic packaging used to deliver single-serving condiments to customers. This includes but is not limited to single-serving plastic packaging for ketchup, mustard, relish, mayonnaise, hot sauce, coffee creamer, salad dressing, jelly and jam and soy sauce.

B. “Counter Service” is when food with ordered by the customer at a counter and is either picked up at the counter by the customer or delivered to the table by restaurant staff.

~~C.~~ B. “Customer” means every person who purchases food or beverage that is intended to be consumed using single-use ~~P~~lastics Serviceware.

~~D.~~ C. “Dine-in” means food and beverage that are intended to be consumed inside the place of business where the food and beverage were purchased, including without limitation cafeterias and food halls.

~~E.~~ D. “Electronic ~~O~~rders” are food purchases conducted by smart phone, email or the website of a ~~R~~etail ~~F~~ood and ~~B~~everage ~~E~~stablishment. This includes electronic ordering services that are independent of the retail food and beverage establishment.

~~F.~~ E. “Fast ~~F~~ood” is food that can be prepared quickly and easily and is sold in ~~R~~etail ~~F~~ood and ~~B~~everage ~~E~~stablishments as a quick meal or to be taken out of the retail food and beverage establishment for consumption. Fast food includes drive through, take-out and delivery orders and applies to orders transacted in person, by phone or electronically.

~~G.~~ F. “~~Institutional~~ Cafeterias” are dine-in areas within corporations, government, education and medical institutions. ~~Institutional~~ Cafeterias include ones managed by the institution or contracted food services.

~~H.~~ G. “Plastic ~~S~~erviceware” means single-use plastic straws, stirrers, Utensils and Condiment ~~P~~ackaging. This includes compostable and biodegradable plastic (petroleum or biologically based polymer) serviceware, but does not include serviceware that are made from non-plastic materials, such as paper, sugar cane, bamboo, etc.

I. H. “Retail Food and Beverage Establishments” means any retail business that provides single-use Plastic Serviceware as a component of the product delivery. This includes but is not limited to full service and limited service (or fast food) restaurants, food carts, bars, coffee and tea shops, grocery stores, convenience stores, hotels, and motels, caterers and food service contractors.

J. I. “Utensils” are single-use plastic utensils intended for consumption of food which include but are not limited to spoons, forks, knives, sporks and chopsticks.

17.103.310 Restrictions on Single-Use Plastic Serviceware.

A. As of ~~October~~ July 1, 2019, all ~~R~~retail ~~F~~food and ~~B~~beverage ~~E~~establishments and institutional ~~C~~cafeterias, where beverages may be consumed at ~~D~~dine-in areas, shall provide ~~P~~plastic ~~S~~serviceware only after ~~C~~customer request.

B. As of ~~October~~ July 1, 2019, all ~~R~~retail ~~F~~food and ~~B~~beverage ~~E~~establishments and institutional ~~C~~cafeterias, where ~~C~~customers order ~~F~~fast ~~F~~food, take-out or delivery, shall provide ~~P~~plastic ~~S~~serviceware to ~~C~~customers only after asking if the ~~C~~customer needs ~~P~~plastic ~~S~~serviceware and the ~~C~~customer responds affirmatively. For Electronic Ordering, the Retail Food and Beverage Establishments are responsible for coordinating with any outside ordering service to prompt the Customer to select Plastic Serviceware.

C. Exemptions. The following situations are considered exempt from the restriction on single-use Plastic Serviceware:

1. Cafeterias and Retail Food and Beverage Establishments designed for counter service may allow Customers to access a self-service station for plastic Utensils.
2. When the Plastic Serviceware is attached to or packaged by the manufacturer with a beverage container before the beverage container is offered for retail sale. For example, juice boxes.
3. When the product includes an ingredient packaged with single-use Plastic Serviceware. For example, a separate plastic container of dressing included within a larger salad container.
4. When free or reduced-price meals are provided as part of a social service to vulnerable populations, including without limitation, free or reduced-price meals provided by school systems, homeless shelters and programs that deliver meals to the elderly.