

ORDINANCE NO. 2024-XX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
REPEALING IN ITS ENTIRETY THE POLYSTYRENE FOAM DISPOSABLE FOOD
SERVICE WARE ORDINANCE, CHAPTER 6.44 OF THE LOS ALTOS MUNICIPAL
CODE**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, the City Council repeals in its entirety the Polystyrene Foam Disposable Food Service Ware Ordinance, Chapter 6.44 of the Los Altos Municipal Code; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15378(b)(4) and 15273(a)(1) and 15273(a)(2) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 6.44 OF THE MUNICIPAL CODE. Chapter 6.44 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on October 22, 2024, and was thereafter, at a regular meeting held on November 12, 2024, passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jonathan D. Weinberg, MAYOR

Attest:

Melissa Thurman MMC, City Clerk

APPENDIX A
AMENDMENTS TO CHAPTER 6.44