



Date: August 8, 2023

Honorable Mayor and Council Members:

Author and title: Erin Brewster, Sustainability Program Manager

Title: Adoption of Ordinance Amending Single-Use Foodware Reduction Requirements

Jen Callaway, Town Manager

Recommended Action:

- (1) Adopt Ordinance 2023-06 amending Chapter 6.04 of the Truckee Municipal Code regarding Foodware and Food Packaging.
- (2) Find the adoption of the ordinance exempt from CEQA pursuant to CEQA guidelines sections 15061(b)(3), 15307, and 15308.

Discussion: On November 8, 2022, the Town Council adopted a Single-Use Foodware Reduction Ordinance, establishing Chapter 6.04 of the Truckee Municipal Code. This established the following requirements for foodware and food packaging: (1) a ban on expanded polystyrene foam, effective April 1, 2023; (2) a requirement for restaurants to provide reusable foodware for in-house dining effective January 1, 2024; and (3) a \$0.25 customer fee on disposable takeout containers and cups provided effective January 1, 2024.

Ordinance 2023-06, which would amend the original Foodware and Food Packaging Ordinance, was introduced on June 27, 2023 (Attachment 1). These proposed amendments would ensure clarity and consistency with the intended purposes of the ordinance and exempt circumstances in which charging the \$0.25 fee for disposable takeout containers would not be feasible or would not support the goal of waste reduction, including:

- Each individual item in a bulk package of disposable containers or cups
- Prepackaged foods and beverages (e.g., can of beans, box of cereal)
- Disposable cups provided for leftover dine-in beverages
- Certain hotel food services, in which customers neither place an order for food nor are directly charged for food, including self-service breakfast buffets and in-room cups
- Grab-and-go foods

The proposed amendments would also require food vendors to inform customers about their option to provide a reusable container to avoid the \$0.25 fee.

Environmental Clearance

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the adoption of this ordinance does not have potential for causing a significant effect on the environment and is therefore not subject to the CEQA guidelines. Both the original Single-Use Foodware Reduction Ordinance and these proposed amendments seek to protect the environment and natural resources by reducing the use of disposable foodware products. As such, both the original ordinance and these stated amendments are further exempt under CEQA Guidelines Sections 15307 and 15308, which exempt

actions taken by regulatory agencies to assure the maintenance, restoration or enhancement of a natural resource or the environment.

Priority:

<input type="checkbox"/> Enhanced Communication	<input checked="" type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input type="checkbox"/> Core Service

Fiscal Impact: These amendments will not result in any substantial fiscal impact to the Town, as they will not change the staff time or funding necessary to support implementation and enforcement of these foodware reduction requirements, which were accounted for in the adopted FY23/24 budget.

Public Communication: Agenda posting.

Attachments:

1. Ordinance 2023-06
2. June 27, 2023 Staff Report available at:
<https://portal.laserfiche.com/Portal/DocView.aspx?id=59656680&repo=r-6a91ddbc&searchid=b43dc70e-b49f-4b8f-abea-03ccf72294f7>