

MOTION BY SUPERVISORS JANICE HAHN
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April 5, 2022

Single Use Plastics Ordinance Compliance Assistance

On October 15, 2019, the Board of Supervisors (Board) voted unanimously to approve a motion directing the Chief Sustainability Office (CSO), in coordination with various County departments to draft a recommended ordinance that would reduce the use of single-use plastics in the unincorporated portions of Los Angeles County. The motion requested language that would reduce and/or eliminate the use of single-use plastic food service ware by ensuring that materials used for disposable products are recyclable or compostable and promoting the use of reusables as alternatives to single use disposable food service ware.

Since the motion passed the CSO has engaged stakeholders to support development of the draft ordinance language. Stakeholder workshops have included representatives from environmental and environmental justice organizations, the plastics industry, the restaurant industry, the waste industry, academic institutions, and local jurisdictions. After COVID-19 related delays, development of the ordinance was restarted

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at the end of 2021. Since then, stakeholders have been invited to listening sessions and were given the opportunity to submit written comments.

A final recommended ordinance is before the Board today for the first reading. This ordinance requires disposable food service ware provided with ready-to-eat food, food trays, or egg cartons to be either compostable or recyclable. The ordinance will go into effect on May 1, 2023 for “brick and mortar” business, November 1, 2023 for food trucks, and May 1, 2024 for temporary food facilities, such as community events, caterers, and farmers markets. The ordinance will be enforced primarily by the Department of Public Works (DPW), in collaboration with the Department of Public Health (DPH), and DPH will assist with education and outreach. Enforcement will initially be complaint-based through the DPW.

By adopting this ordinance, we will help reduce non-degradable items entering the County’s waste stream and crowded landfills. However, we must recognize that requiring our businesses to transition to compostable or recyclable products may present initial challenges and some. The County should do its part in assisting our businesses as this ordinance is implemented.

WE THEREFORE MOVE that the Board of Supervisors:

1. Direct the Department of Public Health, Department of Consumer and Business Affairs, Department of Public Works, Department of Economic Opportunity, and Chief Sustainability Office to plan and launch an extensive outreach and education campaign in the year leading up to the ordinance compliance period and the phase-in period that provides information about the single use plastics ordinance to food facilities, including the environmental benefits of the ordinance,

products that meet the definition of compliant materials, and alternatives and exemptions available for business experiencing hardship. The education and outreach campaign should include materials in multiple languages and designed to address the needs of the diverse types of restaurants throughout the County;

2. Direct the Department of Public Works in coordination with the Department of Internal Services, Department of Consumer and Business Affairs, Department of Economic Opportunity, and Chief Sustainability Office, to compile a resource list of businesses that supply compostable or recyclable food ware items including their cost, work directly with suppliers to explore opportunities to assist small businesses and other food facilities, and actively monitor supply chain issues that may impact the availability of compostable or recyclable food ware items, and provide a written report back on these findings in 120 days; and
3. Direct the Chief Executive Officer, in coordination with the Chief Sustainability Office, Department of Consumer and Business Affairs, and Department of Economic Opportunity to report back in writing in 60 days on the feasibility of creating programs, such as mini-grants, to support small businesses in responding to the ordinance requirements, including providing small businesses with financial assistance as they transition to purchasing new compostable or recyclable food ware items for their business, and providing financial assistance and technical resources to small businesses that manufacture alternative products that meet the requirements of the ordinance. The report should include possible funding streams for this program.

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