

# Town of Yountville

## Resolution Number 22-4156

### A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE DESIGNATING THE TOWN AS THE ENFORCEMENT AGENCY FOR STATE LAWS REGULATING SINGLE-USE FOODWARE ACCESSORIES AND STANDARD CONDIMENTS.

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#### Recitals

- A. Single-use food ware accessories including straws, stirrers, utensils, cup sleeves, tops, lids, spill plugs, prepackaged condiments, and other similar accessories are a major contributor to street litter, ocean pollution, marine, and other wildlife harm and greenhouse gas emissions;
- B. Reducing litter on public streets, parks, and in other public places is in the best interests of the health, safety, and welfare of all who live, work, and do business in the Town;
- C. The production and disposal of single-use foodware accessories has significant environmental impacts, including the contamination of the environment, the depletion of natural resources, use of non-renewable polluting fossil fuels and associated greenhouse gas emissions, and the increased clean-up and end-of-life management costs;
- D. Foodware accessories made from plastic polymers may last for hundreds and even thousands of years, and have broad, long-lasting negative impacts;
- E. Single-use plastic and polystyrene foam food service ware breaks apart easily into small pieces, can end up as litter, and is often mistaken as food by birds, fish, and wildlife;
- F. Plastics in waterways and oceans break down into smaller pieces and are present in most of the world's oceans;
- G. On October 5, 2021, the Governor signed Assembly Bill 1276 which amended Chapter 5.2 of Part 3 of Division 30 of the Public Resources Code, commencing with Public Resources Code section 42270, to impose certain restrictions on the use of single-use foodware accessories by food facilities, as defined in Health and Safety Code section 113789, including a requirement that single-use foodware accessories and standard condiments packaged for single use not be provided to customers except upon request;
- H. Public Resources Code section 42272 requires local public agencies, including the Town, to enforce the state law by designating an enforcement agency, and makes violations of the state law a criminal infraction punishable by a fine of \$25 for each day in violation, not to exceed \$300 annually;
- I. The Town Council wishes to implement Assembly Bill 1276 by designating the Town the enforcement agency thereunder.

**Now, therefore, the Town Council of the Town of Yountville does resolve as follows:**

1. The Town is hereby authorized and designated as the enforcement agency for enforcing Assembly Bill 1276 (Chapter 5.2 of Part 3 of Division 30 the Public Resources Code) imposing regulations on single-use foodware accessories and standard condiments.
2. The Town Manager or his or her designee is hereby authorized and directed to enforce Assembly Bill 1276 (Chapter 5.2 of Part 3 of Division 30 of the Public Resources Code).
3. The Resolution is hereby adopted and becomes effective and in full force immediately upon adoption.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 18th of October 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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John F. Dunbar, Mayor

ATTEST:

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Eddy Gomez  
Town Clerk