



# Town of Yountville

6550 Yount Street  
Yountville, CA 94599

## Staff Report

**Agenda Item #:** {{section.number}}D

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## Yountville Town Council Staff Report

**DATE:** October 18, 2022

**TO:** Mayor and Town Council

**FROM:** John Ferons, Public Works Director

**PREPARED BY:** Gary Bell, Town Attorney

**SUBJECT:**

Discussion and Adoption of Resolution 22-4156 Designating the Town as the Enforcement Agency for State Laws Regulating Single-Use Foodware Accessories and Standard Condiments.

**DISCUSSION/BACKGROUND**

The California Legislature passed and the Governor signed Assembly Bill 1276, effective January 1, 2022, which prohibits a food facility, for on-premises dining or when using a third-party food delivery platform, from providing any single-use foodware accessory or standard condiment packaged for single-use to a consumer unless requested by the consumer. The new law defines a “single-use foodware accessory” as utensils, chopsticks, condiments cups and packets, straws, and stirrers that are used once and then discarded.

The bill also prohibits single-use foodware accessories from being bundled or packaged in a way that prohibits the consumer from taking only the item they want. The bill does not apply to health care facilities, residential care facilities, and public and private school cafeterias.

The bill specifies that first and second violations of these provisions by a restaurant will result in a notice of violation, and any subsequent violation is an infraction punishable by a fine of \$25 for each day in violation, not to exceed an annual total of \$300.

Assembly Bill 1276 requires that the Town designate an enforcement agency to enforce the bill. This could be another public agency, like Napa County, or the Town itself. To meet this state law requirement, the attached resolution designates the Town as the enforcement agency. This could be changed in the future to another public agency.

**ENVIRONMENTAL REVIEW**

Exempt per California Environmental Act (CEQA) Guideline, Section 15061(b)(3)

**FISCAL IMPACT**

Is there a Fiscal Impact? No

Is it Currently Budgeted? N/A

Where is it Budgeted? N/A

Is it Mandatory or Discretionary? Mandatory

Is there a Staff Resource Impact? Nominal

### **STRATEGIC PLAN GOAL**

Is item Identified in Strategic Plan? Yes

If yes, Identify Strategic Goal and Objective. **Engaged Residents:** The Town embraces our residents' commitment to community as seen through volunteerism, civic engagement, and public participation that enhances the quality of life in Yountville. **Quality of Life:** The Town enhances the livability of Yountville by providing well-maintained public facilities, parks, and trails, and quality programs and events.

Briefly Explain Relationship to Strategic Plan Goal and Objective. By adopting this Resolution, the Town may enforce restrictions on single-use foodware and plastics which will reduce litter throughout the Town.

### **RECOMMENDATION**

Receive staff report and direct questions to staff.

Receive public comment.

Conduct Council discussion.

Adopt Resolution Number 22-4156 Designating the Town as the enforcement agency for limiting single-use foodware accessories and condiments.