



Bay Area Bag and Styrofoam Bans – Status Updates

BAGS

San Jose

On December 14, 2010, the San Jose City Council passed the toughest city ban on single-use plastic and paper bags in the Country. Beginning January 1, 2012, the ordinance will ban plastic bags and place a charge on recycled-content paper bags at all retailers. The ordinance also includes special provisions to provide free, durable, reusable bags to low-income consumers. San Jose's ordinance can and should be a model across the region, state and nation.

Sunnyvale

The City Council prioritized single-use bags as a study issue for the city in 2010. On November 16, 2010, the council voted to draft an ordinance and plan for an environmental impact review (EIR). The EIR is now available for public comment.

Santa Clara County

In April 2011, the Santa Clara County Board of Supervisors passed an ordinance that bans plastic bags and requires a 15 cent charge for recycled-content paper bags at all stores in the unincorporated areas of the county (with the exception of restaurants and nonprofits). The County prepared the community for this ordinance by giving away 40,000 reusable bags over the past two years.

Stopwaste (Alameda County)

Stopwaste – a public agency made up of the Alameda County Waste Management Authority and the Alameda County Source Reduction and Recycling Board – recently completed a draft EIR for a single-use bag ordinance. While the agency explored several options for managing single-use bags, their preferred approach is to ban the free distribution of all single-use bags. The ordinance will likely also include mandatory minimum charges for paper and reusable bags. Stopwaste's Board of Directors is scheduled to consider formal proposals for an ordinance in October or November 2011.

Berkeley

The City of Berkeley began exploring a plastic bag ordinance at the end of 2009, but delayed their efforts while the statewide bag bill (AB 1998) was a possibility in 2010. The city is now awaiting the results of StopWaste's single-use bag EIR and will consider moving forward when it is complete.

Fremont

After banning polystyrene foam food-ware in May 2010, the Council decided soon after to begin addressing plastic bags. The city indicated interest in providing support for Stopwaste's efforts to complete an EIR for a potential bag ordinance and opted to wait for the EIR rather than taking action on their own.

Hayward

The City of Hayward recently passed a ban on polystyrene foam food-ware and soon after began researching options for a plastic bag ordinance. The city opted to wait for the outcome of Stopwaste's EIR rather than moving forward on their own.

San Rafael

On November 1, 2010, the San Rafael City Council directed city staff to work with other Marin County cities to develop an ordinance similar to the one being proposed by the county. The city created a Single-Use Plastics Advisory Committee to help guide staff on addressing single-use bags and polystyrene food ware. The Committee consists of city staff from other Marin County cities including Novato, San Anselmo, Sausalito, and others.

Marin County

The Board of Supervisors passed an ordinance on January 25, 2011 that bans plastic bags and requires stores to charge 5 cents for recycled content paper bags. The ban will go into effect January 1, 2012 for stores that sell food, while gift shops and other small retailers are exempt at this time. Save The Bay is working with County staff to ensure that the ordinance results in the use of durable reusable bags. Save The Bay is also working with staff to expand the ordinance to cover all retailers in the near future.

San Francisco

San Francisco was the first city in the U.S. to adopt a ban on plastic bags in April 2007; there was no restriction on paper bags. A few stores have been taking advantage of a "loophole" in the ordinance that allows slightly thicker plastic bags to be considered reusable. In recognition of this, Supervisor Ross Mirkarimi – who spearheaded the original ordinance – proposed amendments last year that would establish a durability standard and a minimum 10 cent charge for reusable bags so that customers are less likely to treat them as a disposable item. Staff is currently looking into the level of environmental review that will be necessary to move forward with the amendments.

Belmont

Belmont's Green Advisory Committee is advocating that the City prioritize an ordinance addressing single-use bags in 2011. Staff has prepared a report detailing options and the Green Committee has provided public comment in support of moving forward. The council is now waiting for a new city attorney to be hired before moving forward.

Daly City

In February 2011, Councilmember David Canepa proposed that the city consider an ordinance to ban plastic bags at retailers with stores that are 10,000 square feet or larger and require them to charge 10 cents for recycled content paper bags. To date, the Council has not acted upon the proposal.

Sonoma County

The Sonoma County Waste Management Agency is presenting a proposal to each of its member agencies to develop a countywide single-use bag ordinance (and full EIR). All jurisdictions except Rohnert Park and Santa Rosa have expressed support for a countywide approach. Save The Bay, the California Grocers Association, and other local groups are working to encourage these cities to support the Waste Management Agency's approach; both cities are expected to vote on this issue at their upcoming September and October meetings.

San Mateo County

Soon after the Board of Supervisors unanimously passed a ban on polystyrene food ware in February 2011, San Mateo County Supervisors Adrienne Tissier and Carole Groom directed their staffs to begin pursuing a single-use bag ordinance that would apply to the unincorporated areas of the county. The county's Environmental Health department has scheduled its first public outreach meeting for September 27, 2011.

STYROFOAM

Alameda (City of)

The city's ban on the use of expanded polystyrene (EPS or Styrofoam) by food vendors and government facilities was enacted in January 2008. Food vendors are strongly encouraged to provide reusable food service ware in place of disposable food service ware. In instances where food vendors decide to use a biodegradable or compostable disposable food service ware product that is not affordable, a food vendor may charge a "take out fee" to customers to cover the cost difference

Albany

The ban, enacted September 1, 2008, prohibits the use of Styrofoam take-out food containers at all vendors and government facilities within the city.

Berkeley

One of the earliest Bay Area polystyrene ordinances, the city adopted their ban on Styrofoam food ware in January 1990.

Burlingame

Taking advantage of the county's offer to enforce and conduct outreach for any San Mateo County city that adopts the county's ban, Burlingame adopted the county's ordinance in May 2011. When it takes effect January 1, 2012, it will prohibit food vendors and city facilities from using both Styrofoam and non-recyclable food ware.

Emeryville

Adopted March 2006, Emeryville's ban prohibits the use of Styrofoam food ware and requires that food vendors and government facilities use biodegradable, compostable or recyclable alternatives.

Fairfax

Fairfax adopted their Styrofoam food ware ban in 1993.

Fremont

Fremont's ban, which went into effect in January 2011, prohibits the use of Styrofoam food ware at all vendors within the city. Vendors are required to instead use recyclable or compostable products.

Half Moon Bay

The city adopted San Mateo County's ban one day after Burlingame in May 2011. The ordinance has already gone into effect as of August 2011, which means that food vendors and city facilities can no longer use any type of polystyrene food ware, including Styrofoam.

Hayward

As of July 1, 2010, food vendors in Hayward are no longer allowed to use Styrofoam food ware and must instead use recyclable or compostable products.

Hercules

Adopted May 2008, the ordinance bans all Styrofoam beverage cups, takeout containers and other food service utensils in restaurants and at city facilities.

Marin County

The county's ban went into effect on July 1, 2010. According to the ordinance, retail food vendors, restaurants, and county facilities can no longer provide prepared or take-out food in, on or with disposable food packaging that contains Styrofoam.

Millbrae

Adopted October 2007, the ban prohibits food vendors and government facilities from providing prepared food to customers in either Styrofoam or solid polystyrene food ware. In addition to bowls, cups, and plates, the ordinance also applies to utensils and lids.

Oakland

The City of Oakland adopted their ordinance in June 2006. It prohibits food vendors and city facilities from providing prepared food in Styrofoam to customers and instead requires the use of biodegradable or compostable disposable food service ware.

Pacifica

Pacifica's ordinance, which went into effect on January 1, 2010, bans the use of Styrofoam food ware for prepared food at restaurants and food vendors.

Palo Alto

Palo Alto is currently the only Santa Clara County city with a polystyrene ordinance that applies to both city facilities and food vendors. The ordinance, which went into effect in April 2010, bans both Styrofoam and non-recyclable food containers from retail food vendors and city facilities and vendors.

Pittsburg

Enacted in 1991, Pittsburg's ordinance bans retail food establishments from using polystyrene CFC-processed food packaging. It also requires, as of 1995, that at least 50% of food packaging is recyclable or returnable.

Richmond

Richmond's ban, effective April 2009, bans all disposable food ware, except biodegradable or compostable products and aluminum. The city expressed a strong preference for reusable food ware, especially at city facilities and with city events and vendors.

San Bruno

As of April 2010, San Bruno food vendors are prohibited from serving food in any polystyrene food ware, including Styrofoam. The ordinance also applies to lids, straws and utensils.

San Francisco

Adopted November 2006, San Francisco's ordinance prohibits the use of Styrofoam food service ware and requires the use of biodegradable, compostable or recyclable alternatives by restaurants, retail food vendors, City departments, and City contractors and lessees. The San Francisco International Airport complies with San Francisco's ordinance.

San Jose

The city adopted a ban on Styrofoam food ware at specified public events in November 2009 and is in the process of exploring options for an ordinance that would also apply to restaurants and food vendors. City staff is conducting stakeholder outreach and expect to bring formal recommendations to the city's Transportation and Environment subcommittee before the end of 2011.

San Mateo County

Passed in February 2011 and effective July 1, 2011, the county's ordinance bans both Styrofoam and "non-recyclable plastic" food service ware at food vendors and government facilities within the county unincorporated areas. The county has also been encouraging all cities within San Mateo County to adopt the county ordinance; if they do so, the county will conduct outreach and enforcement for those cities.

Sonoma County

The county's ordinance, adopted June 1989, prohibits the use of Styrofoam food service ware on county premises.

South San Francisco

South San Francisco's Green Food Packaging Ordinance went into effect in October 2008 and prohibits food vendors and city facilities/events from using Styrofoam food ware.