

CITY OF ALAMEDA ORDINANCE NO. _____

New Series

AMENDING ALAMEDA MUNICIPAL CODE CHAPTER IV
REGARDING SINGLE-USE FOOD WARE ACCESSORIES AND
STANDARD CONDIMENTS

WHEREAS, in 2021, Assembly Bill (AB) 1276 was signed into law to prohibit food facilities and third-party food delivery platforms from providing any single-use foodware accessory or standard condiment, as defined, unless requested by the customer; and

WHEREAS, AB 1276 requires jurisdictions, by June 1, 2022, to authorize an enforcement agency to enforce the law; and

WHEREAS, this Ordinance was considered at a regular, duly noticed meeting of the City Council on May 17, 2022, and all interested parties were provided an ample opportunity to participate in said hearing and express their views.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Alameda:

Section 1. Findings. In enacting this Section, the City Council finds as follows:

1. The amendments are consistent with the City of Alameda's Zero Waste Implementation Plan Update (2018), specifically Strategy One supporting a zero waste culture.
2. The amendments are exempt from CEQA pursuant to CEQA guidelines Section 15308, Actions by Regulatory Agencies for Protection of the Environment.

Section 3. Chapter IV Section 4-5 is added to the Alameda Municipal Code as follows:

4-5 SINGLE-USE FOODWARE ACCESSORIES AND CONDIMENTS

4-5.1 - Purpose

The purpose of this Section is to comply with State law and help the City of Alameda achieve its zero waste goal.

The State of California Single-Use Foodware Accessories and Standard Condiments Law (Public Resources Code Section 42270 *et seq.*, as amended), is hereby incorporated into this Section by reference.

4-5.2 Enforcement

The Public Works Director shall have primary responsibility for enforcement of this Section.

Section 4. Implied Repeal. Any provision of the Alameda Municipal Code inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further,

is hereby repealed or modified to the extent necessary to effect the provisions of this Ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Section 6. Authority. This Ordinance is enacted pursuant to the City of Alameda's general police powers, Section 1-2 of the Charter of the City of Alameda, and Article XI of the California Constitution.

Presiding Officer of the City Council

Attest: _____
Lara Weisiger, City Clerk

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I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda at a regular meeting assembled on this 17th day of May 2022 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 18th day of May 2022.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda