

**AN ORDINANCE OF THE CITY OF SAUSALITO AMENDING CHAPTER 11.20 OF  
THE SAUSALITO MUNICIPAL CODE REGARDING ENVIRONMENTALLY  
ACCEPTABLE PACKAGING MATERIAL**

**WHEREAS**, the litter problem resulting from polystyrene is becoming increasingly difficult to manage, contaminates creeks and the ocean, and has costly negative implications for tourism, wildlife, aesthetics and most recently, public storm drain systems; and

**WHEREAS**, polystyrene, a petroleum based product that is frequently used for food service purposes, enters various water bodies from both direct as well as indirect sources (such as storm conveyance systems), and negatively impacts the overall quality of stream and ocean waters and adjacent beach areas; and

**WHEREAS**, polystyrene does not effectively biodegrade (decay into constituent substances) in the environment, but merely breaks down into smaller particles that litter streets, parks, public places, open spaces, creeks, beaches, and the ocean: and

**WHEREAS**, polystyrene waste poses a risk to fish and wildlife, as fish and marine and land wildlife perish as a result of ingesting polystyrene products; and

**WHEREAS**, polystyrene contributes to urban blight as litter, especially due to the fact that its lightweight nature causes it to float in water and be transported by wind even when disposed of properly; and

**WHEREAS**, polystyrene products, when used for food service purposes, have a useful life that can be measured in minutes or hours, yet is not biodegradable and takes from several decades to hundreds of years to deteriorate in the environment or landfill; and

**WHEREAS**, there is currently no meaningful recycling of expandable polystyrene food service products, due in part to contamination from food residue, and

**WHEREAS**, alternative products, which are bio-degradable, less prone to wind and water transport, reusable and/or recyclable are readily available at reasonable cost; and

**WHEREAS**, Chapter 11.20 of the Sausalito Municipal Code currently provides for the voluntary reduction of food packaging which utilizes polystyrene foam and/or the establishment of recycling programs for polystyrene foam material; and

**WHEREAS**, it is in the interest of the health, safety, and welfare of all who live, work and do business in the City that, to the extent feasible, the amount of litter on public streets, parks, public places, and open spaces be reduced and that litter that does reach the natural environment be biodegradable. Existing landfill sites are rapidly approaching capacity, and additional sites are increasingly unavailable. Reduction of non-degradable wastes entering the waste stream and encouraging the use of recyclable packaging further these goals; and

**WHEREAS**, the City Council desires to exercise environmental stewardship by reducing the amount of expandable polystyrene debris that enters the storm drains, watersheds, and the coastal environment by adopting more stringent regulations to reduce the amount of expandable polystyrene that enters our waste stream.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAUSALITO HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1. Amendment.** Chapter 11.20 of the Sausalito Municipal Code is hereby amended in its entirety by adding a new Chapter 11.20 to read as set forth in Exhibit A which is attached hereto.

**SECTION 2. Severability.** This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

**SECTION 3. Effective Date.** This Ordinance shall go into effect thirty (30) days after the date of its adoption pursuant to California Government Code Section 36937.

**SECTION 4. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law. THE

FOREGOING ORDINANCE was first read at a regular meeting of the Sausalito City Council on the \_\_\_\_ day of \_\_\_\_\_ 2007, and was adopted at a regular meeting of the \_\_\_\_\_ City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2007 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Deputy City Clerk