



COUNCIL ORDINANCE NO. 20614

COUNCIL BILL 5207

**AN ORDINANCE CONCERNING RESTRICTIONS ON THE
DISTRIBUTION OF SINGLE-USE SERVICEWARE, ADDING
SECTIONS 6.870 AND 6.872 TO THE EUGENE CODE, 1971,
AND AMENDING SECTION 6.990 OF THAT CODE.**

ADOPTED: May 15, 2019

SIGNED: May 17, 2019

PASSED: 8

REJECTED:

OPPOSED:

ABSENT:

EFFECTIVE: June 17, 2019



ORDINANCE NO. 20614

AN ORDINANCE CONCERNING RESTRICTIONS ON THE DISTRIBUTION OF SINGLE-USE SERVICWARE, ADDING SECTIONS 6.870 AND 6.872 TO THE EUGENE CODE, 1971, AND AMENDING SECTION 6.990 OF THAT CODE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Sections 6.870 and 6.872 of the Eugene Code, 1971, are added to provide as follows:

6.870 **Single-Use Serviceware - Definitions.** For purposes of sections 6.870 and 6.872 of this code, the following words and phrases mean:

Condiment packaging. Packaging used to deliver single-serving condiments to customers. This includes but is not limited to single-serving packaging for ketchup, mustard, relish, mayonnaise, hot sauce, coffee creamer, salad dressing, jelly and jam, and soy sauce.

Customer. Every person who purchases food or beverage.

Retail food and beverage establishment. Full service restaurants, limited service restaurants, fast food restaurants, food carts, bars, coffee and tea shops, grocery stores, convenience stores, hotels and motels, caterers, and food service contractors.

Single-Use Serviceware. Straws, stirrers, utensils (including, but not limited to spoons, forks, knives, sporks and chopsticks), and condiment packaging, intended to be used once and then discarded.

6.872 **Single-Use Serviceware – Restrictions.** A retail food and beverage establishment may not provide single-use serviceware to a customer unless the customer explicitly requests the single-use serviceware or the customer is asked if the customer would like single-use serviceware and the customer responds affirmatively.

Section 2. Section 6.990 of the Eugene Code, 1971, is amended by adding a new subsection (13) to provide as follows:

6.990 **Penalties - Specific.**

(13) Any business, owner, or employer that permits a violation of section 6.872 of this code shall be subject to the following penalties:

(a) A written warning for the first violation in a calendar year;

- (b) The second violation in a calendar year is punishable by a fine of \$100.00;
- (c) The third violation in a calendar year is punishable by a fine of \$200.00;
- (d) Any subsequent violations within the same calendar year are punishable by a fine of \$500.00;
- (e) Notwithstanding subparagraphs (a)-(d), no more than one penalty shall be imposed pursuant to this subsection (13) upon any single location within a 7-day period.

Section 3. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

15th day of May, 2019



City Recorder

Approved by the Mayor this

17 day of May, 2019



Mayor