

1 **..Title**

2 **Food Handling Establishments - Polystyrene Food Service Products – Prohibition –**
3 For the purpose of prohibiting the sale and use of expanded polystyrene foam products at
4 food service businesses located in the City; providing certain definitions; and providing
5 for a penalty for violations.

6 **..Body**

7 **CITY COUNCIL OF THE**
8 *City of Annapolis*

9
10 **Ordinance 22-18**

11
12 **Introduced by: Alderman Savidge, Mayor Buckley and Alderwoman Henson**

13
14 **Referred to**

15 Environmental Matters Committee
16 Housing and Human Welfare Committee

17
18 **AN ORDINANCE** concerning

19
20 **Food Handling Establishments - Polystyrene Food Service Products – Prohibition**

21
22 **FOR** the purpose of prohibiting the sale and use of expanded polystyrene foam
23 products at food service businesses located in the City; providing certain
24 definitions; and providing for a penalty for violations.

25
26 **BY** adding the following portion to the Code of the City of Annapolis, 2018 Edition
27 10.12.160

28
29 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**
30 **CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as
31 follows:

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33 **TITLE 10 – HEALTH AND SAFETY**

34
35 **Chapter 10.12 – FOOD-HANDLING ESTABLISHMENTS**

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37 **Section 10.12.160 - Prohibition on sale and use of expanded polystyrene food service**
38 **products - education and outreach.**

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40 A. For the purposes of this Section, the following words and phrases shall
41 have the meanings respectively ascribed to them:

- 42
43 1. “Expanded Polystyrene” means blown polystyrene and expanded and extruded
44 foams that are thermoplastic petrochemical materials utilizing a styrene
45 monomer and processed by a number of techniques, including fusion of

1 polymer spheres or expandable bead polystyrene, injection molding, foam
2 molding, and extrusion-blow molding or extruded foam polystyrene.

3 2. “Expanded Polystyrene Food Service Products” means food containers or
4 service ware, including dishes, hot and cold beverage cups, trays, cartons for
5 eggs and other foods, prepared food or leftover containers, and other products
6 made of expanded polystyrene and used for selling, providing, or serving food
7 that are intended by the manufacturer to be used once for eating or drinking or
8 generally recognized by the public as items to be discarded after one use.

9 3. “Food Service Business” means a full-service restaurant, limited-service
10 restaurant, fast food restaurant, cafe, delicatessen, coffee shop, supermarket,
11 grocery store, commercial retailer with grocery departments or food service,
12 vending truck or cart, food truck, business or institutional cafeteria, including
13 those operated by or on behalf of City departments and agencies, and other
14 business selling or providing food within the City for consumption on or off the
15 premises.

16
17 B. A Food Service Business may not sell or provide food in Expanded
18 Polystyrene Food Service Products, regardless of where the food will be consumed. This
19 section may not apply to food or beverages filled and sealed in expanded polystyrene
20 containers outside of the City prior to receipt by a Food Service Business or to materials
21 used to package raw, uncooked, or butchered meat, fish, poultry, or seafood for off-
22 premises consumption.

23
24 C. The provisions of this Section shall be administered and enforced by the
25 Health Officer pursuant to Section 11-6-103 of the Anne Arundel County Code, as may
26 be amended from time to time.

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28 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY**
29 **THE ANNAPOLIS CITY COUNCIL** that no later than 180 days after the effective
30 date of this Ordinance, the Office of Environmental Policy shall begin a public education
31 and outreach campaign that includes the distribution of information through the City
32 website and news releases to assist businesses with the ban on expanded polystyrene
33 foam products

34
35 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY**
36 **THE ANNAPOLIS CITY COUNCIL** that this Ordinance shall apply to businesses
37 operating in the City of Annapolis on or after September 1, 2019.

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39 **SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED**
40 **BY THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect 45 days
41 from the date of its passage.

42
43 **EXPLANATION**

44 Underlining indicates matter added to existing law.

45 ~~Strikethrough~~ indicates matter stricken from existing law.

46 Double Underlining indicates amendments.