



City of South San Francisco

City Council

Ordinance: ORD 1660-2024

P.O. Box 711 (City Hall, 400
Grand Avenue)
South San Francisco, CA

File Number: 24-909

Enactment Number: ORD 1660-2024

ORDINANCE AMENDING CHAPTERS 8.72 OF THE
SOUTH SAN FRANCISCO MUNICIPAL CODE TO
PROHIBIT THE RETAIL SALE OF POLYSTYRENE.

WHEREAS, on March 11, 2020, the City Council approved an ordinance adding Chapter 8.72 to the South San Francisco Municipal Code Title 8 regulating the use of disposable food service ware by food facilities; and

WHEREAS, Chapter 8.60 of the South San Francisco Municipal Code prohibits the use of certain disposable food service ware, including the prohibition of food vendors from dispensing prepared food to customers in disposable food service ware made from polystyrene; and

WHEREAS, all city facilities, city sponsored events, and city permitted events are also prohibited from using disposable foodservice ware made from polystyrene. City franchises, contractors, and vendors doing business with the city are prohibited from using polystyrene in city facilities or on city projects within the city; and

WHEREAS, while city facilities and food vendors, including restaurants, are prohibited from using polystyrene, the retail sale of polystyrene is allowed; and

WHEREAS, businesses within the City were notified of this upcoming ban on July 12, 2024 via letter; and

WHEREAS, introduction and adoption of this ordinance is not subject to review under CEQA, pursuant to the general exemption that CEQA only applies to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. (CEQA Guidelines, § 15061(b)(3)). A “significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. (CEQA Guidelines, § 15382).

NOW, THEREFORE, THE PEOPLE OF THE CITY OF SOUTH SAN FRANCISCO DO HEREBY ORDAIN AS FOLLOWS.

SECTION 1. Findings

The People of South San Francisco find that the foregoing recitals are true and correct and are incorporated into the Ordinance by this reference.

SECTION 2. Amendment of Chapter 8.72 of the South San Francisco Municipal Code

Section 8.72.020 of the South San Francisco Municipal Code is hereby amended to add subsection (j), to read as follows (additions shown in underline text):

(j) The retail sale of Polystyrene based products is prohibited by all vendors, including but not limited to cafeterias, caterers and fraternal clubs, convenience, liquor, and grocery stores, mobile food vendors, carts, food kiosks and stands, restaurants, coffee shops, bars, and pubs, retail stores, restaurant supply stores, party supply stores, drug stores, hardware stores, supermarket take out.

SECTION 3. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed the Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.


SECTION 4. Publication and Effective Date. This ordinance shall be effective on January 1, 2025.

Pursuant to the provisions of Government Code Section 36933, the City Attorney shall prepare a summary of this Ordinance. At least five (5) days prior to the Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the Summary, and (2) post in the City Clerk’s Office a certified copy of this Ordinance. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk’s Office a certified copy of the full text of this Ordinance.

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At a meeting of the City Council on 9/11/2024, a motion was made by Councilmember Addiego, seconded by Councilmember Nagales, that this Ordinance be adopted. The motion passed.

Yes: 5 Mayor Coleman, Vice Mayor Flores, Councilmember Addiego, Councilmember Nagales, and Councilmember Nicolas

Attest by 
Rosa Govea Acosta, City Clerk


James Coleman, Mayor