

LR31.091_250331~~CHAPTER 209. SINGLE USE PLASTIC STRAWS AND STIRRERS¹~~

~~Sec. 209-1. Purpose.~~

~~The purpose of this chapter is to preserve and protect the environment in the City of Stamford by prohibiting the sale, provision, or distribution of Single Use Plastic Straws and Single Use Plastic Stirrers by Food or Beverage Establishments.~~

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~~Sec. 209-2. Definitions.~~

~~As used in this chapter, the following terms shall have the meanings indicated:~~

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~~*Food or Beverage Establishment.* Any establishment where food or beverages of any kind are provided directly to a consumer, whether such food or beverages are provided free of charge or sold and whether consumption occurs on or off the premises. The term includes, by way of example and not limitation, any restaurant, bar, liquor store, delicatessen, coffee shop, movie theater, convenience store, food truck, take out restaurant, delivery service, or caterer. The term shall not include hospitals, nursing homes, long term care facilities, or other medical or dental facilities.~~

~~*Single Use.* A product that is intended to be only used one (1) time in its same form.~~

~~*Single Use Plastic Straw.* A Single Use tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, used to transfer a beverage from a container to the mouth of the person drinking the beverage. "Single Use Plastic Straw" does not include a straw made from non plastic materials, including, but not limited to, paper, metal, pasta, sugar cane, wood, or bamboo.~~

~~*Single Use Plastic Stirrer.* A Single Use device, implement, or utensil made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, designed solely for the purpose of mixing liquids intended for internal human consumption. "Single Use Plastic Stirrer" does not include a stirrer made from non plastic materials, including, but not limited to, paper, metal, pasta, sugar cane, wood, or bamboo.~~

~~Sec. 209-3. Prohibition on straws and stirrers.~~

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~~A. No Food or Beverage Establishment in the City of Stamford shall sell, provide, or distribute a Single Use Plastic Stirrer.~~

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~~B. No Food or Beverage Establishment in the City of Stamford shall sell, provide, or distribute a Single Use Plastic Straw unless requested by the consumer.~~

~~Sec. 209-4. Exceptions.~~

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~~A. The prohibition set forth in Section 209-3 of this chapter shall not apply to:~~

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¹Adopted 3-2-20 by the Board of Representatives of the City of Stamford as Ord. No. 1262.

1. ~~The sale, provision, or distribution of beverages packaged and sealed prior to receipt by the Food or Beverage Establishment; and~~
2. ~~The sale of Single Use Plastic Straws or Single Use Plastic Stirrers in multi-straw or multi-stirrer packages, as the case may be, that are sealed prior to receipt by the Food or Beverage Establishment.~~

~~B. The prohibition set forth in Section 209-3 of this chapter shall not apply to the extent it would violate the laws of the United States or the State of Connecticut.~~

Sec. 209-5. Enforcement and penalties for violation.

~~A. This chapter shall be enforced by the Civil Citation process as set forth in Section 97 of the Code of Ordinances.~~

~~B. If a Civil Citation Officer determines that any violation has occurred, the Food or Beverage Establishment shall be liable for the following:~~

1. ~~Upon the initial violation, written warning notice that a violation has occurred shall be issued to the Food or Beverage Establishment. No penalty shall be imposed for the initial violation;~~
2. ~~For the second violation, a penalty of one hundred fifty dollars (\$150.00); and~~
3. ~~For the third and each subsequent violation, a penalty of two hundred fifty dollars (\$250.00).~~

~~C. No more than one (1) penalty shall be imposed upon a Food or Beverage Establishment within a seven (7) day period.~~

Sec. 209-6. Severability.

~~If any section, clause, sentence or provision of this chapter shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable, such adjudication shall not affect the validity or enforceability of any other provision hereof, and the applicability thereof to other persons or circumstances shall not be affected thereby.~~

Sec. 209-7. Effective date.

~~This chapter shall become effective three (3) months following its effective date [March 23, 2020].~~

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**ORDINANCE NO. ____ AMENDING CHAPTER 209 OF THE CODE OF ORDINANCES,
CONCERNING SUSTAINABILITY AND THE REGULATION OF SINGLE-USE FOOD
WARE IN FOOD ESTABLISHMENTS**

WHEREAS, Mayor Caroline Simmons, in recognition of the seriousness of climate change and its effects on our society, formed the Climate Council to develop recommendations to guide the City in reducing its carbon footprint; and

WHEREAS, the 31st Board of Representatives, in support of the Mayor's action and in response to the warning of the United Nations Intergovernmental Panel on Climate Change that continued emission of greenhouse gases will increase the likelihood of severe, pervasive, and irreversible impacts on people and ecosystems, issued Resolution 4130 urging the Administration to pursue initiatives to reduce greenhouse gas emissions; and

WHEREAS, in further recognition of the climate crisis, Mayor Caroline Simmons issued Executive Order EO_005_230417_Climate, addressing climate change and sustainability, directing the Administration and all applicable City Departments and Agencies to adopt initiatives that address climate change and sustainability; and

WHEREAS, the physical breakdown of plastic disposable Food Ware, including flatware, stirrers, cups, liquid splash sticks, and take-out containers, results in microplastics that enter the environment, food chain, and ultimately accumulate in the human body, leading to adverse health and environmental effects; and

WHEREAS, only a small portion of recyclable materials actually get recycled, and the City of Stamford can no longer sell its recyclables, resulting in single-use items costing Stamford taxpayers hundreds of thousands of dollars in hauling costs; and

WHEREAS, Single-Use Food Ware, whether made of recyclable material or not, and expanded polystyrene pose a threat to Stamford's aquatic and terrestrial ecosystems. By prohibiting these items, Stamford seeks to protect the environment, eliminate a major source of waste, and safeguard the public health, safety, and welfare of Stamford and its citizens; and

WHEREAS, Section 209-1, et seq. of the Code of Ordinances is amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Sec. 209-1. Purpose

A. The purpose of this ordinance is to reduce environmental waste and the harmful effects of Single-Use Food Ware by requiring the use of Reusable Food Ware in Dine-In Establishments and Biodegradable Food Ware for Take-Out Orders in the City of Stamford.

Sec. 209-2. Definitions

A. For the purposes of this ordinance, the following definitions shall apply:

(1) **Dine-In Establishment:** Any business or institution in the City of Stamford that serves food or beverages for on-premises consumption, including but not limited to restaurants, cafeterias, cafes, bars, hospitals, schools, and senior living facilities.

(2) **Prepared Food Vendor:** Any fixed or mobile restaurant, industrial feeding establishment, catering kitchen, commissary, grocery store, or other similar establishment where food or drink is prepared and packaged.

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(3) Take-Out Order: Any food or beverage prepared by a Prepared Food Vendor and packaged for off-premises consumption, including pick-up, drive-through, delivery orders, and packaged leftovers, regardless of whether the establishment offers on-premises dining.

(4) Food Ware: Any item used for serving, consuming, or packaging food or beverages, including but not limited to containers, bowls, plates, trays, cartons, cups, lids, utensils, straws, stirrers, and napkins.

(5) Reusable Food Ware: Food Ware made from durable, non-plastic materials such as metal, ceramic, glass, bamboo, or wood, designed and intended for repeated use.

(6) Single-Use Food Ware: Food Ware designed for one-time use, including items made of plastic, paper, or other disposable materials.

(7) Plastic-Lined Food Ware: Any Food Ware that has a coating or lining made of plastic, including but not limited to plastic-lined paper cups, plates, and bowls.

(8) Biodegradable Food Ware: Food Ware that is capable of decomposing through natural biological processes within a reasonable period of time without releasing harmful substances.

(9) PFAS-Free: Free of perfluoroalkyl and polyfluoroalkyl substances (PFAS), which are harmful chemicals used in certain food packaging materials.

(10) BPI Certified: Certified by the Biodegradable Products Institute (BPI) or another recognized certification program as meeting compostability standards, as approved by the Director of [Health](#).

(11) Accessories: Items provided alongside Food Ware to facilitate consumption, including but not limited to utensils, napkins, straws, stirrers, and condiments.

Sec. 209-3. Requirements for Dine-In Establishments

A. The following provisions apply to Dine-In Establishments.

(1) Dine-In Establishments shall use only Reusable Food Ware for all on-premises consumption of food or beverages, with the exception of napkins, which may be paper-based.

(2) The use of Single-Use Food Ware in Dine-In Establishments, including plastic utensils, plates, cups, and trays, is prohibited.

(3) Dine-In Establishments shall not provide or use Plastic-Lined Food Ware.

(4) Dine-In Establishment shall provide straws and stirrers only upon customer request.

(5) When provided, straws and stirrers shall be Biodegradable Food Ware and shall not contain plastic.

Sec. 209-4. Requirements for Take-Out Orders

A. The following provisions apply to Take-Out Orders.

(1) Take-Out Orders shall not be packaged in Plastic-Lined Food Ware.

(2) Single-Use Food Ware made of plastic is prohibited, except for containers containing soup or other liquids.

(3) Soup and liquid containers may only be made of plastics labeled with resin identification codes #1, #2, or #5.

(4) The use of black plastic containers is prohibited [regardless of what resin identification code it bears](#).

(5) Accessories shall not be provided automatically with Take-Out Orders. ~~Food establishments~~[Prepared Food Vendors](#) may provide Accessories upon specific customer request or make them available in self-service stations accessible to customers. ~~Establishments~~[Prepared Food Vendors](#) shall not ask, prompt, or otherwise encourage customers to request Accessories, including utensils, napkins, straws, and stirrers.

(6) When provided, Accessories shall not be bundled together.

(7) Any Accessories provided with Take-Out Orders shall be Biodegradable Food Ware, PFAS-Free, and BPI Certified by GreenScreen, BPI, Green Seal, and OEKO-TEX or meet another recognized compostability standard, as approved by the Director of Operations.

(8) Plastic Accessories, including utensils, straws, and stirrers, shall not be provided with Take-Out Orders.

Sec. 209-5. Enforcement

A. The City's Health Department, along with any other City Department or Agency designated by the Mayor, shall be responsible for enforcing this ordinance.

B. Violations and Penalties:

(1) First violation: Written notice.

(2) Subsequent violation: Fine of \$250.

[\(3\) Multiple violations of this ordinance identified during a single inspection on any given day shall be treated as a single violation for enforcement purposes. For example, the possession and use of prohibited plastic utensils discovered simultaneously during one inspection will constitute only one violation.](#)

~~(3)~~[\(4\)](#) Each day a violation continues shall be considered a separate offense.

Sec. 209-6. Administrative Responsibilities

A. The Director of ~~Operations~~[Health](#) may establish administrative procedures necessary to implement this ordinance.

B. All fines collected shall be deposited into a dedicated account, called the Sustainability Fund, administered by the ~~Mayor's designee~~[Director of Operations](#), exclusively for sustainability initiatives and the enforcement and administration of this ordinance.

Sec. 209-7. Effective Date

This ordinance shall take effect six months after passage, unless extended for up to three additional months by the Director of ~~Operations~~[Health](#) due to supply chain disruptions or other extraordinary circumstances.

For schools, this ordinance shall take effect at the start of the next school year following passage. However, extensions may be granted by the Director of ~~Health~~[Operations](#) if additional time is needed for implementation.

Sec. 209-8. Severability

If any section or provision of this ordinance is found invalid or unenforceable, the remaining sections shall remain in full force and effect.