

12.86.020 - Single-Use Foodware Accessories Provided Only Upon Request by Customer.

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A.

No food facility may automatically provide single-use foodware accessories to any customers with their order of ready-to-eat food. Food facilities may provide single-use foodware accessories to customers with their order of ready-to-eat food only if the customers request that they be provided such accessories, and only if such single-use foodware accessories comply with Section [12.86.015](#) of this Chapter.

B.

Nothing in this Chapter prohibits a food facility that is providing ready-to-eat food to customers from asking the customers if they would like to be provided any single-use foodware accessories that the food facility makes available for customers. This Chapter does not prohibit a food facility from making available to customers single-use foodware accessories from a self-serve dispenser or station, with the exception of single-use plastic straws and single-use plastic stirrers. Food facilities are prohibited from making single-use plastic straws and single-use plastic stirrers available to customers from a self-serve dispenser or station. Single-use foodware accessories, however, shall not be bundled or packaged in a manner that prohibits a customer from taking only the type of single-use foodware accessory, if any, that may be desired without also having to take a different type of single-use foodware accessory. Nothing in this Chapter prohibits a food facility from providing to customers single-use foodware accessories that are included as part of a product that is pre-packaged by a manufacturer, such as a juice box or pre-packaged salad.

C.

A food facility that operates an online food-ordering platform for its customers to order ready-to-eat food for delivery or take-out shall, if it offers single-use foodware accessories to its customers, provide options on such platform to enable customers to select which of available single-use foodware accessories, if any, the customers chooses to have included with their order. Food facilities shall not provide any single-use foodware accessories to customers that order ready-to-eat food through their own online food-ordering platform unless those customers have requested such accessories, either through the online food-ordering platform or in person when picking up their order.

D.

If a food facility uses any third-party, online food-ordering business for ready-to-eat food, the food facility shall customize its menu with a list of available single-use foodware accessories.

A food facility that prepares orders of ready-to-eat food for customers who have placed those orders through third-party, online food-ordering businesses shall not provide any single-use foodware accessories with the orders unless the customers have selected such single-use foodware accessories through options provided on the online food-ordering platform, in accordance with Section [12.86.025](#), or the customers have requested such accessories in person when picking up their order.

E.

Nothing in this Chapter shall be construed to require food facilities to provide single-use foodware accessories to customers ordering ready-to-eat food.

F.

Notwithstanding any other provision of this Chapter, food facilities may include single-use cup lids, spill plugs, and hot beverage sleeves with drive-thru and delivery orders of ready-to-eat food orders that include beverages, without a customer request, for safety reasons, including to avoid spillage.

([Ord. 2022-0016](#) § 4, 2022; [Ord. 2021-0025](#) § 4, 2021; Ord. 2018-0055 § 1, 2018.