

- (c) Food packaging pre-packaged by a manufacturer, producer or distributor;
- (d) Plastic films less than ten (10) mils in thickness;
- (e) Any packaging which is not zero waste packaging, but for which there is no commercially available alternative as determined by the St. Louis Park Public Works Division by rule promulgated pursuant to Section 12-205. In determining whether there are commercially available alternatives, the Public Works Division will consider whether there is availability of zero waste packaging for affected products. Every rule creating an exemption under this paragraph will be reviewed annually by the Public Works Division to determine whether current conditions continue to warrant the exemption.

Sec. 12-207. Violations and enforcement.

- (a) Violations of this ordinance shall be punishable as a misdemeanor pursuant to City Code Section 1-13, and/or an administrative offense pursuant to City Code Section 1-14, Administrative Penalties.
- (b) The administrative offenses provided for in this article shall be in addition to any other legal or equitable remedy available to the city for city code violations.
- (c) At the time a violation occurs, a warning notice will be given in writing. The food establishment will be given 14 calendar days to take corrective action before a fine is issued.

Sec. 12-208207. Severability.

If any part or provision of this ordinance or the application thereof to any person, entity, or circumstances shall be judged unconstitutional or invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application which is directly involved in the controversy, in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this ordinance, or the application thereof to other persons, entities, or circumstances.

DRAFT

Sec. 12-209208. Effective date.

Unless otherwise indicated, this article shall take effect January 1, 2017.

Sec. 12-210169--12-250200. Reserved.

SECTION 2. Unless otherwise indicated, this ordinance shall take effect fifteen days after its passage and publication.

First reading	May 20, 2019
Second reading	June 3, 2019
Date of publication	June 13, 2019
Date ordinance takes effect	June 28, 2019

Reviewed for Administration

Adopted by city council _____, 2019

Thomas K. Harmening, City Manager

Jake Spano, Mayor

Attest:

Approved as to Form and Execution:

Melissa Kennedy, City Clerk

Soren Mattick, City Attorney