City of St. Louis Park
Zero Waste Packaging Ordinance

May 17, 2016
Zero Waste Packaging Background

- Nov. 2014 to May 2015 – Discussed research, goals, process for considering policy
- July to Nov. 2015 – Industry and local stakeholder input, draft ordinance discussion
- December 21, 2015 – After public hearings, adoption of ordinance
- January 1, 2017 – Ordinance becomes effective
Legislative Purpose/Goals

• Sec.12.201: To increase traditional recycling and organics recycling while reducing waste and environmental impact from non-reusable, non-recyclable, and non-compostable food and beverage packaging
Ordinance Requirements

1. Food establishments required to use “Zero Waste Packaging” for food prepared and served on-site or packaged to-go

Must be:

- Reusable or Returnable
- Recyclable *
- Compostable *

Excludes:

- Foods pre-packaged by manufacturer/producer/distributor
- Plastic knives/forks/spoons
- Plastic films less than ten mils thick

*Recyclable and Compostable packaging require development of acceptable material lists by city
Ordinance Requirements

2. Food establishments required to provide on-site recycling and/or organics recycling for customers dining-in
Development of Acceptable Packaging Materials

• Lists is reviewed and approved by Council annually
  – Recyclable and compostable packaging meeting definitions in 12.202
  – Exemptions for packaging in 12.206
Acceptable Recyclable Packaging Materials

Food or beverage containers that are:

• Made of recyclable material
• Accepted by local material recovery facilities
• Marketed to existing robust recycling markets
Acceptable Recyclable Packaging Materials

• Plastic packaging:
  – Polyethylene Terephthalate (#1 PET or PETE)
  – High Density Polyethylene (#2 HDPE)
  – Polypropylene (#5 PP)

• Metal packaging:
  – Aluminum foil (includes aluminum foil wrap and rigid containers)
Recyclable Packaging Examples

- #1 PETE
- #2 HDPE
- #5 PP
- Aluminum foil
- #1 PETE
- #5 PP
Non-Recyclable Packaging Examples

Do NOT meet ordinance definition of Recyclable

Plastic lined paper cups

#6 PS - Rigid

#6 PS - Foam
Acceptable Compostable Packaging Materials

Food or beverage containers that are:

• Made of unlined paper
• Made of paper with certified compostable lining
• Made of certified compostable plastic
• Or other materials accepted by the commercial compost or anaerobic digestion facility
Acceptable Compostable Packaging Materials

• Paper Packaging
  – Unlined/uncoated paper products
  – Unlined/uncoated butcher paper
  – Unlined/uncoated parchment paper
  – Wax paper

• Certified Compostable Packaging (BPI or Cedar Grove certified compostable)
  – Paper
  – Plastic
  – Bagasse
  – Bamboo
Compostable Packaging Examples

Certified compostable clamshell

Certified compostable paper cup

Certified compostable plastic cup/lids

Unlined paper products

Certified compostable labeling
Non-Compostable Packaging Examples
Do NOT meet ordinance definition of Compostable

- Plastic lined paper hot cup
- Plastic lined paper cold cup
- Plastic lined paper plate
- Plastic lined paper container
Development of Packaging Exemptions

• Made only when there is no reasonable commercially available alternative
• NOT made based on cost factors
• City-wide and NOT made on a case-by-case or business-by-business basis
Temporarily Acceptable Packaging Materials (Exempt)

Paper food wraps/fast food wrappers until January 1, 2018

• Typically have chemical/plastic lining to stop grease
• Not accepted by local commercial composters
• Lack of sufficient commercially available alternative products (with certified lining)

Exemption → allowing for time for development of certified compostable alternatives
Council assigns the authority to make administrative rules to Public Works Division
Catering Activities

Temporary exemption until January 1, 2018

• Nature of catering (often from outside city limits, don’t stay for cleanup)

• Exploring process to work with event venues in city to ensure caterers are compliant in the future
Patient Care

• Patient care areas of hospitals and nursing homes → outside scope of the ordinance

• Cafeterias open to staff and guests → must be in compliance
Collection Containers

Where are recycling/organics recycling containers required?

Must provide on-site opportunity for recycling and/or organics recycling

- If trash receptacles are available to customers, need recycling/organics containers “front of the house”
- If trash receptacles are not available (staff deal with discarded packaging “back of the house”), containers “front of the house” not required
Outreach and Education

Depending on licensing agency, partnering with:

• Hennepin County Environmental Health
• Minnesota Department of Agriculture (Retail food establishments – grocery store, bakery, convenience store)

Providing information on acceptable materials, including when change of ownership happens.
Enforcement

1) A warning notice in writing for the first violation.
2) A fine of $100 for the second violation.
3) Repeat subsequent violations within 24 months, a fine double the amount of the fine imposed for the previous violation, up to a maximum of $2,000. For example if there were four occurrences of a violation that carried a $100 fine: first is $0 (warning); second is $100, third is $200, forth is $400.

At the time a violation occurs, the food establishment will be given 14 calendar days to take corrective action before a subsequent fine is issued.
Zero Waste Packaging
Acceptable & Exempt Materials Lists
Effective January 1, 2017

Emily Barker, Public Works Division
Solid Waste Program Specialist
ebarker@stlouispark.org
952.924.2187

Kala Fisher, Public Works Division
Solid Waste Program Coordinator
kfisher@stlouispark.org
952.924.2183