

Office of the County Auditor
Auditor's Analysis

Council Bill No. 13-2021

Introduced: February 3, 2021

Auditor: Michael Martin

Fiscal Impact:

According to the Administration, the fiscal impact of this legislation is approximately \$7,500.

According to the Office of Community Sustainability (OCS), it has not had the time to thoroughly review an educational program. However, it intends to replicate the plastic bag fee outreach program which consisted of three mailings to effected parties, costing approximately \$2,500 each mailing cycle.

Because the OCS does not intend to assess the proposed fines associated with violations, we do not anticipate any revenues to offset the cost of the program.

The OCS's plan is to establish an online complaint portal for consumer complaints which will generate letters to those who have violated the law informing them of the violation. This portal would be for informational purposes only and will not be utilized to assess fines.

Purpose:

This legislation would prohibit the sale or distribution of single-use straws, stirrers, and plastic food ware items by food service facilities or retail businesses effective January 1, 2022.

Exceptions to this legislation include distribution to certain individuals who may require these items such as those in healthcare facilities, individuals with disabilities, or upon request by an individual.

The prohibition does not apply to prepackaged beverages, food-related bags or wrappers, packaging for unprepared food or wholesale distribution, and plastic food ware marketed as reusable.

Other Comments:

Although the OCS stated they do not intend on issuing fines, the legislation authorizes the County to issue civil penalties associated with violations of the proposed plastic food ware ban beginning July 1, 2022. Any fees collected related to this legislation shall be deposited in the Disposable Plastics Reduction Fund. *Relevant fines are outlined below for reference:*

Offense	Minimum Fine	Maximum Fine
First – Class C	\$ 100	\$ 250
Second – Class B	250	500
Third – Class A	500	1,000

The Department of Inspections, Licenses and Permits confirmed they will have no role in this legislation.