



City of Chicago



O2018-9033

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 11/14/2018

Sponsor(s): Burke (14)
Lopez (15)

Type: Ordinance

Title: Amendment of Municipal Code Chapter 7-28 by adding new Section 7-28-100 entitled "Single-Service Plastic Straws and Stirrers"

Committee(s) Assignment: Joint Committee: Aviation; Finance

JT.
FINANCE
AVIATION

ORDINANCE

WHEREAS, The City of Chicago ("Chicago") is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, Pursuant to its home rule power, Chicago may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, Chicago previously enacted, and has over time added to, Title 7 of the Municipal Code of Chicago to address health and safety; and

WHEREAS, Americans use an estimated 500 million single-use plastic straws every day and estimates show there are 8 million metric tons of plastic polluting oceans every year, with plastic straws and stirrers comprising more than 7 percent of plastic products in the world; and

WHEREAS, These single-use plastic straws and stirrers pollute our rivers, lakes, and oceans, harming the world's marine life. A report found that at the current rate, by 2050 the amount of plastic in the ocean will outweigh fish, pound per pound; and

WHEREAS, Chicago therefore desires to enact legislation to curb the pollution caused by single-use plastic straws and stirrers; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The foregoing recitals are adopted and incorporated into and made a part of this Ordinance.

SECTION 2. Chapter 7-28 of the Municipal Code of Chicago is hereby amended by adding a new Section 7-28-100, as follows:

7-28-100 Single-service plastic straws and stirrers.

(a) *Definitions.* For purposes of this section:

"Beverage stirrer" means a device that is used by a consumer and is designed solely for the purpose of mixing for a drink for human consumption.

"Biodegradable" means the ability of a material to readily break down into natural materials and includes paper and paper-products, bamboo, wood, hay, or other readily biodegradable material subject to approval by the Commissioner of Business Affairs and Consumer Protection, in consultation with the Commissioner of Public Health.

“Plastic” means a synthetic material made from organic polymers, including, but not limited to, polypropylene, polystyrene, polyethylene terephthalate, high density polyethylene, low density polyethylene, polystyrene or polypropylene that can be molded into shape while soft, and then set into a rigid or slightly elastic form.

“Reusable” defines a product that is designed to be used and cleaned a minimum of five times for its original intended purpose. Non-limiting examples of reusable materials are glass, metal, and silicone, and also thick plastics designed and intended to be reused in combination with specific plastic, glass, silicone, and metal reusable beverage containers.

“Sell” means any transfer of ownership, any exchange or barter, in any manner or by any means whatsoever for a valuable consideration.

“Single-service” defines items that are constructed wholly or in part from plastic or synthetic materials, which are intended by the manufacturers and generally recognized as for one usage only, then to be discarded.

“Straw” means a tube used for transferring a beverage from its container to the mouth of a drinker.

(b) No individual or business shall sell or otherwise provide single-service plastic straws or single-service plastic beverage stirrers within the City of Chicago.

This section does not prohibit individuals or businesses from selling or otherwise providing biodegradable or reusable straw and stirrer alternatives.

This section does not prohibit offering a straw or stirrer with a beverage on private property used as a residence.

(c) *Penalties.* Any person who violates this section shall be subject to a fine of \$1,000 for each offense.

(d) This section shall be administered and enforced by the Commissioner of Business Affairs and Consumer Protection.

SECTION 3. Section 2-25-050 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

2-25-050 Powers and duties of the department.

(Omitted text is unaffected by this ordinance)

(19) To supervise the investigation, execution and enforcement of the Chicago Minimum Wage and Paid Sick Leave Ordinance, Chapter 1-24 of this Code, the Toy Safety Ordinance, Chapter 7-36 of this Code, the Condominium Ordinance, Chapter 13-72 of this

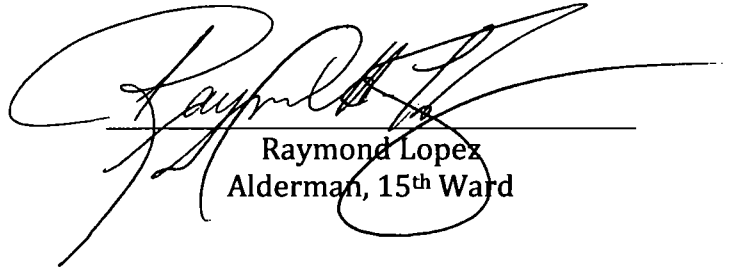
Code, Section 7-28-100 of this Code, and any other ordinance administered or enforced by the department, including all rules pertaining thereto or promulgated thereunder;

(Omitted text is unaffected by this ordinance)

SECTION 4. This ordinance shall be in full force and effect six months following its passage and publication, except as applied to straws packaged with and incidental to the purchase of pre-packaged boxed or pouched beverages designed and intended for children, until a year following the effective date, at which point the ordinance shall thereafter apply to all single-service plastic straws and stirrers.



Edward M. Burke
Alderman, 14th Ward



Raymond Lopez
Alderman, 15th Ward

