ORDINANCE NO. 1390-19 (CM)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AMENDING TITLE 6 (SANITATION AND HEALTH) OF THE WATSONVILLE MUNICIPAL CODE BY ADDING A NEW CHAPTER 9 (HOSPITALITY PLASTIC POLLUTION REDUCTION) TO PROMOTE A SUSTAINABLE COMMUNITY AND ALIGN WITH GOALS OUTLINED IN THE CITY OF WATSONVILLE CLIMATE ACTION PLAN, THE STATE STORMWATER PROGRAM, AND SUPPORT THE WATSONVILLE GREEN BUSINESS PROGRAM

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WHEREAS,

It is the intent of the City of Watsonville in enacting this chapter to reduce the use of single-use plastic products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product’s life cycle; and

As litter, plastic is highly durable, persisting and detracting from the appearance of an area longer than other types of litter. There is a prevalence of plastic debris littering our parks and public places, streets and roads, waterways, storm drains and beaches. This litter ultimately floats, or is blown, into the Monterey Bay. This litter exists at a financial cost to residents and an environmental cost to our natural resources; and

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Over time, plastic fragments become micro-plastics that release toxins into our water and soil and enter our food systems; and

Studies by the US Centers for Disease Control and Prevention, the National Institutes of Health and the National Institute of Environmental Health have found numerous health risks from routine use of plastics. People are exposed to chemicals from plastic multiple times per day through the air, dust, water, food and use of consumer products; and

Chemicals present in plastics which leach out into the environment have been shown to affect reproduction and development in animals. Studies show direct links between exposure and adverse health outcomes; and

The US Environmental Protection Agency's (EPA) Toxics Release Inventory found that significant releases of toxic chemicals from plastics into the environment include trichloroethane, acetone, methylene chloride, methyl ethyl ketone, styrene, toluene and benzene; and

According to the EPA, plastics make up more than 12 percent of the municipal solid waste stream, a dramatic increase from 1960, when plastics were less than one percent of the waste stream; and

Only about 8 percent of plastic used in the US is recycled; and

The plastics industry rarely uses recycled plastics in the vast majority of their products; and

Most plastics which are recycled are "downcycled" into lower-grade, single-use products which cannot be recycled in turn; and

As much as one third of plastics recycled in the US were previously sent to China for processing. The recent ban on most recycled commodities by China has left the US
with 1.4 million tons of plastic each year that is struggling to find an outlet. This amount is expected to increase; and

    After decades of progress in recycling, the recycling rate in the State of California is going down for the first time; and

    Many jurisdictions, including the City of Santa Cruz, have begun landfilling plastic due to the difficulty of recycling it; and

    Billions of tiny bottles of shampoo, lotion and other products are thrown away every year by hotels and motels. Many chains, including Marriott and Hilton, have already begun switching to wall-mounted dispensers to reduce waste and be more sustainable; and

    City of Watsonville has been a pioneer in the reduction of plastic pollution, being among the first to adopt bans on plastic bags, and Styrofoam; and

    Despite these efforts, plastic debris continues to be a growing problem in the public spaces of the City, requiring further action to protect public health and the environment; and

    The City of Watsonville has an obligation to protect the environment, the economy, and public health. The City of Watsonville has a waste reduction goal, which is to be reached by waste reduction, reuse, recycling, and composting.

THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. ENACTMENT.

Title 6 (Sanitation and Health) of the Watsonville Municipal Code is hereby amended by adding a new Chapter 9 (Hospitality Plastic Pollution Reduction) to read in words and figures as follows:
CHAPTER 9
HOSPITALITY PLASTIC POLLUTION REDUCTION

Sec. 6-9.100 Definitions.

For the purposes of this chapter, certain words and phrases used are defined as follows:

(a) “Plastic” refers to any synthetic material made from organic polymers such as polyethylene, PVC, nylon, etc., that can be molded into shape while soft and then set into a rigid or slightly elastic form. Includes all plastics #1-7, as well as any new variants.

(b) “Personal care products” includes shampoo, conditioner, and other similar products intended for personal use by visitors.

(c) “Single-use” shall mean designed or intended for a single use or few uses, or not intended for reuse. “Single-use” may be used interchangeably with “Disposable”.

(d) “Small plastic bottles” refers to any plastic bottle containing less than 12 ounces.

Sec. 6-9.102 Ban on hospitality industry single-use personal care products.

(a) Small plastic bottles of personal care products shall not be provided in hotel or motel rooms, vacation rentals, or other visitor accommodations in the City, except to persons specifically requesting accommodation of a disability or other special need.

(b) Hospitality businesses serving visitors are required to use bulk dispensers of personal care products to reduce cost, waste, and impact on the environment.

(c) This provision does not apply to hosted rentals in which the owner lives on the premises.
Sec. 6-9.103 Implementation.

(a) This Ordinance shall take effect January 1, 2021.

(b) No less than one year before this ordinance takes effect, the City shall post, mail or deliver a copy of it to affected businesses within the City limits.

Sec. 6-9.104 Exemptions.

(a) The Director of Public Works may exempt a retail establishment from the requirements set forth in this Section for a one (1) year period upon the retail establishment showing, in writing, that this Chapter would create an undue hardship or practical difficulty not generally applicable to other persons in similar circumstances. The decision to grant or deny an exemption shall be in writing, and the Director’s decision shall be final.

(b) An exemption application shall include all information necessary for the Director of Public Works to make a decision, including but not limited to documentation showing factual support for the claimed exemption.

(c) The Director of Public Works may approve the exemption application in whole or in part, with or without conditions.

SECTION 2. PUBLICATION.

This ordinance shall be published in the Watsonville Register-Pajaronian and/or Santa Cruz Sentinel in compliance with the provisions of the Charter of the City of Watsonville.

SECTION 3. EFFECTIVE DATE.

This ordinance shall be in force and take effect thirty (30) days after its final adoption.
The foregoing ordinance was introduced at regular City Council meeting of the City of Watsonville, held on the 25th day of June, 2019, by Member Parker, who moved its adoption, which motion being duly seconded by Member Hernandez, was upon roll call carried and ordered printed and published by the following vote:

AYES: COUNCIL MEMBERS: Coffman-Gomez, Garcia, Gonzalez, Hernandez, Hurst, Parker, Estrada

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

Francisco Estrada, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney
ORDINANCE NO. 1389-19 (CM)

The foregoing ordinance, having been printed and published as required by the Charter of the City of Watsonville, and coming on for final consideration at the regular meeting of the Council of the City of Watsonville, held on the 9th day of July, 2019, by Member Hurst, who moved its adoption, which motion being duly seconded by Member Hernandez, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: COUNCIL MEMBERS: Coffman-Gomez, Garcia, Gonzalez, Hernandez, Hurst, Parker, Estrada

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST:

Francisco Estrada, Mayor

City Clerk 7/12/19

Date

EFFECTIVE DATE:

August 8, 2019

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CERTIFICATION

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

I, Beatriz Vázquez Flores, City Clerk of the City of Watsonville, in the County of Santa Cruz, State of California, hereby certify that the attached Ordinance No. 1390-19 (CM) is a true and correct copy of the original of said ordinance as it appears upon the official records of said City of Watsonville.

Beatriz Vázquez Flores, City Clerk

Irwin Cheung, Assistant City Clerk

Date 7/12/19