



ADMINISTRATIVE REGULATION

OFFICE OF THE CITY MANAGER

Number	703
Responsible Department	Public Works
Established/Effective Date	July 17, 2007
Latest Revision Date	November 30, 2023
Next Review & Reauthorization Date	November 30, 2025

**SUBJECT: Ban on Use of Expanded Polystyrene Foam
(Styrofoam®) Food Service Products in City Facilities
and City Owned Properties.**

1. **Purpose:** To establish in practice the requirements set forth in [City Council Resolution 2005-1](#) as approved in January of 2005.
2. **Authority:** [City Council Resolution 2005-1](#) and the authority and powers granted to the City Manager under Section 401 of the City Charter.
3. **Applicability:** This Administrative Regulation applies to all employees of the City, all City Boards, Commissions, and Committees, and to all City facilities. It also applies to lessors of City property, event permittees and organizers, and operators of businesses on city owned property as described in Section 5.
4. **Definitions:**
 - 4.1. **Styrofoam:** A common tradename term for products made of expanded polystyrene foam that are used in food services.
 - 4.2. **City Facilities:** Buildings and properties operated by the City in its function as a City government.
 - 4.3. **City-Owned Property:** Property of the City that is leased to a vendor or contractor for purposes outside the functions of City government but where the general public will be present and/or is permitted to event organizers.
 - 4.4. **Employees:** Full and part-time employees, elected officials, appointees, and volunteers of the City of Huntington Beach.
5. **Policy:** Under City of Huntington Beach Resolution 2005-1, the City Council has prohibited the use of products made of expanded polystyrene foam (aka Styrofoam®) that are generally used in serving food and beverages. The specifics of the prohibition are as follows:
 - 5.1. The City of Huntington Beach and its employees shall not purchase or acquire food service products for use at City-sponsored functions, City facilities or on City-Owned Property which are made of expanded polystyrene foam, either wholly or in part. Prohibited products include, but are not necessarily limited to, expanded polystyrene



ADMINISTRATIVE REGULATION

OFFICE OF THE CITY MANAGER

foam food service items such as cups, plates, take-out containers, and trays.

- 5.2. All future rental agreements and special event permits for usage of any City-Owned Property or facility shall require that contracting parties assume responsibility for preventing the utilization and/or distribution of expanded polystyrene foam products by any participant or vendor at the associated function. The rental agreements shall indicate that the violating contractor's security deposit will be forfeited if the Community and Library Services Director or their designee determines that such products were utilized in violation of the rental agreement or permit.
 - 5.4. The use or distribution of expanded polystyrene foam products at all permitted special events, including events sponsored or co-sponsored by the City shall be prohibited. This prohibition shall apply to the event organizers, agents of the event organizers, event vendors, non-profit organizations, and any other party who enter into an agreement with one or more of the co-sponsors of the event to sell goods or beverages at the event or otherwise provide an event-related service. The prohibition on the use of expanded polystyrene foam products will not be enforced upon individuals who are attending the function solely as a visitor or spectator.
 - 5.5. The provisions of this Resolution and this AR shall not apply to the City's senior nutrition program. The senior nutrition program manager shall annually examine their usage of expanded polystyrene foam products to determine whether it is feasible to discontinue the use of such products in their program.
 - 5.6. All individuals, groups, businesses, non-governmental and other governmental entities are strongly encouraged to assist in preserving the environment by ceasing to purchase and/or use expanded polystyrene foam food service products.
6. **Responsibilities:** It is the responsibility of all City employees; and members of all City boards, commissions, and committees; and all those who hold a lease with or contract with the City to comply with and assure that others comply with this policy.
- 6.1. Public Works Department shall be responsible for implementing this AR throughout the City and providing necessary technical assistance to other departments and employees.
 - 6.2. Community and Library Service Department shall be responsible for including the City's ban on purchase and use of Styrofoam products in the City rental agreements and special event permits and assisting lessors, and event permittees/organizers/vendors to be in compliance.
 - 6.3. Finance Department, Purchasing Division shall be responsible for including the City's ban on purchase of Styrofoam products as defined in Section 4 in the City's procurement policy and assisting each department to comply with this regulation.


Distribution:

All employees may access the Administrative Regulations via the [SurfNet](#) or City website: www.huntingtonbeachca.gov/AR



ADMINISTRATIVE REGULATION
OFFICE OF THE CITY MANAGER


Chau Vu, Public Works Director
Initiating Department


Approved as to Form
Michael Gates, City Attorney


Eric G. Parra
Interim City Manager

Review Schedule

REVIEW DATE	DEPT. HEAD INITIAL	CITY MANAGER SIGNATURE