

**Council Briefing Paper for Libraries, Utilities and Center Committee**  
**Council Bill 11746, Amending Seattle's Single-Use Food Service Packaging Ordinance, May 1, 2012**

AN ORDINANCE relating to the City of Seattle's solid waste system, providing the Director of Seattle Public Utilities additional rulemaking authority to grant waivers and other relief from requirements relating to single-use food service ware and packaging, and amending Seattle Municipal Code Section 21.36.086 accordingly.

**Background:**

The original ordinance requiring all single-use food service packaging to be either compostable or recyclable allowed the SPU Director by Director's Rule to exempt some types of products for which properly compostable or recyclable alternatives are not available to food service businesses.

This authority was granted for two years, with the exemptions to be reviewed at the end of the first year, June 30, 2011, and extended for a second year if warranted. No further exemption by Director's Rule was contemplated since food service packaging was rapidly changing in response to Seattle's ordinance.

**Problem:**

The second year of exemptions is ending soon, June 30, 2012. SPU staff has determined that exemptions still need to be made for a few types of food service ware and packaging for which compostable or recyclable alternatives have not been developed.

**Proposed Solution:**

The ordinance before the Council amends the solid waste code to allow the SPU Director to continue to exempt single-use food service ware and packaging as needed when suitable alternatives meeting the needs of public health and food service businesses do not exist. It allows renewal of exemptions annually for an indefinite number of years so that SPU can respond to market conditions as needed.

**Current exemptions:**

- Cutlery – compostable used by some outlets but hot foods cause it to bend so not universally applicable
- Drinking straws, cocktail straws and cocktail picks – compostable versions not usable by some businesses, plastic versions too small to recycle
- Foil-faced and other insulating wraps – may be dropped; many restaurants have switched to paper, padded papers
- Small “portion cups” – compostable types not suitable for hot sauces, plastic ones too small to recycle.

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