



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 19-0033

REPORT RE:

FEB 12 2019

**DRAFT ORDINANCE ADDING A NEW ARTICLE 3 TO CHAPTER XIX OF THE
LOS ANGELES MUNICIPAL CODE REGULATING THE USE OF
DISPOSABLE PLASTIC DRINKING STRAWS**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 18-0053

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The ordinance would add a new Article 3 to Chapter XIX of the Los Angeles Municipal Code regulating the use of disposable plastic straws.

Customers in the United States use up to 500 million plastic straws daily. Many of these straws wind up in the ocean where marine animals ingest these small plastic pieces and are poisoned, starved or suffocated. This draft ordinance requires that certain food and beverage facilities make available disposable plastic drinking straws only upon the request of a customer. The City's goal is to reduce the amount of plastic straws used in the City and, ultimately, entering our oceans. This draft ordinance provides the Department of Public Works, Bureau of Sanitation (LASAN) with the authority to send notice of violations and impose administrative fines. Additionally, LASAN has the authority to establish rules and regulations to aid in the administration and enforcement of this article.

California Environmental Quality Act (CEQA)

At the time of transmitting this report, environmental review is still pending with LASAN. Prior to or concurrent with adoption of the draft ordinance, the City Council must comply with CEQA by considering the CEQA clearance prepared and submitted by LASAN. As such, you must make a CEQA determination and adopt findings, as applicable.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Public Works, Bureau of Sanitation and the City Administrative Officer with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Basia Jankowski at (213) 978-8130. She or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney



By

DAVID MICHAELSON
Chief Assistant City Attorney

DM:BJ:ac
Transmittal