

TITLE 3
CHAPTER 12

PROHIBITIONS ON POLYSTYRENE FOAM

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3-12-1: PURPOSE: This Chapter is enacted to provide for the health and welfare of the citizens of Florence and preserve the scenic quality and natural environment of the City and its surrounding area.

3-12-2: DEFINITIONS: For the purpose of this Chapter, certain words, terms and phrases are defined as follows:

PERSON Any natural person, firm, corporation, partnership, government entity, or other organization or group however organized.

POLYSTYRENE FOAM (PSF) Blown polystyrene and expanded and extruded foams (sometimes incorrectly called Styrofoam) which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres, injection molding, foam molding, and extrusion blow molding. For the purposes of this Chapter, the term polystyrene shall not include clear, solid polystyrene.

PSF CONTAINER Containers made from polystyrene foam, including but not limited to cups, bowls, tubs, plates, trays, clamshell containers, egg cartons, and bait containers. For the purposes of this Chapter, the term PSF container shall not include trays containing raw meat or seafood intended for human consumption, and shall not include coolers or ice chests.

3-12-3: PROHIBITION ON PSF USES:

- A. No person shall package, sell, or serve food or beverages in any PSF container.
- B. No person shall package, sell, or provide bait in any PSF container.
- C. No person shall sell or provide PSF containers.
- D. No person shall dispose of any PSF container in any location other than a trash or recycling receptacle, where PSF container foam recycling is available.

3-12-4: EXEMPTIONS FOR PSF USE:

- A. The City Manager may exempt a person or persons from the provisions of this chapter in situations where:
 - 1. Compliance with the provisions of this chapter would deprive a person of a legally protected right.
 - 2. An emergency for the immediate preservation of the public peace, health, or safety exists.

- B. The City Manager may grant an exemption on the City Manager's own request or upon written request of any impacted person. If the request for an exemption comes from a person, the City Manager shall provide a reasonable opportunity for the person to submit written or oral support for granting the exemption. The City Manager shall make written findings inn granting or denying any exemption. The City Manager's decision shall be the City's final decision.

3-12-5: ENFORCEMENT:

- A. Violations of this chapter shall be punishable by a fine not exceeding \$250 for the first violation in a one-year period or a fine not exceeding \$500 for the second and each subsequent violation in a one-year period.

Established by Ord. No. 12, Series 2017 – effective January 1, 2018