

Planning, Building & Environmental Services

Single-Use Plastic Bag Reduction and Reusable Foodware and Waste Reduction Ordinance Updates

Board of Supervisors Presentation – October 7, 2025





Outline

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Chapter 5.70 – Single-Use Plastic Bag Reduction



Purpose and Intent of Ordinance Updates

- 2014: California SB 270 - banned flimsy plastic bags statewide (starting 2016)
- 2021: SB 1046 – bans plastic pre-checkout (produce) bags at all stores (starting 2025)
- 2024: SB 1053 – amends statewide bag law to prohibit all film plastic bags and only allows stores to offer 50% recycled paper bags for \$0.10 each (starting Jan. 1, 2026)
- Today: Napa County ordinance to align with stricter state law and reduce confusion



Incorporation of State Law: SB 1053 - Plastic Bag Prohibition

- Prohibits plastic bags at stores
- Requires recycled paper bags
- Applies to most stores including grocery stores, retail stores with pharmacies, convenience stores, food marts, restaurants, and liquor stores



Local Enforcement

- Ordinance reemphasizes state law that local agency holds enforcement.
- Clarifies roles and responsibilities of Napa County enforcement officers and the penalties set forth in State code.





Chapter 5.80 – Reusable Foodware and Waste Reduction



Purpose of Ordinance Update

- Dec. 3, 2024: Board adopted Ordinance 1501 to reduce waste and pollution from disposable foodware
- Scheduled to go into effect Jan. 1, 2026
- In preparation for stakeholder outreach, staff identified the need to clarify and update language within the ordinance to improve the ease of understanding of regulations and allow for streamlined outreach, education, and enforcement.
- Will also better align with various State regulations



Key Ordinance Changes

1. Added, removed, and updated definitions
 - A. Consolidation of similar definitions (i.e., Food Provider, Food Vendor, Food Service Establishment, Store, and Vendor became “Prepared Food Vendor”)
 - B. Specific and limiting definitions were expanded (i.e., Reusable Cup became Reusable)
 - C. Some definitions needed updating after consultation with local waste experts and state code (i.e, Compostable and Recyclable)
 - D. Specified between “Foodware” and “Accessory Foodware”
2. Created a new, specific section (5.80.025) prohibiting the use of polystyrene (Styrofoam) items. This section is specifically excluded from any cases of exemption for other requirements in the chapter. Note: this regulation was previously embedded in another section.



Key Ordinance Changes

3. Consolidated regulations for On-premises dining (Reusable Foodware Only), Off-premises dining (allows for compostable items for take-out or delivery), and allowing Customer-provided foodware
 - A. Events and Temporary events must comply with Off-premises regulations
4. Specified a 2-year time limit for Temporary Waivers for on-premises regulations only
5. Specified two pathways for temporary waivers of on-premises regulations
 - A. Environmental or public health constraints (e.g., Well and Onsite Wastewater at capacity)
 - B. Space constraints or staffing constraints for onsite dish dishwashing
6. Added section 5.80.055 (Prepared food vendor employee training) to ensure that prepared food vendors are annually providing training to their employees on the requirements of this chapter



Key Ordinance Changes

7. Updated Section 5.80.060 (Record keeping and inspection) to require prepared food vendors to keep records for a minimum of three years for:
 - A. The types of foodware and accessory foodware items they have purchased
 - B. The compliance with the completion of employee training
8. Removes the regulations in section 5.80.070 (Sale and distribution of disposable plastic bottled beverages on County property.)
9. Updated the list of exemptions to allow for easier understanding
 - A. Correctional institutions,
 - B. Healthcare facilities
 - C. Residential care facilities
 - D. Public and private school cafeterias
 - E. During a declared emergency or natural disaster





Stakeholder Engagement



Outreach to date:

- Original ordinance posted to the Planning, Building, and Environmental Services (PBES) Department website on February 12, 2024, for public review and comment.
- A notice that the original proposed ordinance was available for review was sent to food vendors in the unincorporated area and stakeholders interested in the Napa County Climate Action Committee-related matters.
- A Frequently Asked Questions (FAQ) document explaining the ordinance was posted to the PBES website on March 15, 2024, including a version in Spanish.
- Staff presented the ordinance to the Napa Chamber of Commerce on March 6, 2024.
- Staff have created a website dedicated to the outreach efforts of the ordinance to help public stakeholders understand and comply with the regulations.
 - <https://www.napacounty.gov/3769/Reusable-Foodware-and-Waste-Reduction-Or>



Planned Upcoming Outreach:



Mail

New educational materials and letter of upcoming regulations



Update

PBES Sustainability website



Partnership

Partner with Napa County Solid Waste team's outreach efforts regarding SB 1383 (organic waste diversion)



Partnership

Partner with PBES Environmental Health team

Develop a pipeline of businesses who may need additional help



Staff Recommendations & Next Steps:

- Tentative Ordinance adoption scheduled for October 21, 2025, with Ordinance to be effective January 1, 2026, if adopted.
- Update Reusable Foodware and Waste Reduction Resources Kit to share with businesses and stakeholders.
- Work with partner departments to plan and implement outreach and education efforts and enforcement strategies.



Thank you!

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