

AN ORDINANCE OF THE CITY OF FOSTER CITY AMENDING TITLE 8, HEALTH AND SAFETY, OF THE FOSTER CITY MUNICIPAL CODE, BY ADDING CHAPTER 8.08, PROHIBITION ON THE USE OF POLYSTYRENE BASED DISPOSABLE FOOD SERVICE WARE BY FOOD VENDORS

CITY OF FOSTER CITY

IT IS SO ORDAINED by the City Council of the City of Foster City as follows:

Section 1. Title 8 of the Foster City Municipal Code is hereby amended adding thereto Chapter 8.08, PROHIBITION ON THE USE OF POLYSTYRENE BASED DISPOSABLE FOOD SERVICE WARE BY FOOD VENDORS, to read as follows:

“Chapter 8.08

PROHIBITION ON THE USE OF POLYSTYRENE BASED DISPOSABLE FOOD SERVICE WARE BY FOOD VENDORS

Sections:

08.08.010 Adoption of San Mateo County Code Chapter 4.107 by Reference.

08.08.020 Authorization of Enforcement By San Mateo County Personnel.

08.08.010 Adoption of San Mateo County Code Chapter 4.107 by Reference.

Chapter 4.107 “Prohibition of the Use of Polystyrene Based Disposable Food Service Ware by Food Vendors” of Title 4 of the San Mateo County ordinance code, and any amendment thereto, are hereby adopted and made effective in this city. Certified copies of Chapter 4.107 of Title 4, as adopted hereby, have been deposited with the City Clerk, and shall be at all times maintained by the Clerk for use and examination by the public.

08.08.020 Authorization of Enforcement By San Mateo County Personnel.

The County of San Mateo, its officers, employees and agents are hereby authorized to enforce, on behalf of the city, Chapter 4.107 “Prohibition on the Use of Polystyrene Based Disposable Food Service Ware by Food Vendors” of Title 4 of the San Mateo County ordinance code, and any amendments thereto, within

the jurisdiction areas of this city. Such enforcement authority includes, but is not limited to, the collection of fees and fines, expending such revenue in the enforcement of the prohibition on the use of polystyrene based disposable food service ware by food vendors, holding hearings, suspending permits and issuing administrative fines.”

Section 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council does hereby declare that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 3. Taking Effect. This Ordinance shall take effect and be in force on April 1, 2012.

Section 4. Posting. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall have it posted in three (3) public places designated by the City Council.

This Ordinance was introduced and read on the 3rd day of October, 2011, and passed and adopted on the 17th day of October, 2011, by the following vote:

AYES: Councilmembers Bronitsky, Frisella, Kiesel, and Mayor Koelling

NOES: None

ABSENT: Councilmember Wykoff

ABSTAIN: None

  
LINDA KOELLING, MAYOR

ATTEST:

  
DORIS L. PALMER, CITY CLERK

## CERTIFICATE OF POSTING

I, Doris L. Palmer, hereby certify as follows:

That I am, and at all time herein mentioned, was the duly acting and qualified City Clerk/District Secretary of the **City of Foster City/Estero Municipal Improvement District**, Foster City, San Mateo County, California.

I further certify to the proper posting of:

Ordinance No. 567, "Amending Title 8, Health and Safety, of the Foster City Municipal Code, By Adding Chapter 8.08, Prohibition on the Use of Polystyrene Based Disposable Food Service Ware by Food Vendors [First Reading October 3, 2011]"

in the following four public places of the **City of Foster City/Estero Municipal Improvement District**, Foster City, San Mateo County, California:

1. Federal Post Office, Charter Square  
1050 Shell Boulevard
2. Recreation Center Lobby  
650 Shell Boulevard
3. Council Chambers (not a mandatory posting site)  
620 Foster City Boulevard
4. Foster City Public Library  
1000 E. Hillsdale Boulevard

Executed at the **City of Foster City/Estero Municipal Improvement District**, Foster City, San Mateo County, California this 18<sup>th</sup> day of October, 2011.



Doris L. Palmer  
City Clerk/District Secretary