

ORDINANCE NO. 3213-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING MUNICIPAL CODE TITLE 5, CHAPTER 10, SECTION 5-10.05 TO CLARIFY REGULATIONS REGARDING THE SALE, DISTRIBUTION AND USE OF CERTAIN BALLOONS IN THE CITY OF REDONDO BEACH

WHEREAS, on September 17, 2019 the City Council of the City of Redondo Beach ("City") directed staff to draft an ordinance prohibiting the use of polystyrene products by food vendors, including single-use disposable products and the release of certain types of balloons; and

WHEREAS, on January 7, 2020, the City Council voted to introduce Ordinance No. 3201-20, adding Title 5, Chapter 10 to the Redondo Beach Municipal Code; and

WHEREAS, at its January 7, 2020 meeting, the City Council amended proposes Ordinance No. 3201-20 to mainly address polystyrene and single-use disposable products and only address the release of helium-filled balloons. However, the City Council also indicated that they would revisit balloon regulations at a future date; and

WHEREAS, on August 4, 2020 staff returned with a discussion item regarding the effectiveness of the plastic ban as well as potential regulations on balloons. The City Council voted to continue the item to January of 2021; and

WHEREAS, on January 19, 2021 the City Council voted to clarify Section 5-10.05 of the Redondo Beach Municipal Code ("RBMC") to include regulations addressing foil, metalized, mylar and latex balloons filled with air, helium, and lighter than air gas.

WHEREAS, as such, staff prepared the following ordinance amending RBMC Section 5-10.05.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF CODE. Title 5, Chapter 10, Section 5-10.05 is hereby amended to read:

"Section 5-10.05 Regulations on the sale, distribution, and use of balloons; Prohibition of the sale, distribution and use of "foil," "metalized," or "Mylar" balloons; prohibition of the release of latex balloons.

(a) No person, including, but not limited to, a balloon wholesaler, retailer (e.g., party supply, craft store) or third-party vendor shall sell or distribute foil, "metalized" or Mylar balloons within the City either as a separate item or included in a packaged product set.

(b) No person shall use or distribute foil, "metalized" or Mylar balloons on public property including parks and beaches.

(c) No person shall use or distribute latex balloons filled with helium or lighter than air gas at any City function or City sponsored event.

(d) No person shall release latex balloons filled with air, helium, or lighter than air gas anywhere within the City limits."

SECTION 2. INCONSISTENT PROVISIONS. Any provisions of the Redondo Beach Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 3. SEVERANCE. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 4. PUBLICATION AND EFFECTIVE DATE. This ordinance shall be published by one insertion in The Easy Reader, the official newspaper of said city, and same shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

PASSED, APPROVED AND ADOPTED this 6th day of April, 2021.

Mayor William C. Brand

APPROVED AS TO FORM:

ATTEST:

Michael W. Webb, City Attorney

Eleanor Manzano, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of Redondo Beach, California, do hereby certify that the foregoing Ordinance No. 3213-21 was duly introduced at a regular meeting of the City Council held on the 16th day of March, 2021, and was duly approved and adopted at a regular meeting of said City Council held on the 6th day of April, 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eleanor Manzano, CMC
City Clerk