



Administrative Report

H.8., File # 21-2236

Meeting Date: 4/6/2021

To: MAYOR AND CITY COUNCIL
From: TED SEMAAN, PUBLIC WORKS DIRECTOR

TITLE

ADOPT BY TITLE ONLY 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, FOR SECOND READING AND ADOPTION

EXECUTIVE SUMMARY

On March 16, 2021, the City Council introduced by title only Ordinance No. 3213-21 amending Title 5, Chapter 10, Section 5-10.05 of the Municipal Code clarifying regulations regarding the sale, distribution and use of certain balloons in the City. The Ordinance was introduced in response to City Council direction from January 19, 2021, directing staff to supplement Section 5-10.05 of the Redondo Beach Municipal Code to include regulations addressing foil, metalized, mylar and latex balloons filled with air, helium, and lighter than air gas in the City. Staff is presenting this Ordinance for second reading and adoption.

BACKGROUND

On September 17, 2019 the City Council 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, using the City of Manhattan Beach ordinance as a model. On January 7, 2020, the City Council introduced Ordinance 3201-20, adding Title 5, Chapter 10 to the Redondo Beach Municipal Code. The ordinance was adopted on January 14, 2020. The ordinance mainly addressed polystyrene and single-use disposable products and addressed the release of helium-filled balloons. The portion of the ordinance dealing with the plastics ban became enforceable six months after the effective date of the ordinance, on August 13, 2020.

The adopted ordinance also prohibits any person from releasing any balloon (foil, "metalized", Mylar, latex, etc.) filled with helium from anywhere within City limits. Per the language and effective dates included in the ordinance, the ban on releasing any balloon filled with helium from anywhere within City limits took effect one year from the effective date on February 13, 2021.

On January 19, 2021, the City Council directed staff to supplement Section 5-10.05 of the Redondo Beach Municipal Code to include regulations addressing foil, metalized, mylar and latex balloons filled with air, helium, and lighter than air gas. The proposed Municipal Code additional language

regarding balloons includes the following:

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 on 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.

The City will develop an educational flier for distribution to balloon vendors within the City. An outreach and education program with balloon vendors will be conducted by the City's contracted environmental inspector, Charles Abbott and Associates (CAA) as part of their annual work program. CAA currently conducts the Fats, Oils, and Grease (FOG) inspections, Critical Source (industrial Site) inspections, and outreach and education related to the previously adopted plastics ban. Enforcement will be conducted by Code Enforcement based on complaints and will follow the City's standard progressive enforcement steps.

Staff is presenting the second reading of the Ordinance for City Council's consideration. If approved, the Ordinance will become effective in 30 days.

COORDINATION

The City Attorney's Office drafted the attached ordinance in coordination with the Public Works Department.

FISCAL IMPACT

The outreach, education, and annual inspections for the balloon vendors will be incorporated into the current CAA work program and is estimated to cost less than \$3,500 per year, based on CAA's current contract. The costs will be included in the Public Works Department annual budget.

APPROVED BY:

Joe Hoefgen, City Manager

ATTACHMENTS

- 1. Ordinance 3213-21
- 2. Ordinance 3201-20, Adopted January 14, 2020