

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/24/2022 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2022/190

IN THE MATTER OF AUTHORIZING THE CONTRA COSTA HEALTH SERVICES DEPARTMENT, ENVIRONMENTAL HEALTH DIVISION, IN ITS CAPACITY AS THE SOLID WASTE LOCAL ENFORCEMENT AGENCY, TO ENFORCE PUBLIC RESOURCES CODE PROVISIONS PERTAINING TO SINGLE-USE FOODWARE ACCESSORIES AND STANDARD CONDIMENTS

Recitals

Whereas, Assembly Bill 1276 ("AB 1276") was approved by the California Legislature in 2021 to amend an existing law that prohibited full-service restaurants from providing single-use plastic straws to consumer except upon request; and

Whereas, AB 1276 amended Chapter 5.2 of Part 3 of Division 30 of the Public Resources Code ("Chapter 5.2"), effective January 1, 2022. As amended, Chapter 5.2 (Pub. Resources Code, § 42270 et seq.) prohibits a food facility, as defined by section 113757 of the Health and Safety Code, from providing any single-use foodware accessory or standard condiment to a consumer except upon request, and prohibits the bundling or packaging of these items in a way that precludes the consumer from taking only the item desired; and

Whereas, Public Resources Code section 42272, subdivision (a), requires a city, county, or city and county, on or before June 1, 2022, to authorize an enforcement agency to enforce Chapter 5.2; and

Whereas, under Public Resources Code section 40130, the term "enforcement agency" means the local agency designated pursuant to Article 1 of Chapter 2 of Part 4 of Division 30 of the Public Resources Code for the purposes of carrying out Division 30, also known as the California Integrated Waste Management Act of 1989 (the "Act"); and

Whereas, On July 16, 1992, the California Integrated Waste Management Board approved the designation of, and certified, the Contra Costa County Health Services Department, Environmental Health Division, as the local enforcement agency in Contra Costa County (the "County LEA"), pursuant to Article 1 of Chapter 2 of Part 4 of the Act; and

Whereas, The Board of Supervisors is the governing body of the County LEA.

NOW, THEREFORE, BE IT RESOLVED, that the Contra Costa County Board of Supervisors does hereby authorize the County LEA to enforce Chapter 5.2 throughout the unincorporated area of Contra Costa County, commencing immediately after Board adoption.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Tim Kraus, (925) 608-5549

ATTESTED: May 24, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: