

City of Gainesville, Code of Ordinances

Chapter 27 - Utilities

ARTICLE III. - SOLID WASTE DISPOSAL

DIVISION 5. - PLASTIC STRAWS AND STIRRERS

Sec. 27-92. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Beverage provider means a person or entity that provides beverages directly to the consumer, regardless of whether such beverage is provided free of charge or sold, or whether consumption occurs on or off premises, or whether the beverage is provided from a building, pushcart, stand or vehicle. Beverage providers include, but are not limited to, bars, restaurants, cafes, sidewalk cafes, delicatessens, coffee shops, grocery stores, markets, supermarkets, drug stores, pharmacies, bakeries, caterers, gas stations, vending or food trucks or carts and cafeterias.

Single-use plastic straw means a disposable tube used for the purpose of consuming beverages and intended for one-time use, which is made predominantly of plastic derived from petroleum polymer or a biologically-based polymer.

Single-use plastic stirrer means a device that is used to mix beverages and intended for one-time use, and made predominantly of plastic derived from a petroleum polymer or a biologically based polymer.

(Ord. No. 180678, § 1, 8-15-19)

Sec. 27-93. - Prohibition on single-use plastic straws and single-use plastic stirrers.

- (a) Beverage providers shall not sell, use, offer for sale or use, or provide to any person a single-use plastic straw or single-use plastic stirrer.
 - (1) Exceptions: Although the discontinuation of the use of single-use plastic straws and single-use plastic stirrers is strongly encouraged, this article shall not apply to the sale or use of single-use plastic straws or single-use plastic stirrers as follows:
 - a. Pre-packaged beverages with a single-use plastic straw or single-use plastic stirrer that are prepared and packaged outside the city and are not altered, packaged or repackaged within the city.
 - b. Boxes of pre-packaged single-use plastic straws or single-use plastic stirrers that are offered for retail sale to a consumer for personal use, that are prepared and packaged outside the city and are not altered, packaged or repackaged within the city.
 - c. By medical or dental facilities.
 - d. By hospitals.

- e. By nursing homes or assisted living facilities.
- f. By any disabled person that requires or relies on same to consume beverages and/or food supplements.

(Ord. No. 180678, § 1, 8-15-19)

Sec. 27-94. - Enforcement; penalties; injunctive relief.

The city may enforce this article by civil citation in accordance with chapter 2, article V, division 6. In addition, persons who are not in conformity with these requirements shall be subject to appropriate civil action in the court of appropriate jurisdiction for injunctive relief.

(Ord. No. 180678, § 1, 8-15-19)