

412.02. DEFINITIONS.

The following words have the meaning ascribed to them, unless the context clearly indicates a different meaning:

CERTIFIED COMPOSTABLE means that a material or product will biodegrade without leaving a residue or any toxicity in the soil. Any compostable plastic or lined paper must meet the ASTM standards for compostable products, as certified by the Biodegradable Products Institute or other similar independent certification bodies.

COMMERCIALLY COMPOSTABLE means that certified compostable materials will biodegrade at a commercial site used to compost organic materials where the environment is carefully controlled and regulated to facilitate optimal degradation.

FOOD AND BEVERAGE PACKAGING means packaging used to serve food and beverage products intended for immediate consumption including cups, plates, bowls, serving trays, to-go containers, clamshells, wrappers, and lids.

FOOD ESTABLISHMENT means a retail operation that prepares, serves, or otherwise provides food or beverages, or both, for human consumption.

GREEN TO GO PACKAGING means and includes any of the following:

1. **COMPOSTABLE PACKAGING:** packaging that is separable from solid waste by the generator or prior to collection for the purpose of composting. Compostable packaging must be made of unlined paper (unless lining is certified compostable), certified compostable plastic that meets ASTM standards that are acceptable at the Ramsey County composting facility or other cellulose-based packaging capable of being decomposed through composting or anaerobic digestion.
2. **RECYCLABLE PACKAGING:** food or beverage packaging that is separable from solid waste prior to collection for the purpose of recycling. Recyclable packaging must be accepted by the local material recovery facilities (MRF) receiving and processing the materials and have existing robust recycling markets as determined by Ramsey County. This includes glass bottles, aluminum cans and plastic food and beverage packaging. Plastic food and beverage packaging must be acceptable as determined by Ramsey County.
3. **REUSABLE PACKAGING** means food or beverage packaging that is capable of being refilled at a retail location or returned to the distributor for reuse at least once as a container for the same food or beverage.

MOBILE FOOD UNIT means a food establishment that is inside, on or otherwise attached to a vehicle.

NON-PACKAGING FOOD SERVICE ITEMS means items that are not packaging, but are used to consume food, including straws and utensils.

SINGLE-USE means an item designed and intended for a single use.

412.03. REGULATIONS.

- A. No person owning, operating, or conducting a food establishment or any person or organization providing free food or beverage products within the City of Roseville in a manner which would require a permit or license from the City or State of Minnesota, may provide any food and beverage packaging which is not Green to Go. Presence of food and beverage packaging other than Green to Go will be presumed to be non-compliant with this Chapter.
- B. To reduce contamination in recycling and organics, all food establishments must implement the following:
1. Single-use cups and containers that are utilized with lids must have lids of the same category of packaging.
 2. Recyclable packaging must only have recyclable lids.
 3. Compostable packaging must only have compostable lids.
- C. Compostable cups must be labeled to clearly indicate to the consumer that the cup is compostable. Labeling must include at least one of the following:
1. The words "certified compostable," "commercially compostable" or other language which meet ASTM standards. "Made from plants," "bio-based," or "biodegradable" are not acceptable alternatives on their own.
 2. The logo of a third-party certification or testing body indicating the cup meets commercially compostable standards, as approved by the City of Roseville.
- D. All food establishments must implement the following in relation to non-packaging food service items:
1. Single-use utensils including, but not limited to, forks, spoons, and knives must be compostable.
 2. Single-use straws of any kind will only be provided to consumers upon request. Front-of-house straw dispensers, which allow customers to self-serve, meet this requirement.
- E. A food establishment which utilizes single-use compostable and/or recyclable food packaging to serve consumers on-site must have on-site collection for Green to Go packaging.
1. A food establishment that does not utilize single-use packaging to serve consumers on-site is exempt from the requirement to have on-site collection for Green to Go packaging.
 2. A food establishment that does not have dine-in seating for consumers is exempt from the requirement to have on-site collection for Green to Go packaging.
 3. If a mobile food unit or other food establishment is being hosted by an entity as part of an event or regular business, the hosting entity must provide on-site collection for Green to Go packaging.

- 117 F. Containers for the on-site collection of Green to Go packaging must be co-located with
118 garbage containers.
- 119 1. If garbage receptacles are available to consumers, then receptacles for separating Green
120 to Go packaging must also be made available to consumers in the same location.
- 121 2. If garbage receptacles are not available to consumers and are instead placed in areas for
122 use by staff only, then receptacles for separating Green to Go packaging are only
123 required in those locations.
- 124 G. A food establishment must arrange for the collection of Green to Go packaging by a
125 licensed solid waste collector for delivery to an appropriate transfer station or processing
126 facility.

127 **412.04. EXCLUSIONS AND EXCEPTIONS.**

128 Notwithstanding any other provisions to the contrary, this Chapter does not apply to:

- 129 A. Manufacturers, brokers, distributors, or warehouse operators who conduct or transact no
130 retail food or beverage business;
- 131 B. Food and beverage service provided through patient care at hospitals and nursing homes;
- 132 C. Food and beverage service provided through licensed caterers;
- 133 D. Food packaging pre-packaged by a manufacturer, producer, or distributor;
- 134 E. Plastic films less than ten mils in thickness;
- 135 F. Any packaging, which is not considered Green To Go packaging, but for which there is not
136 a commercially available or economically practical alternative as determined by the City of
137 Roseville. The city of Roseville will maintain a list of types of packaging exempted under
138 this paragraph which will be available from the Public Works department.

139 **412.05. ENFORCEMENT.**

- 140 A. A violation of this ordinance is punishable as an administrative offense pursuant to City
141 Code Section 102.01.
- 142 B. The administrative offenses provided for in this Chapter are in addition to any other legal or
143 equitable remedy available to the City for violation of the City Code.
- 144 C. At the time a violation occurs, a warning notice will be given in writing. The food
145 establishment will be given 60 calendar days to take corrective action prior to any
146 enforcement action under this Chapter.

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SECTION 2: Effective date. Section 412.05 of this ordinance will take effect on January 1, 2026, the remainder of this ordinance shall, following its passage, will be published and will take effect on January 1, 2025.

Passed by the City Council of the City of Roseville this ____ day of _____ 2024.

DRAFT

155
156 **Signatures as follows on separate page:**

157
158 **Ordinance – Title of Ordinance -**

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160
161 (SEAL)

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164 CITY OF ROSEVILLE

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167 BY: _____
168 Daniel J. Roe, Mayor

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170 ATTEST:

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173 _____
174 Patrick Trudgeon, City Manager