



Legislation Details (With Text)

**File #:** 190942      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/24/2019      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 11/26/2019

**Effective date:**

**Title:** A substitute ordinance relating to the distribution of single-use, plastic beverage straws by food establishments and alcohol beverage establishments.

**Sponsors:** ALD. JOHNSON, ALD. BAUMAN, ALD. KOVAC, ALD. DODD, ALD. PEREZ, ALD. STAMPER, ALD. LEWIS, ALD. RAINEY

**Indexes:** ALCOHOL - REGULATION AND LICENSING, RESTAURANTS

**Attachments:** 1. Cheryl Nenn from Milwaukee Riverkeeper, 2. Bill Crowley from DRW, 3. Proof of Publication

Date	Ver.	Action By	Action	Result	Tally
9/24/2019	0	COMMON COUNCIL	ASSIGNED TO		
11/14/2019	0	PUBLIC SAFETY AND HEALTH COMMITTEE	SUBSTITUTED	Pass	4:1
11/14/2019	1	PUBLIC SAFETY AND HEALTH COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:1
11/26/2019	1	COMMON COUNCIL	PASSED	Pass	14:1
12/4/2019	1	MAYOR	SIGNED		

190942  
SUBSTITUTE 1

ALD. JOHNSON, BAUMAN, KOVAC, DODD, PEREZ, STAMPER, II, LEWIS AND RAINEY  
A substitute ordinance relating to the distribution of single-use, plastic beverage straws by food establishments and alcohol beverage establishments.

68-32 cr  
90-30.5 cr

This ordinance prohibits food establishments and alcohol beverage establishments from providing single-use, plastic beverage straws to customers. Single-use means a product that is designed and intended to be used only once and is generally recognized by the public as an item that is to be discarded after one use.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 68-32 of the code is created to read:

**68-32. Single-Use, Plastic Straws. 1. PROHIBITED.** Effective April 14, 2020, no food establishment may provide any customer with a single-use, plastic straw, where “single-use” means a product that is designed and intended to be used only once and is generally recognized by the public as an item that is to be discarded after one use.

**2. EXEMPTIONS.** Subsection 1 shall not prohibit:

- a. Prepackaged individual serving beverages where a small plastic straw is included in the packaging.
- b. The provision of a plastic beverage straw to a customer upon request of a plastic beverage straw by the customer.
- c. The provision of a plastic beverage straw to a customer receiving a viscous beverage, such as a milkshake or smoothie, that requires a large, durable straw, for which a non-plastic straw would not be suitable.
- d. The provision of any other approved compostable straw as determined by the environmental sustainability director. The environmental sustainability director shall maintain a list of acceptable compostable straws.

Part 2. Section 90-30.5 of the code is created to read:

**90-30.5. Single-Use, Plastic Straws Prohibited.** **1. PROHIBITED.** Effective April 14, 2020, no alcohol beverage establishment may provide any customer with a single-use, plastic straw, where “single-use” means a product that is designed and intended to be used only once and is generally recognized by the public as an item that is to be discarded after one use.

**2. EXEMPTIONS.** Subsection 1 shall not prohibit:

- a. Prepackaged individual serving beverages where a small plastic straw is included in the packaging.
- b. The provision of a plastic beverage straw to a customer upon request of a plastic beverage straw by the customer.
- c. The provision of a plastic beverage straw to a customer receiving a viscous beverage, such as a milkshake or smoothie, that requires a large, durable straw, for which a non-plastic straw would not be suitable.
- d. The provision of any other approved compostable straw as determined by the environmental sustainability director. The environmental sustainability director shall maintain a list of acceptable compostable straws.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date: \_\_\_\_\_

LRB175008-2  
Luke Knapp

09/30/2019