

S U B S T I T U T E
O R D I N A N C E

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 2-92 of the Municipal Code of Chicago is amended by inserting a new Section 2-92-591 as follows:

2-92-591 Single-use plastics procurement.

(a) *Definitions.* For purposes of this section, the following definitions shall apply:

"Compostable" means an item that meets the ASTM D6400 standard of compostability and has been certified by the Biodegradable Products Institute as compostable.

"Compostable foodware" means containers, bowls, straws, plates, trays, cartons, cups, lids, forks, spoons, knives, and other items that are compostable and are designed for one-time use for beverages, prepared food, or leftovers from meals.

"Disposable food service container" means serviceware designed for one-time use, including, but not limited to, serviceware for take-out foods, bakery products, and leftovers from partially consumed meals. The term "disposable food service container" does not include polystyrene foam coolers, egg carton containers, ice chests that are used for the processing or shipping of seafood, or serviceware that is used to contain, transport, or otherwise package raw, uncooked, or butchered meat, poultry, fish, or seafood.

"Polystyrene foam" means blown polystyrene and expanded or extruded foams using a styrene monomer.

"Recyclable foodware" means items that are designed for one-time use for beverages, prepared food, or leftovers from meals and that are commonly accepted in local curbside residential recycling pick-up.

"Serviceware" means a container, bowl, plate, tray, carton, cup, lid, or other item designed to contain, transport, serve, or aid in the consumption of food or beverages.

(b) *Requirements.* City departments may not procure disposable food service containers composed, in whole or in part, of polystyrene foam. When procuring disposable food service containers for use by City departments or at any City facility, event, or programming, City departments shall procure only compostable foodware or recyclable foodware.

(c) *Exceptions.* This section shall not apply to:

(1) Any disposable food service container necessary to address safety concerns, such as lids, drink stoppers, beverage trays, and cup sleeves for beverages at an average temperature in excess of 170 degrees Fahrenheit;

(2) Any disposable food service container necessary to address accessibility

concerns;

(3) Any disposable food service container dispensed from an automatic food vending machine;

(4) Any disposable food service container that is prepackaged with or attached to any food or beverage products prior to receipt by the City;

(5) Any City department granted a waiver by the Chief Procurement Officer, in accordance with rules promulgated by the Chief Procurement Officer; or

(6) Purchases made under a contract entered into before January 1, 2027, unless the contract is renewed or extended on or after that date.

(d) *Rules*. The Chief Procurement Officer is authorized to adopt rules for the proper administration and enforcement of this section.

SECTION 2. After passage and publication, this ordinance shall take effect on January 1, 2027.

A handwritten signature in blue ink, appearing to read "Matt J. Martin", with a stylized flourish at the end.

Matthew J.
Martin Alderman,
47th Ward