

BY-LAW NO. 12416

A By-law to amend License By-law No. 4450 regarding polystyrene foam

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the License By-law No. 4450.
2. Council adds the following definitions to section 2 of the By-law in correct alphabetical order:

“Food Service Ware” means products used for serving or transporting prepared food or beverages including, but not limited to, plates, cups, bowls, trays, cartons and hinged or lidded containers.”;

“Food Vendor” means a holder of a license issued under this By-law who sells prepared food.”;

“Polystyrene Foam” means blown polystyrene and expanded and extruded foams composed of thermoplastic petrochemical materials containing a styrene monomer and processed by any technique including, but not limited to, fusion of polymer spheres (expandable bead foam), injection molding, foam molding, and extrusion-blown molding (extruded foam polystyrene).”; and

“Prepared Food” means any food or beverage prepared for consumption on or off a holder of a license’s premises, using any cooking or food preparation technique. Prepared food does not include any raw uncooked food, including meat, poultry, fish, seafood, eggs or vegetables unless provided for consumption without further food preparation.”.

3. Council inserts a new section 15.5 to this By-law as follows:

“FOAM CONTAINERS

15.5 (1) No food vendor may sell or otherwise provide prepared food in any food service ware that contains polystyrene foam.

(2) Section 15.5 (1) shall not apply to:

- (a) a hospital, or any facility licensed as a community care facility under the *Community Care and Assisted Living Act*,
- (b) organizations incorporated and in good standing under the Society Act, or registered as a charitable society or organization under the federal Income Tax Act; or

(c) prepared food containers that have been filled and sealed outside the City of Vancouver prior to arrival at the premises or location where the holder of a license operates.”.

Severability

4. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Force and effect

5. This By-law is to come into force and take effect on January 1, 2020.

6. Section 15.5(2)(b) of the License By-law shall be repealed effective January 1, 2021.

ENACTED by Council this 29th day of April, 2019

Signed _____ “Kennedy Stewart”
Mayor

Signed _____ “Katrina Leckovic”
City Clerk