

ALTERNATIVES TO PROPOSED GLENDALE MUNICIPAL CODE SECTION 8.18.030
Mylar balloons – sale prohibited

ORIGINAL PROPOSEED GMC SECTION 8.18.030 – Bans all Mylar Balloons.

8.18.030. Mylar balloons – sale prohibited.

A. The sale of Mylar Balloons, whether or not inflated with helium or gas which is lighter than air is prohibited.

B. It shall be unlawful for any person, firm, or corporation to sell or offer to sell any Mylar Balloon, whether or not inflated with helium or gas which is lighter than air.

ALTERNATIVES:

Alternative #1 – Allows sale of Mylar Balloons as long as not filled with helium or gas lighter than air.

This alternative will allow the sale of Mylar Balloons so long as they are not filled with helium or gas which is lighter than air. It is staff's assessment that this alternative will be difficult to enforce as stores will be able to sell deflated Mylar Balloons in a package and subsequently be filled with helium or gas lighter than air in a subsequent and separate transaction therefore circumventing the intended ban.

8.18.030. Mylar balloons – sale prohibited.

A. The sale of Mylar Balloons, ~~whether or not~~ inflated with helium or gas which is lighter than air is prohibited.

B. It shall be unlawful for any person, firm, or corporation to sell or offer to sell any Mylar Balloon, ~~whether or not~~ inflated with helium or gas which is lighter than air.

Alternative #2 – Exception for Mylar Balloons inflated with air only and on a post.

This alternative adds a narrow exception for Mylar Balloons filled with only air and affixed/mounted on a post. Under this proposed section other than the exception, the sale of all other Mylar Balloons, whether or not inflated, will be prohibited.

8.18.030. Mylar balloons – sale prohibited.

A. The sale of Mylar Balloons, with the exception of subsection C of this section, whether or not inflated with helium or gas which is lighter than air is prohibited.

B. It shall be unlawful for any person, firm, or corporation to sell or offer to sell any Mylar Balloon, with the exception of subsection C of this section, whether or not inflated with helium or gas which is lighter than air.

C. Mylar Balloons filled with air only and affixed or mounted to a post at the point of sale shall be exempted from this section.

Alternative #3 – Allows air only filled Mylar Balloons on a decorative structure (e.g. balloon arch).

This alternative adds to the narrow exception for Mylar Balloons filled with air only and affixed/mounted on a post, by including decorative structures at the point of sale. This language was added based on the request of the representatives of the balloon industry, indicating that often times air filled (not helium or gas lighter than air) balloons are used as decorations for balloon arch, banners, and structures. Under this proposed section other than the exception, the sale of all other Mylar Balloons, whether or not inflated, will be prohibited.

8.18.030. Mylar balloons – sale prohibited.

A. The sale of Mylar Balloons, with the exception of subsection C of this section, whether or not inflated with helium or gas which is lighter than air is prohibited.

B. It shall be unlawful for any person, firm, or corporation to sell or offer to sell any Mylar Balloon, with the exception of subsection C of this section, whether or not inflated with helium or gas which is lighter than air.

C. Mylar Balloons filled with air only and affixed or mounted to a post or other decorative structure at the point of sale shall be exempted from this section.

Alternative #4 – Allows air only filled Mylar Balloons and deflated/unfilled Mylar Balloon sales.

This alternative is at the request of the representatives of the balloon industry, and adds an extra exception to the exceptions for the sale of Mylar Balloons filled with air only and affixed/mounted on a post or any decorative structure. This alternative also allows the sale of deflated/unfilled Mylar Balloons. Similar to Alternative No. 1, this Alternative would appear to make it easy to circumvent the ban on helium or gas filled balloons and frustrate the City's purpose in enacting the ban.

8.18.030. Mylar balloons – sale prohibited.

A. The sale of Mylar Balloons, with the exception of subsections C and D of this section, whether or not inflated with helium or gas which is lighter than air is prohibited.

B. It shall be unlawful for any person, firm, or corporation to sell or offer to sell any Mylar Balloon, with the exception of subsections C and D of this section, whether or not inflated with helium or gas which is lighter than air.

C. Mylar Balloons filled with air only and affixed or mounted to a post or other decorative structure at the point of sale shall be exempted from this section.

D. The sale of deflated, depressed or unfilled Mylar Balloons shall be exempted from this section, so long as said Mylar Balloons are not inflated with helium or gas lighter than air at the time of sale.