

**Chapter 6.26**  
**REGULATIONS ON THE SALE, DISTRIBUTION AND USE OF BALLOONS**

Sections:

- 6.26.005 Purpose and Intent.
- 6.26.010 Definitions.
- 6.26.020 Prohibited Balloons.
- 6.26.030 Enforcement.

**6.26.005 Purpose and Intent.**

---

- A. Newport Beach is an environmental leader in addressing pollution issues, and protecting the natural environment, economy and health of its citizens. Balloons cause harm to the environment, health and safety.
- B. According to National Oceanic and Atmospheric Administration (NOAA), balloons are pollution and another source of marine debris. Marine mammals, fish, turtles and seabirds often eat the floating deflated balloons and end up choking or starving as their bellies fill up with the plastic and foil. Some animals get tangled in the ribbons tied to the balloons, cutting into their skin, causing infections and, in some cases, slow death. Balloon debris can even have an economic impact on communities, contributing to dirty beaches which drive away tourists, or causing power outages from foil balloons covered in metallic paint and their ribbons tangling in power lines.
- C. A study by Longwood University for NOAA found that many people do not understand that all balloons, even those labeled as "environmentally friendly," can harm wildlife.
- D. According to The Journal of the American Medical Association, out of 373 children who died in the US between 1972 and 1992 after choking on children's products, nearly a third choked on latex balloons. The Consumer Products Safety Commission found that children had inhaled latex balloons whole (often while trying to inflate them) or choked on fragments of broken balloons.

**6.26.010 Definitions.**

---

- A. "Balloon" means a flexible bag, including, but not limited to, those made from rubber, latex, foil, metal, polychloropene, Mylar, or nylon fabric, that is designed to be inflated with air or gas lighter than air ~~such as helium, hydrogen, nitrous oxide, or oxygen~~, causing it to float.

- B. "City facilities" means any building, structure or vehicles owned or operated by the City of Newport Beach, its agent, agencies, departments and franchisees.
- C. "Foil balloon" ~~includes but is not limited to~~ means a balloons that is made of "metalized" nylon film, which is where plastic (nylon) sheets are coated with polyethylene and metallic materials and sealed together with heat. "Foil balloon" ~~includes and include~~ balloons often referred to as made of Mylar, which is a brand name for a special type of polyester film. ~~Foil or metallic balloons are made of plastic (nylon) sheets coated with polyethylene and metallic materials that are sealed together with heat.~~
- D. "Latex balloon" is a balloon made with the sap from a rubber tree. During the manufacturing process many chemicals are added to raw rubber including pigments, oils, curing agents and accelerators.
- E. "Person" means any person, business, corporation, or event organizer or promoter; public, non-profit or private entity, agency or institution; or partnership, association or other organization or group, however organized.

**Commented [JJ1]:** Unclear what else would potentially be included.

**6.26.020 Prohibited Balloons.**

- A. No person, ~~including, but not limited to, a balloon wholesaler, retailer (e.g., party supply, craft store) or third party vender~~ shall sell or distribute foil, ~~"metalized" or Mylar~~ balloons within the City ~~either as a separate item or included in a packaged product set.~~
- B. No person shall use ~~or distribute~~ foil, ~~"metalized" or Mylar~~ balloons on public property, including beaches, piers and parks.
- C. No person shall use, distribute or sell latex balloons on beaches ~~and~~, piers, ~~or~~ in parks.
- D. ~~No person shall release latex balloons filled with air or gas lighter than air helium anywhere outdoors within the City limits.~~
- E. All City facilities, City-managed concessions, City-sponsored events, and City-permitted events are prohibited from using foil, ~~"metalized," Mylar~~ or latex balloons.

**Commented [JJ2]:** Exempt balloons for govt or science research projects? PC 653.1(c).

**6.26.030 Enforcement.**

Any person violating or failing to comply with any of the requirements of this Chapter shall be guilty of an infraction pursuant to Section [1.04.010](#), and shall be subject to citation and fines pursuant to Chapter [1.05](#), Newport Beach Municipal Code.