

1 **SECOND ENGRAVED ORDINANCE BILL NO. 20-18**2 AN ORDINANCE RELATING TO ~~SINGLE~~ USE PLASTIC CARRYOUT BAGS; CREATING  
SRC CHAPTER 483 *The City of Salem ordains as follows:*4 **Section 1.** SRC Chapter 48 – ~~Single~~ Use Plastic Carryout Bags – is hereby created as set forth in  
Exhibit A, attached hereto and by this reference incorporated herein.5 **Section 2.** The Director responsible for enforcement of these provisions may exempt a retail  
6 establishment from the implementation deadline for a period of not more than six months upon  
7 the retail establishment showing, in writing, that timely imposition of the provisions of this  
8 chapter would create an undue hardship not generally applicable to other persons in similar  
9 circumstances. The Director shall make a written final decision to grant or deny the exemption  
request, which shall be the City's final decision on the application.10 *Undue hardship* means circumstances or situations unique to the particular retail  
establishment that results in no reasonable alternatives to the use of ~~single-use-plastic~~ carryout  
11 bags or which results in the inability to collect a recyclable paper bag pass-through cost.12 **Section 3. Effective Date of Regulations.** The provisions of this chapter shall be  
13 effective:14 (a) April 1, 2019, for retail establishments or food providers ~~of stores~~ within the city  
that are greater than 10,000 square feet in size, and

15 (b) September 1, 2019, for all other retail establishments or food providers.

16 **Codification.** In preparing this ordinance for publication and distribution, the City  
Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but  
17 within such limitations, may:18 (a) Renumber sections and parts of sections of the ordinance;  
19 (b) Rearrange sections;  
20 (c) Change reference numbers to agree with renumbered chapters, sections or other  
parts;  
21 (d) Delete references to repealed sections;  
22 (e) Substitute the proper subsection, section or chapter, or other division numbers;  
(f) Change capitalization and spelling for the purpose of uniformity;

(g) Add headings for purposes of grouping like sections together for ease of reference; and

(h) Correct manifest clerical, grammatical or typographical errors.

**Section 4. Severability.** Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

## City Recorder

Approved by City Attorney: \_\_\_\_\_

Checked by: K. Leinenbach