

Legislation Details (With Text)

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|-------------------|---|----------------------|--------------|
| File #: | 18-383 | Version: | 1 |
| Type: | Ordinance First Reading | Status: | Agenda Ready |
| | | In control: | City Council |
| On agenda: | 8/27/2018 | Final action: | 8/27/2018 |
| Title: | An ordinance bill relating to single-use plastic bags | | |
| | Ward(s): All Wards | | |
| | Councilor(s): All Councilors | | |
| | Neighborhood(s): All Neighborhoods | | |

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance Bill No. 20-18, 2. Ordinance Bill No. 20-18 Exhibit A, 3. Public Comment.pdf, 4. Public Comment 1

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------------------------|--------|
| 8/27/2018 | 1 | City Council | approved on Public Hearing | Pass |

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Kacey Duncan, Deputy City Manager

SUBJECT:

An ordinance bill relating to single-use plastic bags

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

ISSUE:

Shall the City Council conduct a public hearing on September 10, 2018 regarding Ordinance Bill No. 20-18, which restricts use of single-use plastic bags?

RECOMMENDATION:

Conduct a public hearing on September 10, 2018 regarding Ordinance Bill No. 20-18, which restricts use of single-use plastic bags.

SUMMARY AND BACKGROUND:

On May 14, 2018, City Council passed a motion directing staff to research and prepare an ordinance to ban single-use plastic bags in the City of Salem, including consideration of a pass-through fee and an exemption for safeguarding public health and farmers markets, to be scheduled for a public hearing before Council.

If City Council advances Ordinance Bill No. 20-18, a public hearing would be scheduled for September 10, 2018 with second reading scheduled for September 24, 2018.

FACTS AND FINDINGS:

Eight municipalities in Oregon, beginning with Portland in 2011, currently have a ban on single-use plastic bags. The cities of McMinnville and Manzanita were most recent with effective dates in 2017.

In advance of preparing a Salem ordinance to restrict single-use plastic bags, staff considered the recommendation of the Grocers' Association and Roth's Fresh Markets to use the McMinnville ordinance as a starting point. After review of the McMinnville ordinance and other ordinances banning single-use plastic bags in Oregon, staff has prepared Ordinance Bill No. 20-18 (Attachment 1) for Council consideration. The proposed ordinance and exhibit A (Attachment 2) includes the following major elements:

- A reusable bag is defined as a bag made of machine washable cloth, woven synthetic fiber, or other non-plastic material with handles that is specifically designed and manufactured for long-term multiple reuses.
- Retail establishments are prohibited from providing single-use plastic bags, and the bags may not be distributed on City property or at City-sponsored events, unless the provider is otherwise exempt, such as a food provider.
- Retail establishments with more than 10 employees are required to charge at least five cents for each recyclable paper bag.
- Exceptions to the ordinance include allowing retailers to provide free, reusable or recyclable bags to low-income customers; exempts specific businesses from showing a bag charge on the receipt; and safeguards public health by allowing single-use plastic bags prepared foods and product bags for produce or meat.
- Hardship exceptions may be approved for up to six months when a retailer cannot collect a pass-through fee or has no reasonable alternatives to using single-use plastic bags.
- Reports of violations to the regulations will be addressed by Code Enforcement. Penalties for violations are consistent with other fines issued by Code Enforcement and range from \$50 to \$250 per violation.
- A phased implementation is proposed, with larger retailers complying by April 1, 2019 and all other retail establishments by September 1, 2019.

KALI LEINENBACH
MANAGEMENT ANALYST I

Attachments:

1. Ordinance Bill No. 20-18
2. Ordinance Bill No. 20-18, Exhibit A
3. Public Comment