

## **Ordinance 3092**

### **An Ordinance Repealing Anacortes Municipal Code Chapter 5.47 Regulating the Distribution of Single Use Carryout Bags by Retail Establishments**

**WHEREAS**, the City Council of the City of Anacortes was desirous of reducing waste within the City limits; and

**WHEREAS**, the City Council of the City of Anacortes determined that single use plastic shopping bags constitute undesirable waste that should be eliminated from the waste stream; and

**WHEREAS**, the City Council of the City of Anacortes adopted Ordinance 3053 on November 4<sup>th</sup> 2019 which created Chapter 5.47 of the Anacortes Municipal Code entitled “Single Use Carryout Bags”, which had an implementation date 6 months from adoption, making the effective date April 4, 2020, to allow retail vendors who used such bags a period of time to exhaust their stores of said plastic bags and identify suitable replacements and procedures to ensure a smooth transition; and

**WHEREAS**, before Ordinance 3053 became effective, the Mayor declared and Council ratified an emergency proclamation based on the COVID-19 pandemic, and Council adopted emergency procedures in Resolution 2082, which included suspension of the plastic bag ban; and

**WHEREAS**, the State of Washington adopted Senate Bill (SB) 5323-2019-20 which had an effective date of June 11, 2020, which:

- Prohibits single-use plastic carryout bags in all retail and grocery stores, restaurants, takeout establishments, festivals, and markets.
- Requires an 8-cent charge for all recycled content paper carryout bags and reusable carryout bags made of film plastic.
- Prohibits collection of the fee from anyone using a voucher or electronic benefits card issued under the Supplemental Nutrition Assistance Program (SNAP), Women, Infants and Children (WIC), Temporary Assistance for Needy Families (TANF), or Food Assistance Program (FAP).
- Requires a minimum of 40% post-consumer recycled content and meet composting requirements in all retail-provided paper bags.
- Requires that a reusable bag made of plastic film contain 20% post-consumer recycled content and be at least 2.25 mil thick.
- Requires compliant paper and reusable plastic film bags to be labeled with the above specifications
- Creates consistent policy and fees across the state.
- Does not apply to food banks and food assistance programs, however, those programs are encouraged to take actions to reduce the use of single-use plastic carryout bags; and

**WHEREAS**, Governor Jay Inslee suspended Washington State's single use plastic bag ban until the COVID-19 state of emergency was declared over; and

**WHEREAS**, the City's single use plastic ban in Chapter 5.47 AMC is redundant in light of the state-wide ban; and

**WHEREAS**, once Washington State declares the COVID-19 emergency to be over, the Washington State single use plastic bag ban will become effective.

**NOW THEREFORE**, the City Council of the City of Anacortes does ordain as follows:

**Section 1.** Anacortes Municipal Code Chapter 5.47 is hereby repealed in its entirety.

**Section 2.** The Washington State single use plastic bag ban as referenced above is acknowledged and endorsed by the City Council of the City of Anacortes.

**Section 3.** This ordinance shall take effect five (5) days from and after its passage, approval, and publication in the manner required by law.

PASSED AND APPROVED this 12<sup>th</sup> day of July, 2021.

CITY OF ANACORTES:

*Laurie Gere*

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Laurie Gere, Mayor

ATTEST:

*St D Hoglund*

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Steven D. Hoglund, City Clerk/Treasurer

APPROVED AS TO FORM

*Darcy Swetnam*

\_\_\_\_\_  
Darcy Swetnam, City Attorney

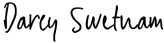
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Steve Hoglund steveh@cityofanacortes.org City Clerk/Treasurer City of Anacortes Security Level: Email, Account Authentication (None)		Sent: 7/12/2021 7:38:08 PM Viewed: 7/13/2021 8:46:19 AM Signed: 7/13/2021 8:46:27 AM
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Laurie Gere laurieg@cityofanacortes.org Security Level: Email, Account Authentication (None)		Sent: 7/12/2021 7:38:08 PM Viewed: 7/13/2021 8:35:59 AM Signed: 7/13/2021 8:36:16 AM
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Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)

PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
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