

Code Ordinance

By: Administration

Introduced: November 27, 2017

First Public Hearing: December 11, 2017

Public Hearing Continued to January 8, 2018: December 11, 2017

Second Public Hearing: January 8, 2018

Amended: January 8, 2018

Adopted: January 8, 2018

Yes: Dryden, Graham, Harvey, Ledford, O'Barr

No: Burney

Absent: None

City of Wasilla

Ordinance Serial No. 17-24(AM)

An Ordinance Of The Wasilla City Council Adopting Wasilla Municipal Code Chapter 9.44, Prohibiting The Distribution Of Single-Use Disposable Plastic Shopping Bags.

WHEREAS, the use of single-use carry-out disposable plastic shopping bags in the City of Wasilla ("City") creates a burden on the environment, endangers wildlife, and has been shown to be harmful to bodies of water and problematic for solid waste management; and

WHEREAS, to decrease the number of littered disposable plastic shopping bags in the City, it is necessary to restrict general use; and

WHEREAS, it is in the best interest of the health, safety, and welfare of all residents to restrict the use of single-use disposable plastic shopping bags; and

WHEREAS, plastic carryout bags do not biodegrade, create problematic environmental issues, and frequently escape from trash containers and landfills creating a burden on residents and the City for clean-up.

NOW, THEREFORE, BE IT ENACTED by the Wasilla City Council:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Adoption of chapter. WMC 9.44, Regulation of single-use disposable plastic shopping bags, is hereby adopted to read as follows:

Bold & Underline, added. Strikethrough, deleted

9.44.010 Definitions

Any word, term, or phrase not defined in this section shall have its ordinary and common meaning. The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

“Affected Establishment” means any retail or commercial business facility located inside the City of Wasilla that sells goods or prepared food directly to consumers including but not limited to grocery stores, pharmacies, retail stores, and restaurants.

“Single-Use Plastic Disposable Shopping Bag” means a bag made from plastic or any material not marked or labeled as “biodegradable” or “compostable” that is neither intended nor suitable for continuous reuse and that is less than 2.25 mils thick, designed to carry customer purchases from the seller’s premises, except for: bags used by customers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy, or small hardware items, such as nails and bolts; bags used to contain dampness or leaks from items such as frozen foods, meat, or fish, flowers or potted plants; bags used to protect prepared foods or bakery goods; bags provided by pharmacists to contain prescription drugs; newspaper bags, laundry, or dry cleaning bags; or bags sold for consumer use off the seller’s premises for such purposes as the collection and disposal of garbage, pet waste, or yard waste.

9.44.020 Purpose

The purpose of this chapter is to reduce the generation of waste from single-use plastic disposable shopping bags.

Bold & Underline, added. ~~Strikethrough, deleted~~

9.44.030 Single-Use Plastic Disposable Shopping Bag Prohibited

A. No affected retail establishment may provide to any customer a single-use plastic disposable shopping bag for the purpose of carrying away goods from the point of sale.

B. No person may distribute single-use plastic disposable shopping bags at any city facility or any event held on city property.

9.44.040 Remedies and Penalties

Remedies and penalties for violations of this chapter are provided in WMC Chapter 1.20.

Section 3. Amendment of subsection. WMC 1.20.030, Disposition of Scheduled Offenses – Fine Schedule, is hereby amended to add a fine for the distribution of single use plastic disposable shopping bags, as follows:

CODE SECTION	DESCRIPTION OF OFFENCE	FINE
WMC 9.44.030	Distribution of single use plastic disposable shopping bag.	First Offence - Warning Second Offence - \$100.00 Third Offence - \$300.00

Section 4. Effective date. This ordinance shall take effect July 1, 2018.

ADOPTED by the Wasilla City Council on January 8, 2018.


BERT L. COTTLE, Mayor

ATTEST:


JAMIE NEWMAN, MMC, City Clerk

[SEAL]

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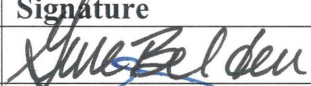



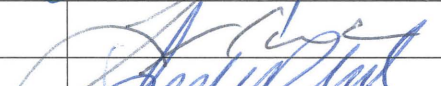


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CITY COUNCIL LEGISLATION STAFF REPORT

Ordinance Serial No. 17-24: An Ordinance Of The Wasilla City Council Adopting Wasilla Municipal Code Chapter 9.44, Prohibiting The Distribution Of Single-Use Disposable Plastic Shopping Bags.

Originator: Mayor Bert L. Cottle
 Date: 10/25/2017

Agenda of: 11/27/2017

Route to:	Department Head	Signature	Date
X	Chief of Police		10/30/17
X	Public Works Director		10/30/17
X	Recreation Services Director		10/30/17
X	Finance Director		10-30-17
X	Deputy Administrator		10/30/17
X	City Attorney		11/27/17
X	City Clerk		11/3/17

Reviewed by Mayor Bert L. Cottle:  10/31/2017

Fiscal Impact: yes or no **Funds Available:** yes or no

Account name/number:

Attachments: Ordinance Serial No. 17-24 (4 pages)

Summary Statement:

The use of single-use carry-out disposable plastic shopping bags, within the city of Wasilla, creates a burden on the environment, endangering wildlife and harming waterways. It is in the best interest of the city, for health, safety and welfare, for all residents and shoppers, to restrict the use of single-use disposable plastic shopping bags inside city limits. The Administration is proposing to adopt Wasilla Municipal Code Chapter 9.44, prohibiting the distribution of single-use disposable plastic shopping bags. Further, a fine schedule is recommended for the distribution of single-use plastic disposable bags.

Staff Recommendation: Introduce and set the public hearing for Ordinance Serial No. 17-24.