

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 4th 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 12th day of July, 2021.

CITY OF ANACORTES:

Laurie Gere

Laurie Gere, Mayor

ATTEST:

St D H L

Steven D. Hoglund, City Clerk/Treasurer

APPROVED AS TO FORM

Darcy Swetnam

Darcy Swetnam, City Attorney

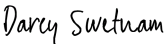
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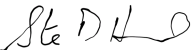
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Signer Events	Signature	Timestamp
Darcy Swetnam darcys@cityofanacortes.org Security Level: Email, Account Authentication (None)		Sent: 7/12/2021 7:38:08 PM Viewed: 7/13/2021 11:49:53 AM Signed: 7/13/2021 11:50:03 AM
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Electronic Record and Signature Disclosure:
Accepted: 7/13/2021 11:49:53 AM
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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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In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp**

Certified Delivery Events	Status	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	7/13/2021 8:35:59 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
Screen Resolution:	800 x 600 minimum
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