



**SUBSTITUTE NO. 2
ORDINANCE NO. 28367**

1 AN ORDINANCE regulating the distribution of carryout bags; amending
2 Chapter 12.09 of the Tacoma Municipal Code by adding thereto a new
3 Section 12.09.215, entitled "Bring Your Own Bag"; prohibiting the use of
4 carryout bags except reusable carryout bags and recycled paper carryout
5 bags; requiring retail establishments to collect a pass-through charge from
6 customers requesting recycled paper and reusable carryout bags; providing
7 for reporting of the aggregate number of recycled paper carryout bags
8 annually distributed; establishing penalties; providing for outreach; providing
9 for a study of the impacts of the requirements of the new Section 12.09.215;
10 establishing an effective date; and providing for severability.

11 WHEREAS the Washington State Legislature ("Legislature"), in
12 RCW 70.95.010(8)(a), established waste reduction as the first priority for the
13 collection, handling, and management of solid waste, and

14 WHEREAS the Legislature, in RCW 70.95.010(4), found that it is
15 "necessary to change manufacturing and purchasing practices and waste
16 generation behaviors to reduce the amount of waste that becomes a
17 governmental responsibility," and

18 WHEREAS the Legislature, in RCW 70.95.010(6)(c), found that it is the
19 responsibility of city governments "to assume primary responsibility for solid waste
20 management and to develop and implement aggressive and effective waste
21 reduction and source separation strategies," and

22 WHEREAS, in May 2014, the City Council adopted Resolution No. 38907,
23 reaffirming the goal of diverting 70 percent of the City's waste from landfilling by
24 2018, and called for strategies to reduce consumption of single-use carryout bags,
25 bottles, and other products, which can be accomplished through restrictions and
26 price signals, and



1 WHEREAS, as demonstrated in the City's STAR Communities 4 Star
2 rating, Lifecycle City resolution, and Environmental Action Plan, it is the City's
3 desire to conserve resources, reduce greenhouse gas emissions, waste, litter,
4 and marine pollution, and to protect the public health and welfare, including
5 wildlife, all of which increase the quality of life for the City's residents, and

6 WHEREAS less reliance on single-use carryout bags contributes toward
7 the goals of conserving energy and natural resources while reducing greenhouse
8 gases and litter, and

9 WHEREAS plastic bags are made of nonrenewable resources and never
10 biodegrade; they photo-degrade and can take hundreds of years to break down
11 into tiny toxic bits which can seep into the soil, waterways, lakes, and bays,
12 posing a threat to animal life and the natural food chain, and

13 WHEREAS the Ocean Conservancy cited plastic bags as within the
14 10 most collected items in the 2013 Coastal Cleanup in Washington State, and

15 WHEREAS, as noted in the Seattle Public Utilities' "Alternatives to
16 Disposable Shopping Bags and Food Service Items," although single-use paper
17 carryout bags are made from renewable resources and are less environmentally
18 impactful with regard to litter than single-use plastic carryout bags, they do require
19 significant environmental resources to manufacture, transport, recycle, and/or
20 dispose of, and
21

22 WHEREAS the Washington State Department of Ecology's "Beyond the
23 Curb" study of commingled residential recyclables from the Southwest Region,
24 which includes Pierce County, estimates that it takes \$700-\$1,000 per ton for
25 recycling centers to remove plastic films from other recyclables, and
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WHEREAS, in order to reduce the use of single-use plastic and paper carryout bags in the City, it is necessary to regulate such use, and

WHEREAS an Environmental Checklist for a non-project action has been prepared under the State Environmental Policy Act (RCW Chapter 43.21.C), pursuant to Washington Administrative Code Chapter 197-11; and a Notice of Adoption and a Determination of Non-Significance ("DNS") was issued on June 6, 2016, with the comment period ending on June 20, 2016, and

WHEREAS the City Council solicited feedback and comments from residents and businesses, and considered various studies, reports, articles, and other references, including, but not limited to: *Plastic Bag Staff Report*, City of Kirkland (2013); *The Most Popular Tax in Europe? Lessons From the Irish Plastic Bags Levy*, Frank Convey, Simon McDonnell, Susana Ferreira; *Environmental and Resource Economics*, Environ Resource Econ (2007) 38:1-11; *The Evolution of SF's Plastic Bag Ban*, Jennie Reilly Romer, Golden Gate University Environmental Law Journal, 1 Golden Gate Env't'l L.J. 439 (2007); and *Assessment of the Potential for Cross Contamination of Food Products by Reusable Shopping Bags*, American Chemistry Council – By Charles P. Gerba, David Williams, Ryan G. Sinclair (2010), and

WHEREAS regulations that prohibit the use of single-use plastic carryout bags and require a pass-through charge on all carryout bags will encourage shoppers to bring their own reusable carryout bags, reduce the cost of solid waste disposal by the City, and protect the environment, and

WHEREAS the City Council finds that it is in the best interest of the health, safety, and welfare of the citizens of the City that the proposed amendment to



1 Chapter 12.09 of the Tacoma Municipal Code, attached hereto as Exhibit "A," be
2 approved; Now, Therefore,

3 **BE IT ORDAINED BY THE CITY OF TACOMA:**

4 Section 1. That Chapter 12.09 of the Tacoma Municipal Code ("TMC") is
5 hereby amended by the addition of a new section, to be known and designated as
6 Section 12.09.215, "Bring Your Own Bag," consisting of six subsections to read as
7 set forth in the attached Exhibit "A."

8 Section 2. That the City Manager is directed to establish and conduct
9 focused outreach with low-income populations and communities of color to provide
10 assistance in achieving compliance with the requirements of TMC 12.09.215.

11 Section 3. That the City Manager is directed to conduct a study to
12 evaluate the impacts of TMC 12.09.215 on low-income populations and
13 communities of color, to be completed within 18 months of implementation of
14 TMC 12.09.215.

15
16 Section 4. Commencing in 2018 and ending in 2020, the City Manager
17 shall (1) aggregate the data received from the annual reports voluntarily
18 submitted by retail establishments pursuant to TMC 12.09.215.C, annually report
19 the aggregate totals to the City Council, and report the annual and cumulative
20 percentage change in the number of recycled paper carryout bags distributed;
21 (2) conduct an annual voluntary survey of retail establishments regarding the
22 impact of TMC 12.09.215 on retail establishments, including the challenges of
23 implementation, improvements that could be made, whether carryout bag
24 practices have changed, and impacts to customer experiences; and (3) report the
25 results of the survey to the City Council.
26



1 Section 5. If any section, subsection, sentence, clause, or phrase of this
2 ordinance is for any reason held to be invalid or unconstitutional by a decision of
3 any court of competent jurisdiction, such decision shall not affect the validity of
4 the remaining portions of this ordinance. The City Council hereby declares that it
5 would have passed this ordinance and each and every section, subsection,
6 sentence, clause, or phrase not declared invalid or unconstitutional without
7 regard to whether any portion of the ordinance would be subsequently declared
8 invalid or unconstitutional.

9 Section 6. This ordinance shall become effective at 12:01 a.m. 365 days
10 after enactment.

11
12 Passed JUL 12 2016

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14 _____
Mayor

15 Attest:

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17 
18 _____
City Clerk

19 Approved as to form:

20 
21 _____
Chief Deputy City Attorney



EXHIBIT "A"

CHAPTER 5.55 BRING YOUR OWN BAG

1
2
3 Sections:

4 ~~5.55.010 Definitions.~~

5 ~~5.55.020 Regulations.~~

6 ~~5.55.030 Pass Through Charge.~~

7 ~~5.55.040 Exemptions.~~

8 ~~5.55.050 Enforcement.~~

9 ~~5.55.060 Violations; Penalties; Appeal.~~

Chapter 12.09

SOLID WASTE, RECYCLING, AND HAZARDOUS WASTE

10 Sections:

11 12.09.010 Purpose.

12 12.09.020 Authority.

13 12.09.030 Definitions.

14 12.09.040 General requirements.

15 12.09.050 Transportation.

16 12.09.060 Requirements for containers.

17 12.09.070 Special permits.

18 12.09.080 Assistance to elderly and/or disabled individuals.

19 12.09.090 Rate reduction for low-income senior and low-income disabled individuals.

20 12.09.092 Authority to allow residential or commercial service.

21 12.09.095 Disposal rate reduction for qualifying nonprofit materials salvage/recycling corporation(s).

22 12.09.100 Collection.

23 12.09.105 Pilot Projects.

24 12.09.110 Residential automated and semi-automated services.

25 12.09.120 Commercial services.

26 12.09.130 Use of Recovery and Transfer Center Facility (disposal site) – General.

12.09.140 Disposal rates.

12.09.150 *Repealed.*

12.09.160 Billing periods, payments and collections.

12.09.170 Disposal area automated scale system cards.

12.09.180 State tax.

12.09.190 Prohibited material.

12.09.200 Disposal of asbestos-containing material.

12.09.210 Recycling – General.

12.09.215 Bring Your Own Bag.

12.09.220 Enforcement.

12.09.230 Violations – Penalties.

12.09.240 Notice of violations – Civil penalties.

12.09.250 Appeals of special permits.

~~5.55.010 Definitions.~~

12.09.215 Bring Your Own Bag.

A. Definitions.

"Agent" means any director, partner, high managerial agent, officer, or employee of a retail establishment, or any other person who is authorized to act on behalf of the corporation.



1 B. "Carryout bag" means any bag that is provided by a retail establishment at the point-of-sale to a customer for use to transport or carry away purchases, such as merchandise, goods, or food from the retail establishment. "Carryout bag" does not include:

2 1. Product Bags; or

3 2. Newspaper bags, door-hanger bags, laundry dry cleaning bags, tire bags, or bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags.

4 C. "Corporation" means any firm, business, association, partnership, limited liability company, corporation, or other legal entity, public or private, however organized.

5 D. "Department" means the Environmental Services Department.

6 E. "Director" means the Director of the Environmental Services Department and the Solid Waste Division Manager, as designee.

7 F. "High managerial agent" means an officer or director of a corporation or any other agent in a position of comparable authority with respect to the formulation of policy of the corporation or the supervision in a managerial capacity of subordinate employees.

8 G. "Pass-through charge" means the charge which must be collected by a retail establishment from its customers when providing a recycled paper or reusable carryout bags. The pass-through charge is retained by the retailer.

9 H. "Product bag" means any bag provided to a customer for use within a retail establishment to assist in the collection or transport of products to the point-of-sale within the retail establishment. Product bags include, by way of example, bags that are used by consumers inside stores to: (a) package bulk items such as fruit, vegetables, mushrooms, nuts, grains, candy or small hardware items; (b) contain or wrap frozen foods, meat, or fish, whether packaged or not; (c) contain or wrap flowers, potted plants, or other items where dampness may be a problem; (d) contain unwrapped prepared foods or bakery goods; (e) contain pharmacy prescriptions; and (f) safeguard public health and safety during the transportation of hot, prepared take-out foods and prepared liquids intended for consumption away from the premises.

10 I. "Recycled paper carryout bag" means a paper carryout bag provided by a store to a customer at the point-of-sale that meets all of the following requirements:

11 1. Except as provided in subsection 2 of this subsection (I), the paper carryout bag contains an average of 40 percent postconsumer recycled materials;

12 2. An eight-pound or smaller recycled paper bag shall contain a minimum of 20 percent postconsumer recycled material;

13 3. The paper carryout bag is accepted for recycling in curbside programs in a majority of households that have access to curbside recycling programs in the City;

14 4. The paper carryout bag is capable of composting, consistent with the timeline and specifications of the American Society of Testing and Material (ASTM) Standard D6400, as published in Master Environmental Assessment on Single Use and Reusable Bags, March 2010; and

15 5. Printed on the paper carryout bag is the minimum percentage of postconsumer content.

16 J. "Retail establishment" means any corporation that sells or provides merchandise, goods, or materials, including, without limitation, clothing, food, or personal items of any kind, directly to a customer: retail establishment includes, by way of example and not limitation, any grocery store, department store, hardware store, pharmacy, liquor store, restaurant, catering truck, convenience store, and any other retail store or vendor, including temporary ones at farmers markets, street fairs, and festivals.

17 K. "Reusable carryout bag" means a bag made of cloth (l) or other material with handles that is specifically designed and manufactured for long-term multiple reuse and meets all of the following requirements:

18 1. Is machine washable or made from a material that can be cleaned or disinfected, and

19 2. If made of film plastic, is a minimum of at least 2.25 mils thick.

20 L. "Single-use plastic carryout bag" means any bag made from plastic or any material marketed or labeled as "biodegradable" or "compostable" that is not intended for continuous reuse as a carryout bag and that is less than 2.25 mils thick.



5.55.020B. Regulations.

1 A1. No retail establishment in the City shall provide a carryout bag to a customer unless otherwise permitted
2 pursuant to this chapter.

3 B2. No retail establishment shall distribute a carryout bag at any City facility, City-managed concession,
4 City-sponsored event, or City-permitted event unless otherwise permitted pursuant to this chapter.

5 C3. Retail establishments in the City may, subject to TMC 5.55.030, provide to a customer at the
6 point-of-sale a reusable carryout bag or a recycled paper carryout bag.

7 D4. A retail establishment may make reusable carryout bags available to customers through sale.

8 5.55.030C. Pass-Through Charge.

9 A1. Retail establishments that provide a customer with a carryout bag shall charge the customer a reasonable
10 pass-through charge of not less than five cents. Retailers shall not collect a pass-through charge for any bags
11 brought to the retail establishment by a customer.

12 B2. Retail establishments shall indicate on the customer transaction receipts the total amount of the
13 pass-through charge.

14 C3. A retail establishment may provide a reusable carryout bag, free of charge, to any customer during a
15 limited time, in-store promotional event. Such events shall not exceed a total of 12 days within any
16 consecutive 12-month period.

17 4. Annual Reporting. All retail establishments required to levy and collect pass-through charges pursuant to
18 this chapter, shall report to the Director the aggregate number of recycled paper carryout bags provided to
19 customers as provided below:

20 a. Reporting Obligation. On an annual basis, beginning in 2018 and ending in 2020, on or before September
21 30th of each year, a retail establishment shall report the number of recycled paper carryout bags provided to
22 customers by the retail establishment from August 1st of the previous year through July 31st of the reporting
23 year.

24 b. If an operator of a retail establishment has more than one location subject to this ordinance, the operator
25 may aggregate the total number of bags to be reported for all subject locations into a single report. The
26 reporting form shall be signed by a responsible officer or agent of the retail establishment. The individual
signing the report shall swear or affirm that the information in the form is true and complete.

5.55.040D. Exemptions.

A1. Notwithstanding the requirements contained in TMC 5.55.030, retailers may not collect a pass-through
charge from anyone with a voucher or electronic benefits card issued under programs including, but not
limited to, Women Infants and Children (WIC); Temporary Assistance to Needy Families (TANF); Federal
Supplemental Nutrition Assistance Program (SNAP), also known as Basic Food; and The Washington State
Food Assistance Program (FAP).

B2. Food banks and other food assistance programs are exempt from the requirements of this chapter.

3. Retail establishments engaged in retail sales occurring at any special event or show licensed under
TMC Chapter 6B.230 (Temporary Licenses), or exempt from the temporary licensing requirements pursuant
to TMC 6B.230.050(A) through (E), are not subject to the requirements of this chapter.

C4. The Director may exempt a retail establishment from the requirements of this chapter for up to a
one-year period, upon a request by the retail establishment showing that the conditions of this chapter would
cause undue hardship. An "undue hardship" shall only be found in:

1a. Circumstances or situations unique to the particular retail establishment, such that there are no
reasonable alternatives to single-use plastic carryout bags or a pass-through charge cannot be collected; or

2a. Circumstances or situations unique to the retail establishment, such that compliance with the
requirements of this chapter would deprive a person of a legally protected right.

If a retail establishment requires an exemption beyond the initial exemption period, the retail establishment
must reapply prior to the end of the exemption period and must demonstrate continued undue hardship if it
wishes to have the exemption extended. Extensions may only be granted for intervals not to exceed one year.



1 An exemption request shall include all information necessary for the City to make its decision, including, but not limited to, documentation showing the factual support for the claimed exemption. The Director may require the applicant to provide additional information to permit the City to determine facts regarding the exemption request.

2 The Director may approve the exemption request, in whole or in part, with or without conditions.

3 Exemption decisions are effective immediately. A party aggrieved by a final decision may appeal or seek review of the decision in accordance with applicable law. Unless another period of time applies under applicable law or court rule, an appeal of the decision must be filed within 21 calendar days from the date the final decision was served personally or placed in the United States mail, postage prepaid and properly addressed.

4 The City Council may, by resolution, establish a fee for exemption requests. The fee shall be sufficient to cover the costs of processing the exemption request.

5 **5.55.050DE. Enforcement.**

6 The Director is authorized to establish regulations consistent with this chapter, and to take any and all actions reasonable and necessary to obtain compliance with this chapter, including, but not limited to, inspecting the premises of any retail establishment to verify compliance, issuance of a notice of violation, and enforcement of other remedies available at law.

7 **5.55.060EF. Violations; Penalties; Appeal.**

8 **A1. Any retail establishment violating or failing to comply with any of the provisions of this chapter, or any lawful rule or regulation adopted by the Director pursuant thereto, shall be guilty of a civil violation.**

9 **B2. A retail establishment is strictly liable for the acts or omissions of its agents that constitute a civil violation.**

10 **C3. It is the responsibility of the retail establishment to contact the Department to request inspection for compliance with this code.**

11 **D4. Penalties for violations of this chapter may be assessed in the amount of \$250 for each day during which the violation continues.**

12 **E5. Contents of Notice of Civil Violation. The notice of civil violation shall set forth and contain:**

13 **1a. The name and last known address of the retail establishment;**

14 **2b. The name, business address, and telephone number of the enforcement officer issuing the notice of civil violation;**

15 **3c. The street address or a description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;**

16 **4d. A description of the nature, extent, and time of the violation and a reference to the regulation or provision of the Tacoma Municipal Code ("TMC") that has been violated;**

17 **5e. A statement setting forth the monetary penalty imposed and each violation or violations that are subject to such monetary penalty;**

18 **6f. A statement that the retail establishment to which the notice of civil violation is issued may appeal the notice of civil violation;**

19 **7g. A statement that a notice of civil violation issued pursuant to this chapter represents a determination that the violation or violations identified in the notice has/have been committed and that this determination is final and conclusive unless appealed; and**

20 **8h. Any additional information that may be required under the TMC or regulation that is alleged to have been violated.**

21 **F6. Service of the notice of violation shall be made by:**

22 **1a. First-class mail to the retail establishment and/or agent on whom the penalty was imposed. Where service of the notice of violation is by mail, service shall be deemed complete upon the third day following the day upon which it is placed in the mail, unless the third day falls on a Saturday, Sunday, or federal legal holiday, in which event service shall be deemed complete on the first day other than a Saturday, Sunday, or**



legal holiday following the third day. Service by posting shall be accomplished on the date of the posting in compliance with this section; or

1 2b. Served directly upon an agent of the retail establishment; or

2 3c. Posted on the property. Posting shall mean affixing a copy of the document in a conspicuous place on the
3 property(ies) where the violation occurred, with at least one copy of such document placed at an entryway to
4 the property or structure if an entryway exists.

5 G7. Civil penalties will continue to accrue until the retail establishment comes into compliance with the
6 provisions of this chapter.

7 H8. The retail establishment to which the notice of violation was issued may appeal the notice of violation to
8 the City Hearing Examiner pursuant to the provisions of TMC Chapter 1.23 by filing an appeal with the
9 Department within 21 calendar days following service of the notice of violation.

10 I9. The City Attorney may seek legal, injunctive, or other equitable relief to enforce this chapter.

11 J10. Each violation of this chapter shall be considered a separate violation.

12 K11. Payment of a monetary penalty imposed pursuant to this chapter does not relieve a person of the duty
13 to correct the violation as ordered by the code enforcement officer.

14 L12. The remedies and penalties provided in this section are cumulative and not exclusive, and nothing in
15 this chapter shall preclude the City from pursuing any other remedies provided by law.

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TO: T.C. Broadnax, City Manager
FROM: Michael P. Slevin III, P.E., Director, Environmental Services *M.P.S.*
James Parvey, LEED AP, Office of Environmental Policy and Sustainability
COPY: City Council and City Clerk
SUBJECT: Ordinance amending Title 5 of the Tacoma Municipal Code to add a new Chapter 5.55
"Bring Your Own Bag" – June 28, 2016
DATE: June 2, 2016

SUMMARY:

An Ordinance amending Title 5 of the Tacoma Municipal Code, by adding a new Chapter 5.55, entitled "Bring Your Own Bag", prohibiting the use of carryout bags except for reusable or recycled paper carryout bags, requiring retail establishments to collect a pass-through charge with a minimum fee of \$0.05 from customers requesting recycled paper and reusable carryout bags, establishing penalties, providing outreach, and providing for a study of the impacts of the requirement effective one-year after passage of this ordinance.

COUNCIL SPONSORS:

Deputy Mayor Mello and Council Members Blocker and Ibsen.

STRATEGIC POLICY PRIORITY:

- Assure outstanding stewardship of the natural and built environment.
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

This ordinance supports environmental stewardship by reducing litter and waste disposed of in the landfill. It also promotes citizen engagement by giving individuals a personal opportunity to reduce costs to the City's Solid Waste Management System.

BACKGROUND:

Since March of 2012, the Sustainable Tacoma Commission has been interested in reducing disposable shopping bags in Tacoma. In May 2014, the City Council adopted Resolution No. 38907, reaffirming the goal of diverting 70 percent of the City's waste by 2028, and calling for strategies to reduce consumption of single-use carryout bags, bottles, and other products. The Environmental Action Plan identifies reducing disposable bag use by shoppers as item M9 in the Material Management section.

The Office of Environmental Policy and Sustainability (OEPS) staff has given multiple presentations to the City Council's Infrastructure, Planning, and Sustainability (IPS) Committee to update them on the program progress and recommendations. IPS formally requested that staff prepare a draft ordinance based on the "Bellingham Model" and gather public input on the draft ordinance elements. The "Bellingham Model" is essentially a ban on plastic and a fee on paper, with the fee retained by the retailer. This ordinance is based on that model and is the dominant model in the state.

The proposed ordinance differs from the "Bellingham Model" by requiring retailers to provide either paper or reusable bags upon request for no less than \$0.05. This is based on the experience where some retailers in communities with restrictions replaced disposable plastic bags with ones just slightly thicker and continued to charge no fee.



A draft of the ordinance was presented at study session on April 27, 2016; comments received included:

- Ensure there is follow up and outreach with community groups that were engaged in the Tacoma 2025 Plan.
- Provide training to the retailers on the ordinance requirements and effective bagging of products.
- During the implementation period organize reusable bag exchanges within the community such as Tacoma School District, Tacoma Housing Authority, and at local food banks

ISSUE:

Fourteen communities in Washington State and countless others around the United States and world have placed restrictions on disposable plastic and paper bags. Restricting these bags is intended to encourage the use of reusable shopping bags and thereby reduce resource use, litter, and waste, as well as protect the environment and wildlife.

Widespread use of disposable plastic bags took hold in the late 1970's and early 1980's when they became extremely price competitive with paper bags. Since then their use has become widespread; an estimated two billion bags are used in Washington State each year according to the Environment Washington Research and Policy Center. Plastic grocery bags were the eighth most common item collected in the 2015 International Coastal Cleanup and are considered the second most impactful item to wildlife, due to the tendency of animals to mistake them as food according to the Ocean Conservancy 30th Anniversary International Coastal Cleanup Annual Report, 2016.

Some items specific to Tacoma citizens are:

1. *Clean* shopping/dry cleaning bags make up 534 tons/0.3 percent of the City's solid waste stream.
2. The City pays roughly \$30,000/year in disposal costs to the landfill for just these *clean* bags.
3. Plastic bags cause significant additional sorting, disruption and down time at recycling centers, costing an estimated \$700-\$1000/ton. This is reflected in recycling rates.
4. Shoppers pay indirectly for all "free" bags. One study estimated these hidden costs to be \$37.50 per person per year according to the Metropolitan Washington D.C. Council of Governments.
5. Plastic grocery bags were the sixth most common item picked up during the 2013 International Coastal Cleanup in Washington State according to the Ocean Conservancy.

ALTERNATIVES:

Several strategies to limit the use of disposable bags have been utilized around the world. Some of the most common or viable options are listed below in order of effectiveness in reducing the use of plastic bags.

1. Ban plastic, fee on paper;
2. Ban plastic, fee on paper and reusable bags;
3. Fee on both paper and plastic bags;
4. Ban plastic, paper unrestricted; and
5. Maintain status quo.

Option five would not reduce the volume of plastic bags being disposed of in the landfill or ending up as litter.



RECOMMENDATION:

An Ordinance amending Title 5 of the Tacoma Municipal Code, by adding a new Chapter 5.55, entitled "Bring Your Own Bag", prohibiting the use of carryout bags except for reusable or recycled paper carryout bags, requiring retail establishments to collect a pass-through charge with a minimum fee of \$0.05 from customers requesting recycled paper and reusable carryout bags, establishing penalties, providing outreach, and providing for a study of the impacts of the requirement effective one-year after passage of this ordinance.

FISCAL IMPACT:

EXPENDITURES

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
ES Solid Waste Fund 4200	512005	5412000	\$50,000
TOTAL			\$50,000

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
ES Solid Waste Fund 4200	512000	various	\$50,000
TOTAL			\$50,000

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$50,000

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? No.

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED.

Monies have not yet been budgeted but would come from the ES Solid Waste Fund 4200 in the 2017-18 biennium.

Ordinance No. 28367 Substitute NO. 2

First Reading of Ordinance: JUN 28 2016

Final Reading of Ordinance: JUL 12 2016

Passed: JUL 12 2016

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Blocker	X			
Mr. Campbell	X			
Mr. Ibsen	X			
Mr. Lonergan		X		
Mr. McCarthy	X			
Mr. Mello	X			
Mr. Thoms	X			
Ms. Woodards	X			
Mayor Strickland	X			

Voice Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Blocker				
Mr. Campbell				
Mr. Ibsen				
Mr. Lonergan				
Mr. McCarthy				
Mr. Mello				
Mr. Thoms				
Ms. Woodards				
Mayor Strickland				