

1 **..Title**

2 **Plastic Bag Reduction** – For the purpose of defining certain terms; prohibiting dealers from
3 supplying customers with plastic bags for use as checkout bags; requiring paper bags contain at
4 least 40% recycled content; setting forth prohibited conduct by dealers; providing enforcement
5 measures; requiring an annual report to the Mayor and City Council; providing an effective date;
6 and generally relating to checkout bags.

7 **..Body**

8 **CITY COUNCIL OF THE**
9 **City of Annapolis**

10 **Ordinance 52-20**

11 **Introduced by: Alderman Schandelmeier**

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14
15 **Referred to**
16 **Environmental Matters Committee**
17 **Housing and Human Welfare Committee**

18
19 **AN ORDINANCE** concerning

20
21 **Plastic Bag Reduction**

22
23 **FOR** the purpose of defining certain terms; prohibiting dealers from supplying customers with
24 plastic bags for use as checkout bags; requiring paper bags contain at least 40% recycled
25 content; setting forth prohibited conduct by dealers; providing enforcement measures;
26 requiring an annual report to the Mayor and City Council; providing an effective date; and
27 generally relating to checkout bags.

28
29 **BY** adding the following portions to the Code of the City of Annapolis, 2021 Edition
30 10.18.010
31 10.18.020
32 10.18.030
33 10.18.040
34 10.18.050
35 10.18.060

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37
38 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
39 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

40
41 **Title 10 – HEALTH AND SAFETY**
42 **CHAPTER 10.18 – PLASTIC BAG REDUCTION**

43
44 **SECTION 10.18.010 - DEFINITIONS.**
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1 IN THIS CHAPTER, THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED:

- 3
4 A. "CHECKOUT BAG" MEANS A BAG SUPPLIED BY A DEALER TO A CUSTOMER AT
5 THE POINT OF SALE, PICKUP, OR DELIVERY TO CARRY PURCHASED ITEMS.
6
7 B. "DEALER" MEANS A PERSON ENGAGED IN THE RETAIL SALE OF GOODS,
8 INCLUDING A SUPERMARKET; CONVENIENCE STORE; RESTAURANT; SHOP;
9 SERVICE STATION; AND OTHER SALES OUTLETS.

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11 **SECTION 10.18.020 - ADMINISTRATION.**

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13 THE DIRECTOR OF PLANNING AND ZONING OR DESIGNEE SHALL
14 ADMINISTER AND ENFORCE THE PROVISIONS OF THIS CHAPTER.

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16 **SECTION 10.18.030 - PROHIBITED CONDUCT.**

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18 EXCEPT AS PROVIDED IN SECTION 10.18.040, A DEALER MAY NOT SUPPLY
19 CUSTOMERS WITH PLASTIC CHECKOUT BAGS OR WITH PAPER CHECKOUT BAGS
20 THAT CONTAIN LESS THAN 40% POST-CONSUMER RECYCLED CONTENT.

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22 **SECTION 10.18.040 - INAPPLICABILITY.**

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24 THIS CHAPTER DOES NOT APPLY TO BAGS USED FOR THE FOLLOWING:

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26 1. FRESH FISH AND FRESH FISH PRODUCTS;
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28 2. FRESH MEAT AND FRESH MEAT PRODUCTS;
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30 3. FRESH POULTRY AND FRESH POULTRY PRODUCTS;
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32 4. OTHERWISE UNPACKAGED FRUITS, NUTS, OR VEGETABLES;
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34 5. OTHERWISE UNPACKAGED CONFECTIONERY;
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36 6. OTHERWISE UNPACKAGED FRESH CHEESE;
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38 7. OTHERWISE UNPACKAGED BAKED GOODS;
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40 8. ICE;
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42 9. FOOD AND GOODS OBTAINED AT A FARMERS' MARKET;
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44 10. PRESCRIPTION DRUGS OBTAINED FROM A PHARMACY; OR
45
46 12. DRY-CLEANED GOODS

1 13. NEWSPAPERS.

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3 **SECTION 10.18.050 - ENFORCEMENT.**

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5 A. **MUNICIPAL INFRACTION.** A VIOLATION OF OR FAILURE TO COMPLY WITH
6 ANY PROVISION OF THIS CHAPTER IS A MUNICIPAL INFRACTION PUNISHABLE
7 BY A FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.

8

9 B. **METHODS OF ENFORCEMENT.** THE DIRECTOR OF PLANNING AND ZONING OR
10 DESIGNEE MAY ENFORCE THE PROVISIONS OF THIS CHAPTER BY ANY
11 APPROPRIATE MEANS, INCLUDING THE ISSUANCE OF A MUNICIPAL CITATION
12 AND COURT PROCEEDINGS.

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14 **SECTION 10.18.060 - ANNUAL REPORT.**

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16 A. REPORT DETAILING COMPLIANCE. ON OR BEFORE JUNE 30 OF EACH YEAR, THE
17 DIRECTOR OF PLANNING AND ZONING OR DESIGNEE SHALL PREPARE AND
18 SUBMIT TO THE MAYOR AND CITY COUNCIL AN ANNUAL REPORT DETAILING
19 COMPLIANCE WITH THIS CHAPTER.

20

21 B. REQUIRED INFORMATION. THE REPORT SHALL INCLUDE THE NUMBER OF
22 INSPECTIONS CONDUCTED OF DEALERS, THE NUMBER OF CITATIONS ISSUED,
23 AND A DESCRIPTION OF ANY COURT PROCEEDINGS INITIATED.

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26 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
27 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect twenty four months after the
28 date of its passage.

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Explanation:

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UPPERCASE indicates matter added to existing law.

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~~Strikethrough~~ indicates matter stricken from existing law.

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Underlining indicates amendments.

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