



Legislation Details (With Text)

**File #:** O-52-20      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Withdrawn

**File created:** 12/6/2020      **In control:** City Council

**On agenda:** 12/21/2020      **Final action:** 12/21/2020

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

**Sponsors:** Brooks Schandelmeier

**Indexes:** Environmental Matters Committee, Housing and Human Welfare Committee

**Code sections:**

**Attachments:** 1. O-52-20 First Reader, 2. O-52-20 Staff Report, 3. O-52-20 Fiscal Impact Note

Date	Ver.	Action By	Action	Result
12/21/2020	1	City Council	withdrawn without objection	Pass

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

**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance 52-20**

**Introduced by: Alderman Schandelmeier**

**Referred to  
Environmental Matters Committee  
Housing and Human Welfare Committee**

**AN ORDINANCE** concerning

**Plastic Bag Reduction**

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

**BY** adding the following portions to the Code of the City of Annapolis, 2021 Edition  
10.18.010

10.18.020  
10.18.030  
10.18.040  
10.18.050  
10.18.060

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

**Title 10 - HEALTH AND SAFETY  
CHAPTER 10.18 - PLASTIC BAG REDUCTION**

**SECTION 10.18.010 - DEFINITIONS.**

IN THIS CHAPTER, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

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

**SECTION 10.18.020 - ADMINISTRATION.**

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

**SECTION 10.18.030 - PROHIBITED CONDUCT.**

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

**SECTION 10.18.040 - INAPPLICABILITY.**

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

1. FRESH FISH AND FRESH FISH PRODUCTS;
2. FRESH MEAT AND FRESH MEAT PRODUCTS;
3. FRESH POULTRY AND FRESH POULTRY PRODUCTS;
4. OTHERWISE UNPACKAGED FRUITS, NUTS, OR VEGETABLES;
5. OTHERWISE UNPACKAGED CONFECTIONERY;

6. OTHERWISE UNPACKAGED FRESH CHEESE;
7. OTHERWISE UNPACKAGED BAKED GOODS;
8. ICE;
9. FOOD AND GOODS OBTAINED AT A FARMERS' MARKET;
10. PRESCRIPTION DRUGS OBTAINED FROM A PHARMACY; OR
12. DRY-CLEANED GOODS
13. NEWSPAPERS.

**SECTION 10.18.050 - ENFORCEMENT.**

- A. **MUNICIPAL INFRACTION.** A VIOLATION OF OR FAILURE TO COMPLY WITH ANY PROVISION OF THIS CHAPTER IS A MUNICIPAL INFRACTION PUNISHABLE BY A FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.
- B. **METHODS OF ENFORCEMENT.** THE DIRECTOR OF PLANNING AND ZONING OR DESIGNEE MAY ENFORCE THE PROVISIONS OF THIS CHAPTER BY ANY APPROPRIATE MEANS, INCLUDING THE ISSUANCE OF A MUNICIPAL CITATION AND COURT PROCEEDINGS.

**SECTION 10.18.060 - ANNUAL REPORT.**

- A. **REPORT DETAILING COMPLIANCE.** ON OR BEFORE JUNE 30 OF EACH YEAR, THE DIRECTOR OF PLANNING AND ZONING OR DESIGNEE SHALL PREPARE AND SUBMIT TO THE MAYOR AND CITY COUNCIL AN ANNUAL REPORT DETAILING COMPLIANCE WITH THIS CHAPTER.
- B. **REQUIRED INFORMATION.** THE REPORT SHALL INCLUDE THE NUMBER OF INSPECTIONS CONDUCTED OF DEALERS, THE NUMBER OF CITATIONS ISSUED, AND A DESCRIPTION OF ANY COURT PROCEEDINGS INITIATED.

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

**Explanation:**

UPPERCASE indicates matter added to existing law.

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

Underlining indicates amendments.