

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE 2018-09

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING CHAPTER 11.16 TO PROHIBIT THE DISTRIBUTION OF DISPOSABLE PLASTIC SHOPPING BAGS AND AMENDING CHAPTER 1.24.040 TO ADD A PENALTY TO THE MINOR OFFENSE ORDINANCE FOR THE UNLAWFUL DISTRIBUTION OF PLASTIC SHOPPING BAGS

WHEREAS, disposable plastic shopping bags burden the City's solid waste disposal facility, sewer and natural drainage systems, and degrade the environment; and

WHEREAS, it is in the best interest of the City of Unalaska and its residents to reduce the use of disposable plastic shopping bags;

BE IT ENACTED by the City Council of the City of Unalaska, as follows:

Section 1: Form. This is a Code ordinance.

Section 2: Amendment of UCO §11.16. Chapter 11.16 Litter; Sanitation Measures of the Unalaska Code of Ordinances is hereby amended by the addition of a new Section 11.16.040 to read as follows:

11.16.40 Disposable Plastic Shopping Bags.

(A) Sellers are prohibited from distributing disposable plastic shopping bags to buyers.

(B) As used in this section:

(1) "Buyer" means a person who is a purchaser of goods or services;

(2) "Disposable plastic shopping bag" means a bag made from plastic, including plastic marketed or labeled as "biodegradable" or "compostable", that is not suitable for repeated reuse if made of or containing plastic that is less than .004" (4 mils) thick, is unable to be cleaned and disinfected regularly, and is designed to carry buyer purchases from a seller's premises. "Disposable plastic shopping bag" does not include bags used by buyers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy, or small hardware items, such as washers 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; laundry or dry cleaning bags; bags sold for buyer's use off a seller's premises for such purposes as the collection and disposal of garbage, pet waste, or yard waste, or newspaper bags;

(3) "Seller" means every entity or person, whether acting as principal, agent, broker, or lessor, making sales at retail or rental of property to a consumer and who is required and responsible to collect and remit sales taxes levied by the City of Unalaska.

(C) Any person or entity violating this section is guilty of a minor offense and shall be subject to a penalty of \$100 per violation.

Section 3: Amendment of UCO §1.24.040. Section 1.24.040 of the Unalaska Code of Ordinances is hereby amended to read as follows: [new language is underlined]:

Code Section	Offense Description	Fine Amount
<u>11.16.040(A)</u>	<u>Unlawful distribution of plastic shopping bags</u>	<u>100</u>

Section 4: Effective Date: This ordinance shall be effective as of January 1, 2019.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on August 14, 2018.

Frank Kelty
Mayor

ATTEST:

Marjie Veeder
City Clerk