

Introduced by: Council Member Drake  
Date: April 24, 2001  
Public Hearing: May 8, 2001  
Action: Enacted  
Vote: 6-0

# ***CITY OF BETHEL, ALASKA***

## **ORDINANCE #01-17**

### **AN ORDINANCE PROHIBITING CERTAIN USES OF PLASTIC BAGS AND ESTABLISHING PENALTIES FOR VIOLATIONS**

WHEREAS the City of Bethel operates the City landfill for the benefit of the residents of Bethel and the area surrounding the landfill has become littered with blown trash consisting mainly of plastic carry out bags,

WHEREAS plastic bags have also blown all over town;

WHEREAS plastic bags pollute the environment, constitute an eyesore, and threaten wildlife,

WHEREAS community members have expressed dissatisfaction with plastic carry out bags littering the community, and

WHEREAS the City Council wishes to encourage use of alternate means of carrying merchandise such as canvas carrying bags.

**BE IT ORDAINED** by the City Council of Bethel, Alaska, that:

**SECTION 1. Classification.** This ordinance is permanent in nature and shall be incorporated into the Bethel Code ("Code").

**SECTION 2. Chapter Enactment.** The Code is hereby amended by adding the following new Chapter 8.12 entitled Plastic Bag Litter Control, to read as follows:

#### **Chapter 8.12 Plastic Bag Litter Control**

##### **Section 8.12.010 Plastic bags – uses prohibited.**

A. It is unlawful for a merchant to use plastic carry out bags, or to provide or offer plastic carry out bags for any customer's use.

B. It is unlawful for any person to use a plastic carry out bag as a container for waste to be disposed of at the City landfill, or to dispose of plastic carry out bags at the City landfill.

C. As used in this chapter, "plastic carry out bag" means a bag into which merchandise or goods are typically placed for the purpose of carrying the merchandise or goods out of a merchant's place of business. Such bags typically are approximately twelve (12") inches by sixteen (16") inches with handles for ease of carrying. The term "plastic carry out bag" does not include garbage bags or other bags, the purpose of which is not primarily to carry merchandise.

Section 8.12.020 Penalties

A violation of this chapter is punishable in accordance with section 1.08.010 of the Code.

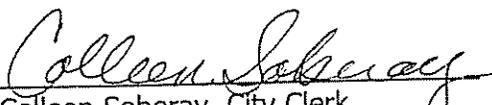
**SECTION 3. Severability.** If any clause, sentence, paragraph, section or portion of this ordinance for any reason is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of this ordinance, but shall be confined in its operation to the clause, sentence, paragraph, section or portion of this ordinance directly involved in the controversy in which the judgment is rendered.

**SECTION 4. Effective Date.** This Ordinance shall take effect ~~on July 1, 2001~~ on November 4, 2001 (180 days from the day Council enacts the ordinance).

**ENACTED THIS 8<sup>th</sup> DAY OF MAY 2001, by a vote of 6 in favor and 0 opposed.**

ATTEST:

  
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Stanley "Turfey" Rodgers, Mayor

  
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Colleen Soberay, City Clerk