


<b>FROM</b>	NAME & TITLE	Beth Strommen, Manager, Office of Sustainability <i>BAS</i>	CITY of <b>BALTIMORE</b>  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Department of Planning Room 800, 417 E. Fayette Street		
	SUBJECT	City Council Bills #08-0205, #08-0208, and #08-0209		

**TO**

President Stephanie Rawlings-Blake  
and Members of the City Council

DATE: June 4, 2009

The following comments on behalf of the Baltimore Commission on Sustainability (CoS).

Bill #08-0205 would prohibit retail establishments from providing customers with checkout or carryout bags unless the bags are either recyclable paper bags or reusable bags as defined in the legislation. Violation would result in a misdemeanor and fines of \$250, \$500 and \$1,000 for the first, second, and third offenses within a six month period, respectively. Ordinances would take effect 6 months after enactment.

Bill #08-0208 and #08-0209 impose a surcharge of 25¢ on every plastic bag (#08-0208) and paper bag (#08-0209) bags supplied by a dealer to a customer at the point of sale for use in carrying goods purchased by the customer. Excluded from the surcharge are size-limited bags that contain only certain items (fish, meat, ice, etc). Also excluded from the surcharge are bags designed for reuse and sold to the customer for not less than 99¢. Imposed surcharges must be itemized on receipts and remitted to the Director of Finance monthly or the dealer will be charged 1% interest per month and a 10% penalty in addition to the surcharge due. Violations will result in a fine up to \$1,000 and/or up to 6 months imprisonment. The Ordinance would take effect 6 months after enactment.

Elements of these "bag bills" have the potential to address the following goals of the Baltimore Sustainability Plan, as approved by City Council on March 2, 2009:

- Cleanliness Goal #1: Eliminate litter throughout the City of Baltimore;
- Pollution Prevention Goal #3: Ensure that Baltimore water bodies are fishable and swimmable;
- Resource Conservation Goal #3: Minimize the production of waste; and
- Resource Conservation Goal #4: Maximize reuse and recycling of materials.

Both a ban of and a surcharge on disposable bags would of course be inconsistent. The Commission strongly supports the use of reusable bags over disposable bags, regardless of the material with which the disposable bags are made. The widespread use of both disposable paper bags and disposable plastic bags is unsustainable from a lifecycle cost perspective. In addition, the Commission feels that disposable bags exacerbate Baltimore's litter and water quality problems. The Commission is concerned that placing a surcharge on only one type of bag will result in a comparable increase in the use of the other type of disposable bags and does not want to support a shifting from one unsustainable behavior to another. Additionally, the Commission would like to encourage partnerships with retailers and other private and public sector entities to raise consumer awareness surrounding reusable bags.

*Comments*



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RE: City Council Bills #08-0205, #08-0208, and #08-0209

Due to its commitment to waste minimization and litter elimination, CoS believes a uniform surcharge of 25¢ should be applied to both paper bags and plastic bags. The CoS thus recommends that Bill # 08-0208 and Bill # 0209 be combined to form one bill that imposes a charge for both paper and plastic disposable bags. If these two bills were so combined, Bill # 08-0205 would become incompatible and therefore should be withdrawn.

In addition, the Commission recommends that a portion of the surcharges collected be used to further goals of the sustainability plan.

CC: Cheryl Casciani, Chair, Sustainability Commission  
Andrew Frank, Deputy Mayor  
Angela Gibson, Mayor's Office  
Thomas J. Stosur, Department of Planning  
Sarah Zaleski, Office of Sustainability



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