

**CITY OF BALTIMORE  
COUNCIL BILL 10-0601  
(First Reader)**

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Introduced by: Councilmembers Kraft, Henry, President Young, Councilmembers Curran,  
Clarke

Introduced and read first time: September 20, 2010

Assigned to: Judiciary and Legislative Investigations Committee

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REFERRED TO THE FOLLOWING AGENCIES: Commission on Sustainability

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Plastic Bag Reduction Program – Deferring Start**

3 FOR the purpose of deferring the start of the Plastic Bag Reduction Program and the time within  
4 which dealers may enroll in the Program without an enrollment fee; and providing for a  
5 special effective date.

6 BY repealing and reordaining, without amendments

7 Article 15 - Licensing and Regulation

8 Section(s) 16-5

9 Baltimore City Code

10 (Edition 2000)

11 BY repealing and reordaining, with amendments

12 Article 15 - Licensing and Regulation

13 Section(s) 16-7

14 Baltimore City Code

15 (Edition 2000)

16 BY repealing and reordaining, with amendments

17 Ordinance 10-268

18 Section(s) 3

19 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
20 Laws of Baltimore City read as follows:

21 **Baltimore City Code**

22 **Article 15. Licensing and Regulation**

23 **Subtitle 16. Plastic Bag Reduction**

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 10-0601**

**§ 16-5. Limitations on checkout bags.**

(a) *Food dealers.*

- (1) Except as provided in paragraph (2) of this subsection, no food dealer may provide purchasers of any product with a plastic bag (other than a reusable plastic bag) for use as a checkout or carryout bag.
- (2) This section does not apply to a food dealer who enrolls in the Plastic Bag Reduction Program established under this subtitle and complies with the requirements of the Program.

(b) *All dealers.*

- (1) All dealers, whether of food or other goods, who offer to provide checkout or carryout bags must prominently post at their registers a policy of providing plastic bags only if requested by the customer.
- (2) §§ 16-10 {"Injunctive relief"}, 16-11 {"Enforcement by citation"}, and 16-13 {"Penalties"} do not apply to violations of this subsection.

**§ 16-7. Plastic Bag Reduction Program – Establishment and enrollment.**

(a) *Program established.*

There is a Plastic Bag Reduction Program, to be administered and enforced by the Director of the Office of Sustainability.

(b) *Enrollment fee.*

The enrollment fee for the Program is as follows:

- (1) Enrollment on or before [August 31] NOVEMBER 30, 2010 – No fee.
- (2) Enrollment on or after [September] DECEMBER 1, 2010 – \$500.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That the Laws of Baltimore City read as follows:

**Ordinance 10-268**

**SECTION 3. AND BE IT FURTHER ORDAINED,** That new Article 15, § 16-5 {"Limitations on checkout bags"}, takes effect on [September] DECEMBER 1, 2010; the rest of this Ordinance takes effect on the date this Ordinance is enacted.

**SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

**SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is enacted.