

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 10-0601

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

Committee Report: Favorable

Council action: Adopted

Read second time: October 4, 2010

AN ORDINANCE CONCERNING

Plastic Bag Reduction Program – Deferring Start

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

BY repealing and reordaining, without amendments

Article 15 - Licensing and Regulation

Section(s) 16-5

Baltimore City Code

(Edition 2000)

BY repealing and reordaining, with amendments

Article 15 - Licensing and Regulation

Section(s) 16-7

Baltimore City Code

(Edition 2000)

BY repealing and reordaining, with amendments

Ordinance 10-268

Section(s) 3

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

Baltimore City Code

Article 15. Licensing and Regulation

Subtitle 16. Plastic Bag Reduction

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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§ 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.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City