



City of Emmonak

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EMMONAK CITY COUNCIL ORDINANCE 10-09

AN ORDINANCE OF THE EMMONAK CITY COUNCIL AMENDING CHAPTER 3.16 OF THE EMMONAK CITY CODE AND FOR RELATED PURPOSES

WHEREAS: The Emmonak City Council has determined that the use of biodegradable carry-out bags within the City should be permitted; and

WHEREAS: The Emmonak City Council wishes to amend the City Code chapter relating to the use of plastic bags within the City to allow for the use of biodegradable carry-out bags.

NOW THEREFORE BE IT ENACTED, Section 8.04.010 of the Emmonak City Code is amended to read as follows, with deleted text in ~~strikethrough~~ and additions underlined:

8.04.010 Plastic bags – Uses prohibited.

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

B. It is unlawful for any person to use a plastic carry out bag, other than a biodegradable 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 other than biodegradable 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 out of a merchant's place of business 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 inches by sixteen 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.

D. As used in this chapter, the term "biodegradable" means a product that is capable of being decomposed by natural means and is certified by the product manufacturer or distributor as meeting one or more current standards for biodegradable classification applicable to U.S. products.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2010.

Jennifer Kameroff, Mayor

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2010.

Fortuna Manumik, City Clerk

ATTEST:

First Reading: 12/27/10
Second Reading: 1/Jan, Recm.