

Introduced By:  
Date:  
Public Hearing:  
Action:  
Vote:

Parker, Murphy  
March 28, 2018  
April 11, 2018

CITY OF SOLDOTNA  
ORDINANCE 2018-013

AN ORDINANCE AMENDING SOLDOTNA MUNICIPAL CODE TITLE 8 – HEALTH AND SAFETY TO  
ESTABLISH A NEW CHAPTER 8.06 – DISPOSABLE PLASTIC SHOPPING BAGS

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WHEREAS, the use of single-use-carry-out disposable plastic shopping bags in the City of Soldotna (City) burdens the environment, endangers wildlife, and has been shown to be harmful to bodies of water and problematic for solid waste management; and

WHEREAS, to decrease the number of littered disposable plastic shopping bags in the City, it is necessary to restrict general use; and

WHEREAS, it is in the best interest of the health, safety and welfare of all residents to restrict the use of single-use disposable plastic shopping bags; and

WHEREAS, plastic carry out bags do not biodegrade, create problematic environmental issues and frequently escape from trash containers and landfills creating a burden on residents and the City for clean-up;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOLDOTNA, ALASKA:

Section 1. Soldotna Municipal Code Title 8 is hereby amended by the addition of a new Chapter 8.06, Disposable Plastic Shopping Bags, to read as follows:

**Chapter 8.06 – DISPOSABLE PLASTIC SHOPPING BAGS**

Sections:

- 8.06.010 Purpose
- 8.06.020 Definitions
- 8.06.030 Single-Use Plastic Disposable Shopping Bag Prohibited

**8.06.010 Purpose**

The purpose of this chapter is to reduce the generation of waste from single-use plastic disposable shopping bags.

**8.06.020 Definitions**

Any word, term, or phrase not defined in this section shall have its ordinary and common meaning. The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

"Affected Establishment" means any retail or commercial business facility located inside the City of Soldotna that sells goods or prepared food directly to consumers including but not limited to grocery stores, pharmacies, retail stores, and restaurants.

"Single-Use Plastic Disposable Shopping Bag" means a bag made from any plastic (including plastics marked or labeled as "biodegradable" or "compostable") or any material not marked or labeled as "biodegradable" or "compostable" that is neither intended nor suitable for continuous reuse and that is less than 2.25 mils thick, designed to carry customer purchases from the seller's premises, except for: bags used by

customers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy, or small hardware items, such as nails and bolts; bags used to contain dampness or leaks from items such as frozen foods, meat, or fish, flowers or potted plants; bags used to protect prepared foods or bakery goods; bags provided by pharmacists to contain prescription drugs; newspaper bags, laundry, or dry cleaning bags; or bags sold for consumer use off the seller's premises for such purposes as the collection and disposal of garbage, pet waste, or yard waste.

#### **8.06.030 Single-Use Plastic Disposable Shopping Bag Prohibited**

- A. No affected establishment may provide to any customer a single-use plastic disposable shopping bag for the purpose of carrying away goods from the point of sale.
- B. No person may distribute single-use plastic disposable shopping bags at any city facility or any event held on city property.
- C. Any violation of this chapter shall be considered a minor offense punishable as provided in SMC 1.08.080.

Section 2. That SMC 1.05.080 Minor Offence Fine schedule is hereby amended to include the following offenses and fines:

Soldotna Municipal Code Reference	Offense	Fine
08.06.030	Distribution of single use, plastic disposable shopping bags.	\$300

Section 3. This ordinance shall become effective November 1, 2018.

ENACTED BY THE CITY COUNCIL THIS 11TH DAY OF APRIL, 2018.

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Nels Anderson, Mayor

ATTEST:

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Michelle M. Saner, MMC, City Clerk

Yes:  
No:  
Absent:

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**MEMORANDUM**

**TO:** Mayor Anderson and Members of the City Council  
**FROM:** Lisa Parker, Council Member and Linda Murphy, Vice Mayor  
**DATE:** March 28, 2018  
**SUBJECT:** Ordinance 2018-013 - Amending Soldotna Municipal Code Title 8 – Health and Safety to Establish a New Chapter 8.06 – Disposable Plastic Shopping Bags

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Over the past few years Soldotna has significantly improved the aesthetics of our community, including improvements to signs, upgrades to city parks and the addition of more festivities for the enjoyment of residents and visitors alike.

Recently, the Gganitshit Dena'ina Youth Council sent an invitation to come to the viewing of the documentary "Bag It", discussing the effect plastic has on our waterways, oceans, and bodies. Based on the request from the Youth Council and Soldotna residents, Vice Mayor Murphy and I request you support the introduction of Ordinance 2018-013 – Disposable Plastic Shopping Bags.

The proposed ordinance was adapted from the ordinance enacted by the City of Wasilla. Unlike many ordinances that are effective immediately, the proposed ordinance has an effective date of November 1, 2018 giving businesses the opportunity to make the transition.

While there are countless reasons for cutting down on the number of plastic bags, some primary reasons for elimination include:

1. They are unsightly – how often do we see the bags blowing across the road, in a parking lot or floating down the Kenai River.
2. They are bad for wildlife – plastic bags can choke or poison birds, fish and animals. Particularly vulnerable are marine life, like our Cook Inlet Beluga Whales.
3. They take years to decompose.

The City Manager and I have had the opportunity to visit with some of the local businesses to discuss the ordinance. While there has been no outright opposition, businesses have requested the ordinance not take effect immediately, giving them and their staff time to inform shoppers of the upcoming change. Additionally, we've discussed working with the Soldotna Chamber of Commerce to deliver the message.

**Informational:**

City of Hopper Bay currently has a plastic bag ban in effect.

City of Bethel in 2012 enacted a law that requires all plastic bags be biodegradable. The biodegradable capabilities vary from each biodegradable bag type and some do not biodegrade in the Alaska climate.

City of Homer enacted a law banning plastic bags in August of 2012, with an effective date of January 1, 2013. In February of 2013 a citizen's referendum was filed and in October of 2013 the voters of the City of Homer repealed the plastic bag ban.

City of Wasilla enacted a law banning plastic bags in January of 2018, with an effective date of July 1, 2018.

