

Memo

TO: Conservation and Climate Outreach Commission
DATE: September 23, 2020
RE: Bag Ban Ordinance Update

On March 17, 2020, the Ashland City Council approved second reading of Ordinance No. 3182 an ordinance relating to checkout bags; repealing and replacing AMC Chapter 9.21. Ordinance No. 3182 replaced the definitions, requirements and restrictions that were listed in AMC Chapter 9.21 (enacted in 2014 by Ordinance No. 3094) with those set forth in House Bill (HB) 2509 but maintained a charge of ten cents per paper bag. It should be noted that HB 2509 does allow for reusable plastic bags defined as “made from durable plastic at least 4 mils thick and is specifically designed for multiple uses”. See pages 3 and 4 of League of Oregon Cities FAQ linked below for more details on allowed bags.

The City is not currently enforcing the bag ban even with the changes. This is mainly due to the COVID-19 pandemic and some retailers banning reusable bags. An update on April 21, 2020 from ODEQ stated that while the State has not reversed HB 2509, some stores might run out of paper bags and need to use plastic ones. ODEQ asked local governments not to penalize grocers and others for not using plastic bags during the pandemic.

References and Further Reading:

- 1) [Ordinance No. 3182 An Ordinance Relating to Checkout Bags; Repealing and Replacing AMC Chapter 9.21](#)
- 2) Second Reading of Ordinance No. 3182 [Staff Report, Minutes](#)
- 3) [Ordinance No. 3094 An Ordinance Adopting a Prohibition on the Distribution of Single Use Plastic Bags](#)
- 4) [ODEQ Single-Use Bag Ban Page with Updates](#)
- 5) [League of Oregon Cities FAQ on Single-Use Plastic Bags and Straws, September 2020](#)

