

# ASHLAND CONSERVATION COMMISSION

## Meeting Agenda

6:00-8:00pm – September 25, 2013

Community Development Building, Siskiyou Room  
51 Winburn Way



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1. 6:00      **Call to Order**
  
  2. 6:00      **Consent Agenda / Reports** (5 min)
    - 2.1.    Minutes Aug 28<sup>th</sup> meeting
  
  3. 6:05      **Announcements** (10 min, 1 minute per member)
    - 3.1. Next Regular Meeting: 23<sup>rd</sup> October 2013
    - 3.2. Upcoming Sub-committee meetings for Oct/Nov
    - 3.3. Other Announcements from Commissioners
      - 3.3.1.    Bear Creek Salmon Festival – Oct 5<sup>th</sup> 8:00 AM
  
  4. 6:15      **Public Forum** (10 min to be evenly divided by public wishing to speak)
  
  5. 6:25      **Reports**
    - 5.1.    Council - Councilor Rosenthal (5 min)
    - 5.2.    City Staff – Hanks (5 min)
    - 5.3.    Ashland School Quarterly Report – Hartman (5 min presentation, 5 min questions)
    - 5.4.    Sustainability Sub-Committee – McGinnis (20 min including questions)
  
  6. 7:05      **Old Business**
    - 6.1.    “Bring Your Own Bag” Policy (Plastic Bag Ban) – Buck/Silverberg – (20 min with questions)
  
  7. 7:25      **New Business**
    - 7.1.    Car Washing Best practices / Signage for Anti Idling – Gould (20 min with questions)
    - 7.2.    Discussion and approval of Salmon Festival information to be presented by Beam and Weir (5 min)
  
  8. 7:50      **Wrap Up**
    - 8.1.    Review of goal assignments (5 min)
    - 8.2.    Items to be added to next agenda (5 min)
    - 8.3.    Adjournment (8 PM)

# ASHLAND CONSERVATION COMMISSION

## Meeting Minutes

6:00-8:00pm – August 28, 2013

Community Development Building, Siskiyou Room

51 Winburn Way

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### 1. Call to Order

Meeting called to order at 6:00 by Commission Chair Weir. In attendance: McGinnis, Hartman, Buck, Beigel-Coryell, Silverberg, Weir. Staff – Hanks

### 2. Consent Agenda / Reports

Commissioner Weir mentioned the consent items in the packet. Buck motioned approval of the July 24, 2013 meeting minutes, second by Beigel-Coryell

### 3. Announcements

Weir noted the next regular meeting date for the Commission was September 25<sup>th</sup>. McGinnis stated that the Sustainability sub-committee will be meeting on the 4<sup>th</sup> and 18<sup>th</sup> of September at 2:00. Buck mentioned that the BYOB sub-committee will meet on Sept 16<sup>th</sup>. Weir also noted that he and Silverberg were scheduled as the guests on Mayor Stromberg's Town Hall program on RVTV on Sept 11<sup>th</sup>. Hanks mentioned that the Conservation Division's new electric vehicle is in use and available to look over after the meeting.

### 4. Public Forum

N/A

### 5. Reports

Councilor Rosenthal reported to the Commission that the Council will be discussing how their goalsetting process connects with Commissions and how best to ensure the Commission work is understood, communicated and relatable to the overall goals of the Council. McGinnis suggested and encouraged an annual review/report for the Commission to describe its goals and get feedback from Council about how it fits with overall Council goals. Councilor Rosenthal thanked the Commission for its input and committed to keep the Commission informed as the issue moved forward.

Commissioner Beam, the Commission's representative to the Council working group on the Recology Franchise Agreement was not in attendance so Weir asked Hanks to provide an update on the process. Hanks stated that the Council will be reviewing the draft franchise and resolution, slightly modified from the version in the Commission's July packet, in their September 16<sup>th</sup> study session and will be deliberating on the first reading of the ordinance at the September 17<sup>th</sup> business meeting. Hanks noted that the working group will be meeting August 29<sup>th</sup> and with

Beam not available, the Commission may want to designate someone to attend. The Commission agreed to have Silverberg represent the Commission at that meeting. Hanks also referred to the memo in the packet that resulted from Commission discussion at the June meeting that was provided to the working group for their consideration prior to the final draft document going to the Council.

## **6. Old Business**

### BYOB – Plastic Bag Ban

Buck and Silverberg presented the preliminary direction the BYOB sub-committee is taking in regards to the Council request to research and provide recommendation on the recent request for the City of Ashland to institute a plastic bag ban. Hanks referred the Commission to a memo from the sub-committee in the meeting packet that summarized the direction of the sub-committee. Buck mentioned that the sub-committee wants to ensure that regulations move in a positive direction and are encouraging good behavior, not just punishing the discouraged behavior.

The Commission discussed ways to education the community including the creation and distribution of free reusable bags as positive outreach. Hanks noted Weir's research indicating the importance of including a fee for the paper bags to further move towards the desired behavior change of reusable bags rather than either plastic or paper..

Hartman commented that he would like the recommendation to give a realistic purpose statement for the plastic ban, such as the litter issue and the problems plastic bags present to the recycling process, rather than the ocean issues stated by Environment Oregon.

Councilor Rosenthal mentioned that he feels it is important to include and emphasize the rationale for having the regulation and stated that he felt the work done to this point by the sub-committee was in alignment with his expectations.

McGinnis motioned for the Commission to accept the scope and direction of the memo provided by the sub-committee as presented. Second was provided by Hartman with the motion passing unanimously.

### Energy/Community Outreach

Silverberg stated that he became interested in researching possible project work for the Commission in this area from the TED talk presentation that was distributed via YouTube link to the Commission from OPower, a software firm that promotes active customer engagement in understanding and managing their electricity consumption.

Hanks noted that the Conservation Division has a very similar project identified and approved for funding in the current budget cycle and will be developing and issuing a request for proposals (RFP) in the upcoming months. Silverberg inquired about the marketing/rollout of the project and Hanks responded that the project timing and deliverables will be determined after the review and acceptance of the responses to the RFP. Weir asked that the Commission be kept updated on the project, Hanks agreed.

**7. New Business**

N/A

**8. Wrap Up**

Meeting adjourned by Chair Weir at 8:05

# Memo

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DATE: September 20, 2013  
TO: City Council  
FROM: Conservation Commission  
RE: Bring Your Own Bag (BYOB) Recommendations

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At its July 16, 2013 regular business meeting, Council moved to refer to the Conservation Commission the request by Environment Oregon that the City of Ashland prohibit the use of single use plastic bags. Councilor Rosenthal, as Council Liaison to the Commission, provided the Commission with further context on the Council's request at the regular Conservation Commission meeting of July 24, 2013.

At that meeting, the Commission formed and appointed an ad hoc subcommittee to meet and develop a recommendation to be presented to Council before the end of 2013 containing the following:

- A pro's/con's report on the merits and impacts of the Environment Oregon proposal
- Research/feedback from local businesses that have voluntarily eliminated plastic bags as a customer bagging option.
- A process to implement the proposed recommendation

## **Draft Recommendation**

Based on initial research by sub-committee members, interviews with local grocery businesses that have eliminated plastic bags and reviews of other cities that have enacted similar regulations, the sub-committee concluded that a plastic bag ban for end consumer merchandise carry-out is an effective initial focused step towards a comprehensive waste prevention strategy for Ashland.

## **Purpose/Objective**

While single use plastic bags represent one discrete element of the local waste stream, the Commission feels that single use plastic bags are a particularly visible reminder of the negative impacts of products specifically designed for a one time use. The prohibition of single use plastic bags, coupled with a charge for the use of paper bags is intended to shift behavior and promote the use of reusable bags.

## **Economic and Environmental Impacts**

In its research to determine the approximate volume of plastic bags used each year in its community, the City of Eugene utilized estimated an annual single use plastic bag count of 433 bags per person per year. That would equate to over nine million single use plastic bags per year. The Commission recognizes that a good percentage of Ashland's larger grocery businesses have voluntarily enacted policies that most likely drive down the calculated estimate significantly. However, even if Ashland utilizes half of



the estimate, four to five million single use plastic bags is a significant volume. With a very low recycling rate for this specific material, the logical conclusion is that nearly all of this total ends up in the waste stream or as litter impacting water, soils, wildlife and the physical aesthetic of Ashland and surrounding lands.

As directed by Mayor Stromberg, the sub-committee contacted four of Ashland's larger grocery stores that have voluntarily enacted policies relating to plastic bag use. Each have implemented different tactics to encourage customers to shift to reusable bags. When asked about a potential regulation for the whole community regarding plastic bags, each were generally supportive in the concept and would be interested in the nuances of the regulation to determine possible impacts and process alterations for their operations.

Most, if not all, of the ordinances researched include a phase in period to allow local businesses to utilize their existing stock of materials to mitigate the financial impacts of the regulations and provide ample time to communicate and implement the new regulations.

### **Suggested Ordinance Elements**

Key elements of an effective program to shift user habits from single use plastic bags to consumer provided reusable bags should contain the following:

- A fee charged for customers requesting a paper bag to prevent an equally wasteful shift from single use plastic bags to single use paper bags.
- A requirement or incentive to offer reusable bags for sale at a discounted rate or for the City to provide community endorsed "Ashland BYOB" bags purchased by the City in bulk
- A strong educational/outreach program to educate affected businesses about the regulations
- A six month "phase-in" time for businesses to adequately prepare for the new regulation
- Clear definitions and reasonable exemptions based on public safety and other existing regulatory requirements in place by other governing agencies, including:
  - Fruit/vegetable bags
  - Bulk/package food bags
  - Frozen food, meat, fish bags
  - Hot prepared take out/liquids
  - Flowers, plants other damp products
  - Plastic bags with thickness of 4.0 mils or greater
- A commitment to timely and effective compliance efforts from the City
- Annual reporting to the City by regulated businesses verifying their compliance and identifying key metrics including, paper bag fee collection, paper bag reduction/increase from previous year, number of reusable bags sold, etc
- An annual review and report of the regulation and program to ensure it is working as intended and to identify any modification needed.

### **Model Ordinance**

Rather than enact the model ordinance provided by Environment Oregon, the sub-committee found that the City of Eugene ordinance (adopted October 2012) and its companion education and outreach



ORDINANCE NO. 20498

AN ORDINANCE ENCOURAGING THE USE OF REUSABLE BAGS,  
BANNING SINGLE-USE PLASTIC CARRYOUT BAGS, AND ADDING  
SECTIONS 6.850, 6.855, 6.860, AND 6.865 TO THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

**Section 1.** Sections 6.850, 6.855, 6.860, and 6.865 of the Eugene Code, 1971, are added to provide as follows:

**6.850 Plastic Bag Use - Definitions.** For purposes of sections 6.850 to 6.865 of this code, the following words and phrases mean:

**ASTM standard.** The American Society for Testing and Materials (ASTM)'s International D-6400.

**Carryout bag.** Any bag that is provided by a retail establishment at the point of sale to a customer for use to transport or carry away purchases, such as merchandise, goods or food, from the retail establishment. "Carryout bag" does not include:

- (a) Bags used by consumers inside retail establishments to:
  - 1. Package bulk items, such as fruit, vegetables, nuts, grains, candy or small hardware items;
  - 2. Contain or wrap frozen foods, meat, fish, whether packaged or not;
  - 3. Contain or wrap flowers, potted plants, or other items where dampness may be a problem;
  - 4. Contain unwrapped prepared foods or bakery goods; or
  - 5. Pharmacy prescription bags;
- (b) Laundry-dry cleaning bags or bags sold in packages containing multiple bags intended for use as garbage waste, pet waste, or yard waste bags;
- (c) Product bags.

**City sponsored event.** Any event organized or sponsored by the city or any department of the city.

**Customer.** Any person obtaining goods from a retail establishment or from a vendor.

**Food provider.** Any person in the city that provides prepared food for public consumption on or off its premises and includes, without limitation, any retail establishment, shop, sales outlet, restaurant, grocery store, delicatessen, or catering truck or vehicle.

**Grocery store.** Any retail establishment that sells groceries, fresh, packaged, canned, dry, prepared or frozen food or beverage products and similar items and includes supermarkets, convenience stores, and gasoline stations.

**Pharmacy.** A retail use where the profession of pharmacy by a pharmacist licensed by the state of Oregon's Board of Pharmacy is practiced and where prescription medications are offered for sale.

**Product bag.** Any bag provided to a customer for use within a retail establishment to assist in the collection or transport of products to the point of sale within the retail establishment. A product bag is not a carryout bag.

**Recyclable paper bag.** A paper bag that meets all of the following requirements:

- (a) Is 100% recyclable and contains a minimum of 40% recycled content;
- (b) Is capable of composting consistent with the timeline and specifications of the ASTM Standard as defined in this section.

**Retail establishment.** Any store or vendor located within or doing business within the geographical limits of the city that sells or offers for sale goods at retail.

**Reusable bag.** A bag made of cloth or other material with handles that is specifically designed and manufactured for long term multiple reuse and meets all of the following requirements:

- (a) If cloth, is machine washable; or
- (b) If plastic, has a minimum plastic thickness of 4.0 mils.

**Vendor.** Any retail establishment, shop, restaurant, sales outlet or other commercial establishment located within or doing business within the geographical limits of the city, which provides perishable or nonperishable goods for sale to the public.

**Single-use plastic carryout bag.** Any plastic carryout bag made available by a retail establishment to a customer at the point of sale. It does not include reusable bags, recyclable paper bags, or product bags.

**Undue hardship.** Circumstances or situations unique to the particular retail establishment such that there are no reasonable alternatives to single-use plastic carryout bags or a recyclable paper bag pass-through cannot be collected.

**6.855 Plastic Bag Use - Regulations.** Except as exempted in section 6.865 of this code:

- (a) No retail establishment shall provide or make available to a customer a single-use plastic carryout bag;
- (b) No person shall distribute a single-use plastic carryout bag at any city facility, city managed concession, city sponsored event, or city permitted event.

**6.860 Plastic Bag Use - Cost Pass-Through.** When a retail establishment makes a recyclable paper bag available to a customer at the point of sale pursuant to section 6.865(b) of this code, the retail establishment shall:

- (a) Charge the customer a reasonable pass-through cost of not less than 5 cents per recyclable paper bag provided to the customer; and
- (b) Indicate on the customer's transaction receipts the total amount of the recyclable paper bag pass-through charge.

**6.865 Plastic Bag Use - Exemptions.** Notwithstanding sections 6.855 and 6.860 of this code:

- (a) Single-use plastic carryout bags may be distributed to customers by food providers for the purpose of safeguarding public health and safety during the



transportation of hot prepared take-out foods and prepared liquids intended for consumption away from the food provider's premises.

- (b) Retail establishments may distribute product bags and make reusable bags available to customers whether through sale or otherwise.
- (c) A retail establishment shall provide a reusable bag or a recyclable paper bag at no cost at the point of sale upon the request of a customer who uses a voucher issued under the Women, Infants and Children Program established in the Oregon Health Authority under ORS 409.600.
- (d) Vendors at retail fairs such as a farmers' market or holiday fair are not subject to indicating on the customer's transaction receipt the total amount of the recyclable paper bag pass through charge required in section 6.860(b) of this code.
- (e) The city manager or the designee may exempt a retail establishment from the requirement set forth in sections 6.855-6.860 of this code for a period of not more than one year upon the retail establishment showing, in writing, that this code would create an undue hardship or practical difficulty not generally applicable to other persons in similar circumstances. The decision to grant or deny an exemption shall be in writing, and the city manager's or designee's decision shall be final.

**Section 2.** The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

**Section 3.** Enforcement of this Ordinance shall begin six months after its adoption to allow time for community education and to allow businesses sufficient time to implement the program.

**Passed by the City Council this**

**22<sup>nd</sup> day of October, 2012**



\_\_\_\_\_  
City Recorder

**Approved by the Mayor this**

**29 day of October, 2012**



\_\_\_\_\_  
Mayor



## City of Eugene Bring Your Bag FAQ - RETAILERS

In an effort to promote reusable shopping bags and reduce litter, the City of Eugene joins other cities — including Corvallis, Portland, San Francisco, Seattle, and Austin — in encouraging the use of reusable bags by banning single-use plastic carryout bags within city limits beginning May 1, 2013. Eugeneans use an estimated 67 million single-use plastic carryout bags each year. Single-use plastic carryout bags may offer short-term convenience, but they have long-term costs in terms of litter and impact on wildlife and the environment. As a result of the new law ([Eugene Ordinance 20498](#)), fewer unnecessary plastic carryout bags will litter Eugene neighborhoods, parks, and natural areas.

### **When are retailers required to stop providing single-use plastic carryout bags?**

City of Eugene retailers will be required to stop providing single-use plastic carryout bags to customers on May 1, 2013 when the new ordinance goes into effect. However, retailers can begin the transition at any time before this date.

### **What businesses does this apply to?**

All retail businesses, including grocery stores, department and clothing stores, convenience stores and local markets located within the City of Eugene will be required to provide only recycled paper bags or reusable bags as carryout bags for customers.

### **What about farmers' markets, street fairs, festivals, and events?**

The ordinance requires compliance from any store, shop, sales outlet, or vendor located within the City of Eugene that sells goods at retail. These types of establishments fall under that definition and are required to comply.

### **How will the City follow up with store owners and help them prepare for the ban?**

The City will be working with businesses as they transition away from using single-use plastic carryout bags. Several information sessions for businesses will be held in April to answer questions about the new rules and more information is available on the City's website, [www.eugene-or.gov/plasticbags](http://www.eugene-or.gov/plasticbags), or by calling 541-682-5652.

### **What plastic bags are prohibited?**

All single-use plastic carryout bags provided at the point of sale that are less than 4 mils thick are prohibited. Bags constructed of durable plastic (4 mils or thicker) are considered reusable and are allowed.

### **What is a 'mil'?**

A 'mil' is a plastics industry term for a thousandth of an inch. It does not stand for 'millimeter.'

**Can I provide plastic bags made of compostable materials?**

Not if they are less than 4 mils thick.

**What types of plastic bags are allowed?**

The follow types of plastic bags are allowed:

- Bags used to package bulk items, such as fruit, vegetables, nuts, grains, candy, or small hardware items;
- Bags that contain or wrap frozen foods, meat, and fish;
- Bags that contain or wrap flowers, potted plants, or other items where dampness may be a problem;
- Bags that contain unwrapped prepared foods or bakery goods;
- Pharmacy prescription bags;
- Bags that protect fragile items, such as glassware and breakables, which are then placed in a carryout bag.

**Can I provide paper bags at the point of sale?**

Yes. All paper bags provided at the point of sale must be made of 40% recycled content and be 100% recyclable, and must be capable of composting completely. In addition, your store must charge a minimum of 5 cents for each paper bag provided at the point of sale. Paper bags provided at a time other than the point of sale do not require a 5-cent charge.

**Do I have to charge my customers for all paper bags?**

No. But any size paper bag supplied to the customer at *the point of sale* must have a minimum 5-cent charge.

**What does the five cent charge for paper bags go toward?**

The five cent charge goes back to the retailer to recoup costs.

**Is it necessary for my store to keep a record of how many paper and reusable bags sold?**

Yes, every retailer is required to maintain records showing pass-through fees collected on paper bags. Records should be kept for three years.

**Can retailers provide “reusable” plastic bags?**

Yes. Reusable bags are made out of durable materials specifically designed and manufactured for multiple reuse. Reusable plastic bags are at least 4 mils thick. They may be provided free or charged for at the store’s discretion.

**Am I required to provide reusable bags or recyclable paper bags at checkout?**

No. You may choose to provide either, both, or neither. If you provide paper bags, you must charge at least five cents for each bag. If your store provides reusable plastic bags, the bags must be at least 4 mils thick to be considered “reusable.”

**Are stores required to charge five cents for the 4+ mil heavy-weight plastic bags?**

No, retailers do not have to charge for the 4+ mils thicker plastic bags permitted by the ordinance.

**What about bags that are almost 4 mils thick?**

Should a question arise, retailers should be prepared to show that the bags they are using are 4 mils thick or greater. It might be a good idea for retailers to ask bag suppliers to include the thickness of the bag on invoices.

**Is there a requirement for recycled content in paper bags?**

Only for paper bags offered at checkout, which must contain a minimum of 40% recycled content, must be 100% recyclable, and must be capable of composting completely.

**Are any businesses exempt from the ban?**

Yes. Restaurants and other establishments where the primary business is the preparation of food or drink may provide customers with single-use plastic carryout bags for hot, prepared takeout foods and liquids.

**The ordinance allows a restaurant to use plastic bags for hot, prepared takeout food. If a restaurant wants to use paper bags instead, does the restaurant have to charge five cents per bag?**

The intent of the ordinance was to move away from plastic bags. The goal is to use reusable bags rather than paper bags, but the even greater goal is to avoid using plastic bags. City staff will be asking the Council during a review of the ordinance later this year to clarify that a restaurant can use paper bags for hot, prepared takeout food without charging five cents per bag. Until staff are able to ask the Council to clarify the ordinance, the City will not take enforcement action against a restaurant which chooses to provide – without charge – paper bags rather than plastic bags for hot, prepared take-out food. As stated in the ordinance, paper bags must contain 40% recycled content.

**Are grocers' deli counters exempt like restaurants that serve hot, prepared takeout foods?**

Yes. Hot, prepared takeout foods such as roasted chicken and soups can be placed in protective plastic bags at the deli counter as needed to prevent leaks or spills.

**If restaurants are selling items other than hot, prepared takeout foods are the bags they use still exempt?**

No. If the items being purchased are not prepared hot, prepared takeout foods, then single-use plastic carryout bags less than 4 mils thick may not be used.

**How can I apply for a business undue hardship exemption?**

If you feel that your business qualifies for a one-year exemption from the ordinance requirements, you may submit an Exemption Request to the City of Eugene at [wasteprevention@ci.eugene.or.us](mailto:wasteprevention@ci.eugene.or.us) or Waste Prevention Program, 99 West 10<sup>th</sup> Avenue, Eugene, OR 97401. This request must be submitted in electronic or paper form and include the following information:

1. The name, address, and type of retail establishment;
2. A detailed statement describing:
  - a. The reason(s) meeting the code requirements would create an undue hardship or practical difficulty;
  - b. Any and all actions taken by the business to overcome the hardship;
  - c. How often the business purchases single-use plastic carryout bags, when the last order of bags was made, and how many bags were ordered.
3. If a business is requesting an exemption for multiple locations, each location must be identified within the request.

**When does the undue hardship exemption expire?**

The undue hardship exemption expires April 30, 2014.

**Are any customers exempt from the five cent charge on paper bags?**

Yes. Customers who use a voucher issued under the Women, Infants, and Children (WIC) Program may request a paper bag at no cost at the point of sale. Only the WIC items purchased with a WIC voucher are exempt from the five cent bag charge. This exemption does not apply to Supplemental Nutrition Assistance Program (SNAP/food stamp/Oregon Trail) participants.

**Can an Electronic Benefit Transfer (SNAP or food stamp) card cover the five cent fee for paper bags?**

Recently some states have begun charging customers a fee for each shopping bag (plastic and/or paper) provided by a grocery store. Other states are considering charging grocery bag fees as well. State's grocery bag fees may **not** be paid for with SNAP benefits. In addition, the Food and Nutrition Service does not have authority to exempt SNAP clients from this fee. Therefore, grocery bag fees must be paid for using cash, credit card, or non-SNAP debit. Stores that give discounts at the point-of-sale if customers bring their own bags must treat SNAP clients in the same manner.

**What are the environmental impacts of this new ordinance?**

Removing the majority of plastic bags from the retail landscape requires community members to utilize reusable bags more often. The switch from single-use bags to reusable bags has the impact of lessening the life cycle impacts of plastic bag production, a decrease in greenhouse gas emissions associated with production and transport of the bags, and less material in our local landfill, and less litter in our woods, streams, and natural areas.

**What will the statewide ban do to Eugene's ban?**

Currently there is no statewide ban on plastic bags. If a statewide ban goes into effect, the City will determine the best way to move forward.

**How will this law be enforced?**

Similar to other city rules, the plastic bag ban will be enforced on a complaint-driven basis. The City of Eugene is taking an educational approach regarding this ordinance. If community members call and complain, City staff will talk to the retailer about the law and explain what is needed to comply. If it becomes clear a retailer is intentionally not complying they will be fined. To report a violation, please fill out a [nuisance complaint form](#).

**What are the penalties for businesses if they do not comply with the ordinance?**

The penalties for violating the new law will be consistent with other penalties outlined in Eugene Code. The amount of the fine is based on a number of factors, including barriers to compliance, frequency of violation, and efforts to comply; it is determined on a case-by-case basis.

**How can shoppers keep their reusable shopping bags clean and safe?**

A 2010 study showed that 97% of shoppers have never washed their reusable bags. There are a few simple steps shoppers can follow to keep reusable bags clean and to keep themselves and their families safe from germs. Wash reusable grocery bags at least once per month:

- Cloth reusable bags should be washed in a washing machine using laundry detergent and dried in the dryer or air-dried.
- Plastic-lined reusable bags should be wiped using hot water and soap and air-dried.

- Check that both cloth and plastic-lined reusable bags are completely dry before storing them.

Always put raw meats into a disposable plastic bag before putting them in a reusable bag. When using reusable bags, keep meats, fresh produce, and ready-to-eat foods separated from other food products. Additionally, consumers should clean any reusable bags used for carrying food before using for other purposes such as carrying books or gym clothes.

**How can I remind customers to remember to bring their reusable bags to the store?**

Here are a few useful tips you can tell your customers:

- “Bring Your Bag” reminders in the parking lot and store front to remind customers as they enter the building. City of Eugene can provide all Bring Your Bag logo graphic files free of charge.

**I have a bag giveaway event I would like to publicize. How can I do that?**

The City of Eugene will keep an updated list of stores giving away free or reduced price bags. To get your event on the list, please email all necessary information to [Stephanie.scafa@ci.eugene.or.us](mailto:Stephanie.scafa@ci.eugene.or.us).



## City of Eugene Bring Your Bag FAQ - SHOPPERS

In an effort to promote reusable shopping bags and reduce litter, the City of Eugene joins other cities — including Corvallis, Portland, San Francisco, Seattle, and Austin — in encouraging the use of reusable bags by banning single-use plastic carryout bags within city limits beginning May 1, 2013. Eugeneans use an estimated 67 million single-use plastic carryout bags each year. Single-use plastic carryout bags may offer short-term convenience, but they have long-term costs in terms of litter and impact on wildlife and the environment. As a result of the new law ([Eugene Ordinance 20498](#)), fewer unnecessary plastic carryout bags will litter Eugene neighborhoods, parks, and natural areas.

### **When are retailers required to stop providing single-use plastic carryout bags?**

The Bring Your Bag campaign begins May 1, 2013. At this time, retailers will be required to stop providing single-use plastic carryout bags to customers. However, retailers can begin the transition at any time before May 1.

### **What businesses does this apply to?**

All retail businesses, including grocery stores, department and clothing stores, convenience stores and local markets located within the City of Eugene will be required to provide only recycled paper bags or reusable bags as carryout bags for customers.

### **What about farmers' markets, street fairs, festivals, and events?**

The ordinance requires compliance from any store, shop, sales outlet, or vendor located within the City of Eugene that sells goods at retail. These types of establishments fall under that definition and are required to comply.

### **What plastic bags are prohibited?**

All single-use plastic carryout bags provided at the point of sale that are less than 4 mils thick are prohibited. Bags constructed of durable plastic (4 mils or thicker) are considered reusable and are allowed. A 'mil' is an industry term that equals one thousandth of an inch.

### **What types of plastic bags are allowed?**

The following types of plastic bags are allowed:

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- Bags that contain unwrapped prepared foods or bakery goods;

- Pharmacy prescription bags;
- Bags that protect fragile items, such as glassware and breakables, which are then placed in a carryout bag.

**Can retailers provide paper bags?**

Yes. All paper bags provided at checkout must be made of 40% recycled content and be 100% recyclable, and must be capable of composting completely. In addition, retailers must charge a minimum of five cents for each paper bag provided at the point of sale. Paper bags provided at a time other than the point of sale do not require a five cent charge.

**What does the five cent charge for paper bags go toward?**

The cent charge goes back to the retailer to recoup costs.

**Are retailers required to provide reusable bags or recyclable paper bags at checkout?**

No. Retailers may choose to provide either, both, or neither. If they provide paper bags, they must charge at least five cents for each bag. If they provide reusable plastic bags, they must be at least 4 mils thick to be considered “reusable.”

**Can retailers provide plastic bags made of compostable materials?**

Not if they are less than 4 mils thick.

**Are any businesses exempt from the ban?**

Yes. Restaurants and other establishments where the primary business is the preparation of food or drink may provide customers with single-use plastic carryout bags for hot, prepared takeout foods and liquids.

**The ordinance allows a restaurant to use plastic bags for hot, prepared takeout food. If a restaurant wants to use paper bags instead, does the restaurant have to charge five cents per bag?**

The intent of the ordinance was to move away from plastic bags. The goal is to use reusable bags rather than paper bags, but the even greater goal is to avoid using plastic bags. City staff will be asking the Council during a review of the ordinance later this year to clarify that a restaurant can use paper bags for hot, prepared takeout food without charging five cents per bag. Until staff are able to ask the Council to clarify the ordinance, the City will not take enforcement action against a restaurant which chooses to provide – without charge – paper bags rather than plastic bags for hot, prepared take-out food. As stated in the ordinance, paper bags must contain 40% recycled content.

**If restaurants are selling items other than hot, prepared takeout foods are the bags they use still exempt?**

No. If the items being purchased are not prepared hot, prepared takeout foods, then single-use plastic carryout bags less than 4 mils thick may not be used.

**Are grocers’ deli counters exempt like restaurants that serve hot, prepared takeout foods?**

Yes. Hot, prepared takeout foods such as roasted chicken and soups can be placed in protective plastic bags at the deli counter as needed to prevent leaks or spills.



**How will the City help shoppers prepare for this?**

The Bring Your Bag campaign focuses on raising awareness about reusing bags, helping residents remember their reusable bags when shopping, and connecting residents with resources to get free or reduced price bags. This campaign begins mid-March and is on-going.

**Are any customers exempt from the five cent charge on paper bags?**

Yes. Customers who use a voucher issued under the Women, Infants, and Children (WIC) Program may request a paper bag at no cost at the point of sale. Only the WIC items purchased with a WIC voucher are exempt from the five cent bag charge. This exemption does not apply to Supplemental Nutrition Assistance Program (SNAP/food stamp/Oregon Trail) participants.

**Can an Electronic Benefit Transfer (SNAP or food stamp) card cover the five cent fee for paper bags?**

Recently some states have begun charging customers a fee for each shopping bag (plastic and/or paper) provided by a grocery store. Other states are considering charging grocery bag fees as well. State's grocery bag fees may **not** be paid for with SNAP benefits. In addition, the Food and Nutrition Service does not have authority to exempt SNAP clients from this fee. Therefore, grocery bag fees must be paid for using cash, credit card, or non-SNAP debit. Stores that give discounts at the point-of-sale if customers bring their own bags must treat SNAP clients in the same manner.

**Where can I get free or reduced price bags?**

Certain stores and organization are giving away free reusable bags. To find a listing of these locations, please visit [our website](#).

**What are the environmental impacts of this new ordinance?**

Removing the majority of plastic bags from the retail landscape requires community members to utilize reusable bags more often. The switch from single-use bags to reusable bags has the impact of lessening the life cycle impacts of plastic bag production, a decrease in greenhouse gas emissions associated with production and transport of the bags, and less material in our local landfill, and less litter in our woods, streams, and natural areas.

**What will the statewide ban do to Eugene's ban?**

Currently there is no statewide ban on plastic bags. If a statewide ban goes into effect, the City will determine the best way to move forward.

**How will this law be enforced?**

The City of Eugene is taking an educational approach regarding this ordinance. If community members call and complain, City staff will talk to the retailer about the law and explain what is needed to comply. If it becomes clear a retailer is intentionally not complying they will be fined.

**What if I notice a store is violating the ordinance?**

Similar to other city rules, the plastic bag ban will be enforced on a complaint-driven basis. The City of Eugene is taking an educational approach regarding this ordinance. If community members call and complain, City staff will talk to the retailer about the law and explain what is needed to comply. If it becomes clear a retailer is intentionally not complying they will be fined. To report a violation, please fill out a [nuisance complaint form](#).

**What are the penalties for businesses if they do not comply with the ordinance?**

The penalties for violating the new law will be consistent with other penalties outlined in the Eugene Code. The amount of the fine is based on a number of factors, including barriers to compliance, frequency of violation, and efforts to comply; it is determined on a case-by-case basis.

**What are options for typical secondary plastic bag uses?**

- *Dealing with pet waste:* There will still be many plastic bags in circulation. You can continue to use bread bags, produce, bulk, or cereal bags.
- *Lining a garbage can:* Line your garbage can with newspaper and rinse it out periodically. Or buy some lightweight plastic bags and reuse them, dumping the contents into your outdoor garbage can before relining the can with them.

**How can shoppers keep their reusable shopping bags clean and safe?**

A 2010 study showed that 97% of shoppers have never washed their reusable bags. There are a few simple steps shoppers can follow to keep reusable bags clean and to keep themselves and their families safe from germs. Wash reusable grocery bags at least once per month:

- Cloth reusable bags should be washed in a washing machine using laundry detergent and dried in the dryer or air-dried.
- Plastic-lined reusable bags should be wiped using hot water and soap and air-dried.
- Check that both cloth and plastic-lined reusable bags are completely dry before storing them.

Always put raw meats into a disposable plastic bag before putting them in a reusable bag. When using reusable bags, keep meats, fresh produce, and ready-to-eat foods separated from other food products. Additionally, consumers should clean any reusable bags used for carrying food before using for other purposes such as carrying books or gym clothes.

**How can I remember to bring my reusable bags to the store?**

Here are a few useful tips:

- Always start your shopping list with “Bring Bags”
- Keep a collapsible bag in your purse, backpack, or briefcase
- Keep bags in your vehicle

## City Of Stockton Green Car Wash Program

The "[Green Car Wash Program](#)" seeks to link local fundraising organizers with participating professional car wash operators in an effort to encourage a more environmentally-friendly car wash. Traditional parking lot car wash fundraisers often allow soap, dirt, grime, and automotive fluids to flow down the streets to drains that dump directly into rivers and streams. When these materials settle into waters where fish, wildlife, and plants live, it poisons them.

"Green" car washes are a better alternative for the environment because they encourage organizations to partner with professional car wash facilities that recycle water and do not dump dirty soap water down the storm drains to local waterways.

In addition to protecting the environment, "Green" car washes are very profitable for both fundraisers, as well as the professional car washers. They are safe and very appealing to those who are interested in supporting local organizations, because they get their car professionally washed. More information can be found in our "Green Car Wash Program PSA" (10/13/10) in the City's

[Video Archive](#).

[http://stockton.granicus.com/MediaPlayer.php?view\\_id=64&clip\\_id=3038](http://stockton.granicus.com/MediaPlayer.php?view_id=64&clip_id=3038)

[http://www.stocktongov.com/files/KWIN\\_GreenCarwash2.mp3](http://www.stocktongov.com/files/KWIN_GreenCarwash2.mp3)

Basically the city staff act as a middle man to keep list of car washes to pass on to charities (not for profits) who can sell script or host onsite car washes on a particular day  
water recycling facilities only are promoted  
facilities get inspection every 2 years from storm water office as per usual procedures

Carwashes are not permitted but just word of mouth via storm water staff sending direct mailers to and visiting most commonly used [business sites](#) and telling about potential citation for pollution, telling them to redirect charities to storm water city staff who then disseminate a list of participating facilities.  
contact christina walter ph [209-937-8155](tel:209-937-8155)

## City of Santa Monica Urban Watershed Management Program

[http://www.smgov.net/uploadedFiles/Departments/OSE/Categories/Urban\\_Runoff/UR\\_Brochure.pdf](http://www.smgov.net/uploadedFiles/Departments/OSE/Categories/Urban_Runoff/UR_Brochure.pdf)

Car washing produces polluted runoff that contains a variety of contaminants, such as oil, grease, and heavy metals. Residents cannot wash their cars on a paved surfaces which drains to the public storm drain system (street or alley). Detergents are permitted if you direct runoff to landscape or berm, or dike the runoff, wet vacuum it and dispose into the sanitary sewer or landscape. An automatic hose shutoff valve is required. For all other car washing purposes, use a commercial car wash facility. 7.16.020 (b)(2).

### Charity Fundraising Car Washes

Washing cars in a parking lot produces a significant amount of runoff pollution. Such activities cannot produce runoff into the storm drain system. The Western Carwash Association (WCA) has a win-win alternative that raises money for one's charitable cause and protects the environment. For more information,

call [800.344-9274](tel:800.344.9274), or visit <http://www.wcwa.org/environmental/resources/>

City of Ashland

<http://www.epa.gov/npdes/pubs/fact2-5.pdf>

According to EPA Storm water Phase II Final Rule car wash run-off is a source of Illicit Discharge and Public Outreach and education is recommended to mitigate contamination of the Watershed.

City Of Ashland Illicit Discharge Elimination

<http://ashland.or.us/Page.asp?NavID=12805>

"It is NOT allowable or acceptable to dump paint, grease, plaster, gasoline, pet waste or other pollutants into the nearest curb inlet on your street. Under the Phase II program this is described as Illicit Discharge. It is a violation of the Clean Water Act, as well as city ordinances, and fines can be levied against violators by both the state DEQ and the city. The city is required by our Phase II permit to operate an Illicit Discharge Detection and Elimination Program, which includes receiving and investigating complaints, and annual reporting to DEQ of complaints received and actions taken by the city. If you observe someone dumping pollutants into a storm drain, call this number:

Amy Gunter (541) 552-2044 or send an email to this address: [guntera@ashland.or.us](mailto:guntera@ashland.or.us)"

I propose we recommend to the Storm Water Drain management department of the City of Ashland that in pursuit of EPA Storm water Phase II Final Rule Public education and outreach they promote partnerships between commercial car washes and charities as a way of mitigating pollution into the watershed

