

AGENDA

AGENDA OF THE WORK SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA TO BE HELD ON TUESDAY, AUGUST 17, 2010, AT 6:00 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING CALLED TO ORDER BY _____ AT _____ PM.

ROLL CALL

COUNCIL

Councilmember Boyd Nicholl, Ward I
Councilmember Bennie Scott, Ward III
Councilmember Luche Giacomino, Ward II
Mayor W.J. "Jack" Porter
Councilmember Anna Cline, Ward III, Mayor Pro Tempore
Councilmember Raymond Rodgers, Ward II
Councilmember Ken Budge, Ward I

STAFF

Stephen J. Pauken, City Manager
Gloria P. Gonzalez, City Clerk
Dee L. Flanagan, Finance Director
John Charley, Community Development Director
Jim Elkins, Police Chief
Jack Earnest, Fire Chief
Jennifer L. Graeme, Personnel Director
Tom Klimek, Public Works Director/City Engineer
Peg White, Library Director

CITY ATTORNEY

Mark J. Langlitz

THE FOLLOWING ITEM WILL BE DISCUSSED AND/OR CONSIDERED AT THIS MEETING:

1. DISCUSSION AND POSSIBLE RECOMMENDATION TO CITY STAFF REGARDING THE MAYOR AND COUNCILS DIRECTIVE TO EXPLORE THE BANNING OF SINGLE USE PLASTIC BAGS BY RETAIL OUTLETS AND INCREASE THE RECYCLING OPPORTUNITIES WITHIN THE CITY.
JOHN CHARLEY, COMMUNITY DEVELOPMENT DIRECTOR

ADJOURNMENT

Anyone needing special accommodations to attend this meeting should contact Gloria Gonzalez at (520) 432-6000 at least twenty-four hours before the meeting.



AGENDA ITEM NUMBER 1

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: August 11, 2010	TYPE OF ACTION: <input type="checkbox"/> RESOLUTION	SUBJECT: DISCUSSION AND POSSIBLE RECOMMENDATION TO CITY STAFF REGARDING THE MAYOR AND COUNCILS DIRECTIVE TO EXPLORE THE BANNING OF SINGLE USE PLASTIC BAGS BY RETAIL OUTLETS AND INCREASE THE RECYCLING OPPORTUNITIES WITHIN THE CITY.
DATE ACTION REQUESTED: August 17, 2010		
<input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> CONSENT	<input type="checkbox"/> FORMAL ACTION	
	<input checked="" type="checkbox"/> OTHER: Work Session	

TO: Mayor and Council

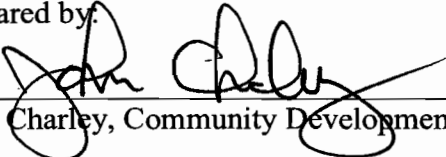
FROM: John Charley, Community Development Director

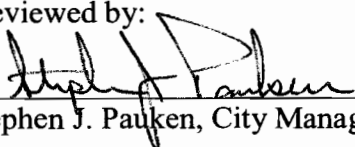
RECOMMENDATION: Continue with policy development

PROPOSED MOTION: Recommend that city staff continue researching viable options regarding single use plastic bags, and additional recycling opportunities.

DISCUSSION: On June 15, 2010, the Mayor and City Council directed City staff in response to a Citizen petition requesting to ban single use plastic bags by retail outlets in Bisbee, to further explore this issue as well as other recycling opportunities within the City. Collaborating with the Public Works Department and the City Attorney, the Community Development Department has coordinated the preliminary findings regarding these topics. Please see the attached documents.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared by: 
John Charley, Community Development Director

Reviewed by: 
Stephen J. Pauken, City Manager



A MEMO FROM COMMUNITY DEVELOPMENT

TO: MAYOR AND COUNCIL
FROM: JOHN CHARLEY, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: SINGLE USE PLASTIC BAG BAN
DATE: 8/13/10
CC: STEVE PAUKEN, CITY MANAGER

As requested, the Community Development Department in collaboration with Public Works and the City Attorney has researched and prepared information regarding the potential ban of single use plastic bags in Bisbee. Attached you will find a selection of ordinances from a variety of cities directed at banning plastic bags and associated commentaries regarding this topic.

After reviewing the ordinances and speaking directly with city officials responsible for their enactment a number of points became apparent. Many of the cities drafted, but failed to adopt their ordinances (Taos, New Mexico), some have tied the enactment of their ordinance to their home state's position (Portland, Oregon) while others were overwhelmed by the cost of environmental impact studies (Fairfax, California). San Francisco is one of the few cities that has adopted such an ordinance and is currently defending itself in court.

However, if the council believes that single use plastic bags present a threat to the quality of life of Bisbee's residents there are multiple options that can be considered. On one end of the spectrum is an outright ban of single use bags by all commercial outlets regardless of the store's size, products or generated income. A less intrusive ban is one placed on retail outlets based on store type, square footage, or possibly gross sales receipts. Moving away from an outright ban Council may also consider continuing to work with retail outlets and citizens to increase the collection and recycling opportunities of plastic bags generated by commercial outlets. Examples of this include Washington D.C. that mandates a 5 cent for paper or plastic bags in order to encourage customers to choose reusable bags. In Phoenix the Arizona Food Marketing Alliance sponsors a program by the name of *Bag Central Station* that has proven successful in reclaiming bags. Obviously a public education component and the distribution of reusable bags at little or no cost would be necessary.



**TOWN OF TAOS, NEW MEXICO
ORDINANCE NO 08-08**

AN ORDINANCE BANNING THE USE OF NON-BIODEGRADABLE PLASTIC CARRY OUT BAGS AT POINT OF SALE BY RETAIL ESTABLISHMENTS IN THE TOWN OF TAOS AND PROVIDING EDUCATION AND INCENTIVES FOR SHOPPERS TO USE REUSEABLE BAGS AT AFFECTED RETAIL ESTABLISHMENTS IN THE TOWN.

Whereas, the Town of Taos has a duty to protect the natural environment the economy and health of the citizens of the Town; and

Whereas, Plastic shopping bags create a significant litter problem in the Town of Taos; and

Whereas, plastic bags have significant environmental impact each year including the killing of over 14 million trees and use of over 12 million barrels of oil for production of plastic bags in the U.S. as well as the death of domesticated animals and wildlife due to ingestion of plastic bags; and

Whereas, plastic bags contaminate recycling operations and are otherwise difficult to recycle due to the logistics of sorting, contamination of inks, and the low quality of the plastic used, resulting in an extremely low estimated recycling rate of 1 to 3% for plastic bags; and

Whereas, retail outlet stores could educate and encourage their customers to use environmentally preferable alternatives to non-biodegradable plastic bags which are readily available, including reusable cloth bags and paper bags; and

Whereas, governments in several countries, including Australia, Singapore, Taiwan, South Africa, Bangladesh, and the Republic of Ireland have taken action to discourage the use of non-biodegradable plastic bags, resulting in substantial reductions in their use; and

NOW THEREFORE, THE COUNCIL OF THE TOWN OF TAOS DOES ORDAIN AS FOLLOWS:

SECTION 1. Definitions

- A. "Affected retail establishments" means any retail establishment located within the geographical limits of the Town of Taos.
- B. "Town sponsored event" means any event organized or sponsored by a Town of Taos Department or Agency.

- C. “Compostable or biodegradable bag” means a carry out bag that is certified and labeled as meeting the current ASTM-Standard Specification for compostability by a recognized verification entity such as the Biodegradable Product Institute.
- D. “Customer” means any person purchasing food or other materials from an affected retail establishment.
- E. “Operator” means a person in control of or having daily responsibility for, the daily operation of an affected retail establishment, which may include, but is not limited to, the owner of the affected retail establishment.
- F. “Plastic carryout bag” means a non-biodegradable plastic bag provided by a store to a customer at the point of sale. These bags are often referred to as “t-shirt” bags.
- G. “Recyclable Paper Bags” means a paper carryout bag provided by an affected retail establishment to a customer at the point of sale for purpose of transporting groceries or other goods and meets all of the following requirements: (1) contains no old growth fiber (2) is 100% recyclable, and (3) contains a minimum of 40% post-consumer recycled content.
- H. “Reusable Bag” means a bag that is specifically designed and manufactured for multiple reuse and is (1) made of cloth or other machine washable fabric, or (2) made of other durable material suitable for re-use.

SECTION 2. Prohibitions and Requirements

- A. Affected retail establishments are prohibited from providing plastic carry-out bags to their customers at the point of sale to transport items. Reusable bags, recyclable paper bags and compostable or biodegradable bags, including biodegradable plastic bags, are allowed alternatives.
- B. Affected retail establishments are strongly encouraged to provide incentives for the use of reusable bags through the use of education and credits, rebates or tokens for individuals who bring re-usable bags.
- C. If affected retail establishments choose to use biodegradable plastic bags, they are encouraged to use the compostable or biodegradable bags that are easily differentiated from non-biodegradable plastic carry-out bags, through color coding or other markings.
- D. Nothing in this section shall be read to preclude affected retail establishments from making reusable bags available for sale or free to customers.
- E. Nothing in this section shall be read to preclude affected retail establishments from making compostable or biodegradable bags available for sale or free to customers.

SECTION 3. Liability and Enforcement

- A. The Town Manager or his/her designee will have primary responsibility for enforcement of this Ordinance. The Town Manager or his/her designee is authorized to promulgate

regulations and to take any and all other actions reasonable and necessary to enforce this Ordinance, including but not limited to, entering the premises of any affected retail establishment to verify compliance.

- B. An affected retail establishment that is operated in violation of any of the requirements of this Ordinance is deemed a public nuisance and is subject to enforcement action pursuant to the Town Ordinance. Penalties assessed for violations of this chapter are specified herein.
- C. The Town Attorney may seek legal, injunctive or other equitable relief to enforce this Ordinance.

SECTION 4. Violations-Penalties

- A. If the Town Manager or his/her designee determines that a violation of this Ordinance occurred, he/she will issue a written warning notice to the operator of an affected retail establishment that a violation has occurred.
- B. If the affected retail establishment has subsequent violations of the Ordinance, the following penalties will apply.
 - a. A fine, payable by the owner of the affected retail establishment or the corporation itself, not exceeding one hundred dollars (\$100.00) for the first violation after the warning notice is given.
 - b. A fine not exceeding two hundred dollars (\$200.00) for the second violation after the warning notice was given.
 - c. A fine not exceeding five hundred dollars (\$500.00) for the third and any future violations after the warning notice was given.
- C. Affected retail establishments may request an administrative hearing to adjudicate any penalties issued under this Ordinance by filing a written request with the Town Manager, or his or her designee. The Town Manager, or his or her designee, will promulgate standards and procedures for requesting and conducting an administrative hearing under this Ordinance. Any determination from the administrative hearing on penalties issued under this Ordinance will be final and conclusive.

SECTION 5. Exemptions

- A. No Retail establishments in the Town of Taos are exempt from this ordinance.
- B. This Ordinance applies only to non-biodegradable carry out plastic bags provided at the point of sale, otherwise known as “t-shirt” bags. The provisions of this Ordinance do not apply to single use plastic bags exclusively used to transport produce such as apples, oranges, grapes, carrots and other similar fruits or vegetables to the point-of-sale counter of the affected retail establishment.

SECTION 6. No conflict with Federal or State Law

Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power or duty in conflict with any federal or state law.

SECTION 7. Severability Clause

If any section, paragraph, sentence, clause, word or phase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

SECTION 8. Effective Date

This ordinance shall take effect shall take effect January 1, 2009. The time between the effective date and the date of passage shall be an educational grace period.

ORDAINED THIS _____ DAY OF _____, 2008 BY THE FOLLOWING VOTE:

Councilmember Rudy C. Abeyta	_____
Councilmember Darren M. Cordova	_____
Councilmember A. Eugene Sanchez	_____
Councilmember Amy Quintana	_____

Bobby F. Duran, Mayor

ATTEST:

Renee Lucero, Town Clerk

Approved as to legal form:

Renee Barela-Gutierrez, Town Attorney

PORTLAND

RESOLUTION No.

Promote use of reusable bags: prohibit the provision of single-use plastic or non-recycled paper carryout bags at specified stores, require regulated stores to charge a minimum of 5 cents per bag for recycled paper or compostable plastic bags, and provide reusable bags, at no cost, to seniors and low-income residents. (Resolution)

WHEREAS, on June 28, 2006, the Council adopted Resolution No. 36423 establishing goals for the solid waste and recycling system; and

WHEREAS, one of those goals was to promote sustainability of the solid waste and recycling system that includes maximum efficiency, equity and economic vitality, improved worker safety and reduced environmental and human health impacts over the entire life cycle of the materials; and

WHEREAS, one of the goals was to minimize the impact of harmful wastes by targeting toxicity and reducing greenhouse gas emissions; and

WHEREAS, one of the goals was to reduce per capita waste generation below 2005 levels by the year 2015; and

WHEREAS, one of the goals was to increase recovery of all waste with a target of 75 percent by the year 2015 and promote highest value use of the recovered materials; and

WHEREAS, on October 28, 2009, Council passed Resolution 36748 to adopt the Climate Action Plan that includes the goals of reducing total solid waste generated by 25 percent and recovering 90 percent of all waste generated; and

WHEREAS, the expansive usage of single-use shopping bags and their typical disposal creates an impediment to the City's waste reduction and recycling goals; and

WHEREAS, single-use plastic bags are difficult to recycle and frequently contaminate material that is processed through the City's curbside recycling and composting programs; and

WHEREAS, recycled content paper carryout bags are a high value recyclable collected in the City's curbside recycling program and are made in paper mills located in the region. While papermaking has environmental impacts, when made with 40 percent or more postconsumer content, paper bags provide a positive alternative to plastic bags; and

WHEREAS, reusable bags are considered to be the best option to reduce waste and litter, protect wildlife and conserve resources; and

WHEREAS, Council acknowledges that many Portland businesses have taken affirmative steps to accomplish this goal and recognizes their proactive efforts; and

WHEREAS, it is in the public interest for the Council to encourage and enable the location of a viable reusable bag manufacturing operation in the City of Portland; and

WHEREAS, it is in the public interest for the Oregon Legislature to provide statewide regulation of the proliferation of single-use shopping bags; and

WHEREAS, members of the Oregon State legislature will introduce legislation during the 2011 state legislative session to pass legislation banning plastic bags and imposing a five-cent minimum charge on recycled paper bags, to benefit all of Oregon; and

WHEREAS, members of the Oregon State Legislature and the City of Portland City Council hereby recognize our mutual and collaborative efforts to ban plastic bags and impose a five-cent minimum charge on paper bags as a means of reducing harmful waste and promoting sustainability in Oregon; and

WHEREAS, if the State does not act to regulate the proliferation of single-use shopping bags the Council will find it necessary to enact regulations governing the City of Portland;

NOW, THEREFORE, BE IT RESOLVED, that in the event that the State is not successful in passing legislation substantially similar to the draft bill attached hereto as Exhibit A by sine die of the 2011 State Legislative Session and with an effective date of no later than January 1, 2012, the Mayor, with the support of the State Legislative leaders noted in Exhibit C, will bring forward an ordinance substantially similar to Exhibit B attached hereto in order to implement a ban on plastic bags and five-cent fee on recycled paper bags in the City of Portland.

Adopted by the Council:

Mayor Sam Adams
Prepared by: Megan Ponder
Date Prepared: 07/23/10

LaVonne Griffin-Valade
Auditor of the City of Portland
By *[signed Clerk's office]*

Deputy

EXHIBIT "A"

LC 688
7/9/10 (DLT/ps)

D R A F T

SUMMARY

Prohibits use of single-use checkout bags except in certain cases. Allows Department of Environmental Quality to impose civil penalty. Repeals statute requiring retail establishments that offer plastic bags to customers to also offer paper bags.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to bags; creating new provisions; amending ORS 459.235 and
3 459A.115; repealing ORS 459A.695; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** As used in sections 1 to 4 of this 2011 Act:

6 (1) "Recycled paper checkout bag" means a paper bag made of at
7 least 40 percent recycled fiber.

8 (2) "Retail establishment" means any store in this state that sells
9 or offers for sale goods at retail.

10 (3) "Reusable checkout bag" means a bag with handles that is spe-
11 cifically designed and manufactured for multiple reuse and is made of:

12 (a) Cloth or other machine-washable fabric; or

13 (b) Durable plastic that is at least 2.25 mils thick.

14 (4)(a) "Single-use checkout bag" means a bag made of paper, plastic
15 or any other material that is provided by a retail establishment to a
16 customer at the time of checkout.

17 (b) "Single-use checkout bag" does not mean a bag made of paper,
18 plastic or any other material that is provided by a retail establishment
19 to a customer at a time other than the time of checkout.

20 **SECTION 2.** (1) Except as provided in subsection (2) of this section,

NOTE: Matter in boldfaced type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in boldfaced type.

1 a retail establishment may not provide single-use checkout bags to
2 customers.

3 (2) A retail establishment may:

4 (a) Make reusable checkout bags available for sale to customers.

5 (b) Provide reusable checkout bags at no cost to customers.

6 (c) Provide recycled paper checkout bags at no cost to customers
7 who present a voucher issued under the Women, Infants and Children
8 Program established in the Oregon Health Authority under ORS
9 409.600.

10 (d) Provide recycled paper checkout bags to customers if the retail
11 establishment charges at least five cents for each recycled paper
12 checkout bag.

13 (3) The Environmental Quality Commission may adopt rules neces-
14 sary to implement sections 1 to 4 of this 2011 Act.

15 SECTION 3. (1) The Department of Environmental Quality may
16 impose a civil penalty on a person for a violation of section 2 of this
17 2011 Act.

18 (2) A civil penalty imposed under this section may not exceed
19 \$_____.

20 (3) Civil penalties described in this section shall be imposed in the
21 manner provided in ORS 183.745.

22 (4) All penalties recovered under this section shall be paid into the
23 State Treasury and credited to the General Fund and are available for
24 general governmental expenses.

25 SECTION 4. A local government, as that term is defined in ORS
26 174.116, may not impose any tax, fee, assessment, surcharge or other
27 charge on:

28 (1) Recycled paper checkout bags;

29 (2) Reusable checkout bags;

30 (3) Single-use checkout bags; or

31 (4) Bags made of paper, plastic or any other material that are pro-

1 vided by a retail establishment to a customer at a time other than the
2 time of checkout.

3 SECTION 5. ORS 459A.695 is repealed.

4 SECTION 6. ORS 459.235 is amended to read:

5 459.235. (1) Applications for permits shall be on forms prescribed by the
6 Department of Environmental Quality. An application shall contain a de-
7 scription of the existing and proposed operation and the existing and pro-
8 posed facilities at the site, with detailed plans and specifications for any
9 facilities to be constructed. The application shall include a recommendation
10 by each local government unit having jurisdiction and such other informa-
11 tion the department deems necessary in order to determine whether the site
12 and solid waste disposal facilities located thereon and the operation will
13 comply with applicable requirements.

14 (2) The Environmental Quality Commission shall establish a schedule of
15 fees for disposal site permits. The permit fees contained in the schedule shall
16 be based on the anticipated cost of filing and investigating the application,
17 of issuing or denying the requested permit and of an inspection program to
18 determine compliance or noncompliance with the permit.

19 (3) In addition to the fees imposed under subsection (2) of this section, the
20 commission shall establish a schedule of permit fees for the purpose of im-
21 plementing this section and ORS 90.318, 182.375, 279A.125, 279A.155, 279B.025,
22 279B.240, 279B.270, 279B.280, 459.005, 459.015, 459.247, 459.418, 459.995,
23 459A.005, 459A.010, 459A.020, 459A.030 to 459A.055, 459A.070, 459A.110,
24 459A.115, 459A.475, 459A.480, 459A.500 to 459A.685[, 459A.695] and 459A.750.
25 The fees shall be based on the amount of solid waste received at the disposal
26 site.

27 (4) Notwithstanding any other fee or surcharge imposed under ORS
28 459.005 to 459.437 or 459A.005 to 459A.120, for the disposal of solid waste, in
29 order to encourage the use of suitable material other than virgin material
30 for daily cover at a disposal site, the only fee that may be charged for the
31 disposal of substitute material that is also used for daily cover is the permit

1 fee established under this section.

2 **SECTION 7.** ORS 459A.115 is amended to read:

3 459A.115. (1) From January 1, 1992, to December 31, 1993, the schedule of
4 fees as established by the Environmental Quality Commission under ORS
5 459A.110 (1) is increased by 35 cents per ton. The portion of the fees attrib-
6 utable to the 35 cents per ton increase shall be deposited into the General
7 Fund and credited to an account of the Department of Environmental Qual-
8 ity. Such moneys are continuously appropriated to the department to imple-
9 ment the provisions of this section and ORS, 459.005, 459.015, 459.235, 459.247,
10 459.418, 459.995, 459A.005, 459A.010, 459A.020, 459A.030 to 459A.055, 459A.070,
11 459A.110, 459A.500 to 459A.685[459A.695] and 459A.750.

12 (2) Beginning January 1, 1994, the schedule of fees as established by the
13 commission under ORS 459A.110 is increased by 31 cents per ton and shall
14 be deposited into the General Fund and credited to an account of the de-
15 partment. Such moneys are continuously appropriated to the department to
16 implement the provisions described in subsection (1) of this section, includ-
17 ing ORS 459.418.

18 **SECTION 8.** (1) Except as provided in subsection (2) of this section,
19 sections 1 to 4 of this 2011 Act, the repeal of ORS 459A.695 by section
20 5 of this 2011 Act and the amendments to ORS 459.235 and 459A.115 by
21 sections 6 and 7 of this 2011 Act become operative on January 1, 2012.

22 (2) The Environmental Quality Commission may adopt rules before
23 the operative date specified in subsection (1) of this section, or take
24 any other action before the operative date specified in subsection (1)
25 of this section, that is necessary to implement, on or after the opera-
26 tive date specified in subsection (1) of this section, sections 1 to 4 of
27 this 2011 Act, the repeal of ORS 459A.695 by section 5 of this 2011 Act
28 and the amendments to ORS 459.235 and 459A.115 by sections 6 and 7
29 of this 2011 Act.

30 **SECTION 9.** This 2011 Act being necessary for the immediate pres-
31 ervation of the public peace, health and safety, an emergency is de-

LC 688 7/9/10

1 **clared to exist, and this 2011 Act takes effect on its passage.**

2

[5]

EXHIBIT “B”

17.103.010 Definitions.

Except where the context otherwise requires, the definitions given in this Section govern the construction of this Chapter 17.103.

- A. **“Compostable plastic bag”** is capable of composting, consistent with the timeline and specifications of the American Society of Testing and Materials (ASTM) Standard Specifications for Compostable Plastics D6400, as published in September 2004.
- B. **“Recycled paper bag”** means a paper carryout bag provided by a store to a customer that meets all of the following requirements:
 - 1. Contains a minimum of 40 percent postconsumer recycled content
 - 2. Is accepted for recycling in the City of Portland recycled program
- C. **“Reusable bag”** means a bag that with handles that is specifically designed and manufactured for multiple reuse and is made of durable material specifically designed for and provided to consumers with the intention of multiple, long-term use
- D. **“Single-use carryout bag”** means a bag that is provided by a store to a customer and that is not a reusable bag.
 - 1. A single-use carryout bag does not include either of the following:
 - a. A bag provided by a pharmacy to a customer purchasing prescription medication
 - b. A non-handled bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a recycled paper bag or reusable bag.
- E. **“Store”** means a retail establishment that
 - 1. Is a full-line, self-service retail store with gross annual sales of \$2,000,000 (\$2 million), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items; or
 - 2. Has over 10,000 square feet of retail space that generates sales and has a pharmacy as defined in ORS 689.005 and which is subject to the rules of the State Board of Pharmacy.

17.103.020 Purpose

The purpose of this Chapter is to prohibit stores from distributing single-use carryout bags to their customers, to encourage the distribution and use of reusable bags, and to permit stores to sell to consumers recycled or compostable bags for carryout use.

17.103.030. Carryout Bag Regulation

- A. On and after October 1, 2011, a store is prohibited from providing a single-use carryout bag to a customer, except as provided in this Section.
- B. A store must make reusable bags, available to customers, either for purchase or at no cost.

- C. A store may make available for sale to a consumer at the point of sale a recycled paper bag at a cost not less than five cents (\$0.05) per bag.
- D. A store may make available for sale to a consumer at the point of sale a compostable plastic bag, at a cost not less than five cents (\$0.05) per bag providing that the City is accepting compostable plastic bags in the citywide curbside composting program.

17.103.040. Bureau Director’s Authority

The Director of the Bureau of Planning and Sustainability is authorized to promulgate administrative rules and regulations to interpret, implement and execute the provisions of this Chapter.

17.103.050. Enforcement and Penalties

- A. Any store that violates this Ordinance shall be subject to the following civil penalties, but, in no event shall a store be liable for a civil penalty for more than one violation per day:
 - 1. a written warning for the 1st violation
 - 2. \$100 for the 2nd violation
 - 3. \$200 for the 3rd violation; or
 - 4. \$500 for the 4th and each subsequent violation in a 365-day period
- B. The Director of the Bureau of Planning and Sustainability, upon determination that a violation of this code or regulations duly adopted pursuant to this code has occurred, will send a written notice of the violation by certified mail to the store which will specify the violation and appropriate penalty.
- C. Any store receiving a notice of violation may appeal that determination to the Code Hearings Officer pursuant to Chapter 22.10. Appeals must be filed within 30 days of the violation notice.
- D. The Director of the Bureau of Planning and Sustainability is hereby authorized to administer and enforce rules of this chapter and can adopt rules, procedure, and forms to implement the provisions of this chapter.

17.103.060. No Conflict with Federal or State Law; Severability

Nothing in this Chapter shall be interpreted or applied so as to create any requirement, power or duty in conflict with any federal or state law. If any provision of this ordinance, or its application to any person or circumstances, is held to be invalid, the remainder of this ordinance, or the application of the provision to other persons or circumstances, shall not be affected.

EXHIBIT "C"



MAYOR SAM ADAMS
CITY OF PORTLAND

MARK HASS
STATE SENATOR
DISTRICT 14

July 22, 2010

We recognize our mutual and collaborative efforts to ban plastic bags and impose a minimum five-cent charge on recycled paper bags as a means of reducing harmful waste and promoting sustainability in Oregon.

Based on our meeting on July 21, 2010, we agree to the following:

- The Mayor will bring a resolution to the Portland City Council to urge the Oregon Legislature to pass a state law in 2011 banning plastic bags and imposing a minimum five-cent charge on recycled paper bags. The resolution will also indicate that should the legislature not be successful by sine die of the 2011 regular legislative session, the Mayor will bring forward an ordinance to implement a ban on plastic bags and a minimum five-cent charge on recycled paper bags in the city of Portland.
- The members of the Oregon Legislature who have signed below will actively support the city of Portland's resolution before City Council as well as the city's ordinance to ban plastic bags should the legislative effort not succeed during the 2011 legislative session.

We are committed to working together to protect Oregon's environment.

Mayor Sam Adams

Senator Mark Hass

Senator Jackie Dingfelder

Senator Diane Rosenbaum

Representative Ben Cannon

Cc: Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Randy Leonard
Commissioner Dan Saltzman

CITY OF PORTLAND
1221 SW 4TH AVENUE, SUITE 340
PORTLAND OR 97204-1995
503-823-4120

900 COURT STREET NE, S-419
SALEM, OR 97301
503-986-1714

FILE NO. 070085

ORDINANCE NO. 81-07

1 [Plastic Bag Reduction Ordinance.]

2

3

4

5

6

Ordinance amending the San Francisco Environment Code by adding Chapter 17, sections 1701 through 1709, to: (1) require the use of compostable plastic, recyclable paper and/or reusable checkout bags by ~~grocery~~ stores located in the City and County of San Francisco, and (2) provide penalties for violations.

7

8

9

Note: Additions are single-underline italics Times New Roman; deletions are ~~strikethrough italics Times New Roman~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

10

Be it ordained by the People of the City and County of San Francisco:

11

Section 1. Findings.

12

(a) The City and County of San Francisco has a duty to protect the natural environment, the economy, and the health of its citizens.

14

(b) The City and County of San Francisco has adopted citywide goals of 75% landfill diversion by 2010 and zero waste by 2020.

16

(c) The expansive usage of plastic shopping bags and their typical disposal creates an impediment to San Francisco's landfill diversion goals.

18

(d) Plastic shopping bags are difficult to recycle and currently contaminate material that is processed through San Francisco's recycling and composting programs.

20

(e) Plastic shopping bags create significant litter problems in San Francisco's neighborhoods, highlighted by local residents in a series of public meetings held by the Department of the Environment, and also litter community beaches, sewer systems and the San Francisco Bay.

24

(f) Plastic ~~grocery~~ shopping bags have significant environmental impacts each year, including the felling of over 14 million trees, and use of over 12 million barrels of oil for

25

1 bags in the U.S., as well as the death of over 100,000 marine animals from plastic
2 entanglement.

3 (g) Governments in several countries have banned or taken action to discourage
4 the use of plastic bags, including the Republic of Ireland, which has achieved a 90% decrease
5 in shopping bag usage.

6 Section 2. The San Francisco Environmental Code is hereby amended by adding
7 Chapter 17, Section 1701 through 1709, to read as follows:

8 **SEC. 1701. SHORT TITLE.**

9 *This Ordinance shall be entitled the "Plastic Bag Reduction Ordinance."*

10 **SEC. 1702. DEFINITIONS.**

11 *For the purposes of this Ordinance, the following words shall have the following meanings:*

12 (a) *"ASTM Standard" means the American Society for Testing and Materials (ASTM)'s*
13 *International standard D6400 for compostable plastic, as that standard may be amended from time to*
14 *time.*

15 (b) *"Compostable Plastic Bag" means a plastic bag that (1) ~~meets the~~ conforms to*
16 *California labeling law (Public Resources Code Section 42355 et seq.), which requires*
17 *meeting the current ASTM-Standard Specifications ~~Standards~~ for compostability; (2) contains*
18 *less than 75% petroleum derived content — the percentage to be reviewed annually with the*
19 *target of achieving no products derived from petroleum by 2010 is certified and labeled as*
20 *meeting the ASTM-Standard by a recognized verification entity such as the Biodegradable*
21 *Product Institute; (3) contains no products derived from genetically modified organisms, and*
22 *conforms to requirements to ensure that the renewable based product content is maximized*
23 *over time as set forth in Department of the Environment regulations; (4) conforms to*
24 *requirements to ensure that products derived from genetically modified feedstocks are phased*
25

1 out over time as set forth in Department of the Environment regulations; and (5) displays the
2 word phrase "Green Cart Compostable" and the word "Reusable" in a highly visible manner on
3 the outside of the bag.

4 (c) "Checkout bag" means a carryout bag that is provided by a grocery store to a customer
5 at the point of sale.

6 (d) "Department" means the Department of the Environment.

7 (e) "Director" means the Director of the Department of the Environment.

8 (f) "Grocery Store" means a retail establishment located within the geographical
9 limits of the City and County of San Francisco that meets either of the following requirements:

10 (1) is a full-line, self-service retail store supermarket with gross annual sales of two
11 million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or
12 nonfood items and some perishable items. For purposes of determining which retail
13 establishments are grocery stores supermarkets, the City shall use the annual updates of the
14 Progressive Grocer Marketing Guidebook and any computer printouts developed in
15 conjunction with the guidebook; or

16 (2) has over 5,000 square feet of retail space that generates sales or use tax pursuant
17 to the Bradley Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with
18 Section 7200) of Division 2 of the Revenue and Taxation Code) is a retail pharmacy with at
19 least five locations under the same ownership within the geographical limits of San Francisco
20 that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of
21 Division 2 of the Business and Professions Code

22 (f) "Highly visible manner" means (1) for compostable plastic bags, displaying the word
23 both of the following in green lettering contrasting with the bag's background color that is at
24 least two inches high: (i) the phrase "Green Cart Compostable" either on the front and back

1 of the bag together with a solid green band at least one-half inch thick circling the
2 circumference of the bag, or repeatedly, as a band of text or text alternating with solid stripe,
3 circling the circumference of the bag, and (ii) the word "Reusable" displayed on the front and
4 and/or either back of the bag or repeatedly in a band circling the circumference of the bag in
5 green lettering contrasting with the bag's background color that is at least two inches high;
6 and (2) for recyclable paper bags, displaying the word-words "Reusable" and "Recyclable" on the
7 front or and/or back of the bag in blue lettering contrasting with the bag's background color that is at
8 least two inches high, and (3) for both compostable plastic bags and recyclable paper bags, as
9 otherwise required by Department of the Environment regulation regulations.

10 (g) "Person" means an individual, trust, firm, joint stock company, corporation,
11 cooperative, partnership, or association.

12 (h) "Pharmacy" means a retail use where the profession of pharmacy by a
13 pharmacist licensed by the State of California in accordance with the Business and
14 Professions Code is practiced and where prescriptions (and possibly other merchandise) are
15 offered for sale, excluding such retail uses located inside a hospital.

16 (i) "Recyclable" means material that can be sorted, cleansed, and reconstituted using San
17 Francisco's available recycling collection programs for the purpose of using the altered form in the
18 manufacture of a new product. Recycling does not include burning, incinerating, converting, or
19 otherwise thermally destroying solid waste.

20 (j) "Recyclable Paper Bag" means a paper bag that meets all of the following
21 requirements: (1) contains no old growth fiber, (2) is 100% recyclable overall and contains a minimum
22 of 40% post-consumer recycled content, and (3) displays the words "Reusable" and "Recyclable" in a
23 highly visible manner on the outside of the bag.

1 (k) "Reusable Bag" means a bag with handles that is specifically designed and
2 manufactured for multiple reuse and is either (1) made of cloth or other machine washable fabric,
3 and/or (2) made of durable plastic that is at least 2.25 mils thick.

4 (l) "Grocery Store" means a retail establishment located within the geographical limits
5 of the City and County of San Francisco that meets either of the following requirements:

6 (1) is a full-line, self-service retail store supermarket with gross annual sales of two
7 million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood
8 items and some perishable items. For purposes of determining which retail establishments are grocery
9 stores supermarkets, the City shall use the annual updates of the Progressive Grocer Marketing
10 Guidebook and any computer printouts developed in conjunction with the guidebook, or

11 (2) has over 5,000 square feet of retail space that generates sales or use tax pursuant
12 to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with
13 Section 7200) of Division 2 of the Revenue and Taxation Code) is a retail pharmacy with at
14 least five locations under the same ownership within the geographical limits of San Francisco
15 that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of
16 Division 2 of the Business and Professions Code

17 **SEC. 1703. MANDATORY USE OF RECYCLABLE AND COMPOSTABLE CHECKOUT BAGS.**

18 (a) All Grocery Stores shall provide only the following as checkout bags to customers:
19 recyclable paper bags, and/or compostable plastic bags, and/or reusable bags.

20 (b) Violation of the requirements set forth in subsection (a) shall subject a Grocery Store to
21 penalties set forth in Section 1705.

22 (c) Nothing in this section shall be read to preclude Grocery Stores from making reusable
23 bags available for sale to customers.

24 **SEC. 1704. IMPLEMENTATION.**

1 The Director, after a public hearing, may adopt and may amend guidelines, rules, regulations
2 and forms to implement and enforce this Ordinance.

3 **SEC. 1705. ENFORCEMENT AND PENALTIES.**

4 (a) Any person who violates this Ordinance shall be guilty of an infraction. If charged as
5 an infraction, upon conviction thereof, said person shall be punished by (1) a fine not exceeding
6 \$100.00 for a first violation, (2) a fine not exceeding \$200.00 for a second violation within the same
7 year, and (3) a fine not exceeding \$500.00 for each additional violation within the same year.

8 (b) In the event that the City adopts an ordinance creating a procedure for the City
9 Administrator to impose and review imposing and reviewing Administrative Penalties pursuant to
10 California Government Code Section 53069.4, the City may impose Administrative Penalties for
11 violation of this Ordinance as follows: (1) in an amount not exceeding \$100.00 for the first violation,
12 (2) in an amount not exceeding \$200.00 for the second violation in the same year, and (3) in an amount
13 not exceeding \$500.00 for each subsequent violation in the same year.

14 (c) The City Attorney may seek legal, injunctive, or other equitable relief to enforce this
15 Ordinance, including without limitation, civil penalties in an amount not exceeding \$200.00 for the first
16 violation, \$400.00 for the second violation, and \$600.00 for each subsequent violation in any given
17 year.

18 (d) The City may not recover both administrative and civil penalties for the same violation.

19 **SEC. 1706. OPERATIVE DATE.**

20 This All of the requirements set forth in this Ordinance shall become operative as to Stores
21 that are supermarkets six (6) months after its effective date. All of the requirements set forth in
22 this Ordinance shall become operative as to Stores that are pharmacies one (1) year after its
23 effective date.

24 **SEC. 1707. SEVERABILITY.**

1 If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held
2 to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision
3 shall not affect the validity of the remaining portions of the Ordinance. The Board of Supervisors
4 hereby declares that it would have passed this Ordinance and each and every section, subsection,
5 sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any
6 portion of this Ordinance would be subsequently declared invalid or unconstitutional.

7 **SEC. 1708. NO CONFLICT WITH FEDERAL OR STATE LAW.**

8 Nothing in this Ordinance shall be interpreted or applied so as to create any requirement,
9 power or duty in conflict with any federal or state law.

10 **SEC. 1709. UNDERTAKING FOR THE GENERAL WELFARE.**

11 In undertaking the implementation of this Ordinance, the City is assuming an undertaking only
12 to promote the general welfare. It is not assuming, nor is it imposing on its officer and employees, an
13 obligation for breach of which it is liable in money damages to any person who claims that such breach
14 proximately caused injury.

15 APPROVED AS TO FORM:
16 DENNIS J. HERRERA, City Attorney

17 By: 
18 Catharine Barnes
19 Deputy City Attorney



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070085

Date Passed:

Ordinance amending the San Francisco Environment Code by adding Chapter 17, sections 1701 through 1709, to: (1) require the use of compostable plastic, recyclable paper and/or reusable checkout bags by stores located in the City and County of San Francisco, and (2) provide penalties for violations.

February 13, 2007 Board of Supervisors — SUBSTITUTED

March 27, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

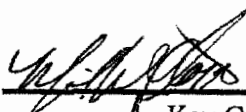
April 10, 2007 Board of Supervisors — FINALLY PASSED

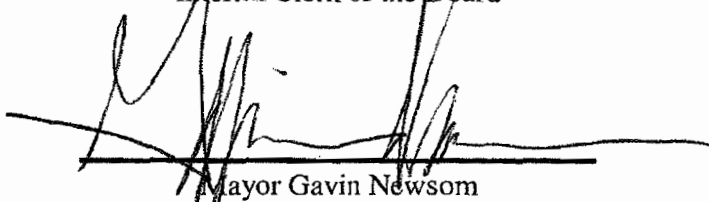
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

File No. 070085

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on April 10, 2007 by the Board of Supervisors of the City and County of San Francisco.

4/20/07
Date Approved

 FOR
Kay Gulbengay
Interim Clerk of the Board


Mayor Gavin Newsom



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Monday, September 28, 2009

San Jose takes the lead on plastic bag ban

Silicon Valley / San Jose Business Journal - by [David Goll](#)

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Correction at bottom of article

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The familiar retail store question — paper or plastic — appears as if it will soon become obsolete in the Bay Area's largest city.

By a vote of 9-1, San Jose City Council members asked city staff to draw up an ordinance Tuesday that would ban single-use plastic and paper carry-out bags from the city's retail establishments by Jan. 1, 2011.

Council member Pete Constant cast the lone dissenting vote. Council member Rose Herrera was absent due to illness.

The council also approved doing an environmental review on the impact of the ban before its scheduled effective date. It also voted to develop a way to measure its effectiveness and to reach out to other state and regional officials for wider support and adoption of the ban.

The council also voted to consider amending or dropping the ordinance if the state legislator passes a law prior to Dec. 31, 2010, to place a statewide fee or ban of one-use bags.

Restaurants and nonprofits are exempt from the ban and it doesn't apply to paper bags made up of at least 40 percent recycled materials. Just before the vote, San Jose city officials in favor of the bag ban got support from leaders of surrounding cities. During a press conference at San Jose City Hall, Mayor Chuck Reed of San Jose hailed a regional approach to the issue, flanked by elected representatives from Santa Clara, Milpitas, Campbell, Morgan Hill and Palo Alto, and several supportive San Jose City Council members. The Palo Alto City Council was the first in Santa Clara County to adopt a bag ordinance, which bans single-use carry-out plastic bags by supermarkets and drug stores.

Reed said a regional approach was the only way to effectively deal with the "scourge" of plastic-bag trash that collects on city streets and in rural and urban waterways. Sam Liccardo, a city council member who supports the proposed San Jose ordinance, has said the bags clog the machinery of local trash collection companies.

"As the county's largest city, we will take the lead on this issue," said Reed, adding San Jose would pay for an environmental review if the ordinance is approved. "But San Jose can't deal with this alone. We need the other cities."

He said by the leadership of his city, Palo Alto and such organizations as the Santa Clara County Cities Association, it would encourage each of the county's other municipalities to adopt similar single-use bag prohibitions.

Bob Livengood, mayor of Milpitas, said an annual statewide cleanup of waterways held last weekend yielded 1,100 plastic bags that were fished out of Coyote Creek running through his city.

Palo Alto Mayor Peter Drekmeier said his city was at least partly motivated to enact curbs on single-use bags to protect San Francisquito Creek.

"We are a city with a major commitment to protect our natural resources, and we agree a regional approach is best," Drekmeier said. "(Palo Alto) is racing these days to keep up with the green agenda of San Jose."

Evan Low, vice mayor of Campbell, deflected the criticism of foes of San Jose's ordinance, who complain it could cost some shoppers hundreds of dollars a year in bag fees.

"We just need to change our behavior," he said. "Those costs can be avoided by bringing reusable bags to the store." Most retailers charge between 99 cents and \$3 to purchase reusable bags.

Jamie McLeod, member of the Santa Clara City Council, said her city's officials have discussed the possibility of bag ordinance in the city of 110,000. However, there are no formal proposals as yet.

"Since San Jose is the largest city in the county, it makes sense for it to take a leadership role on this issue," said Greg Sellers, vice mayor of Morgan Hill.

On Sept. 21, a group of retailers and business leaders gathered at a Grocery Outlet store at 2300 Monterey Road, San Jose to voice their opposition to the ordinance. They claim a state program mandating retailers to provide collection bins in their stores for plastic bags adopted 1-1/2 years ago should be allowed to unfold before cities like San Jose start enacting bans.

“This will have a major financial impact on my business and disrupt the shopping patterns of my customers,” said Gian Rossini, owner of the Grocery Outlet store, which only provides plastic or reusable bags to its customers. “We have a very strong (plastic bag) recycling program and really encourage our customers to bring them back to be recycled.”

Miguel Olivo, chairman of the board of the directors of the Hispanic Political Action Committee Silicon Valley, said the city’s large Hispanic population will be disproportionately affected by the ordinance. He said it could cost some shoppers up to \$300 a year if they chose to pay the fee imposed on carryout plastic bags.

David Goll can be reached at 408.299.1853 or dgoll@bizjournals.com.

Correction: An earlier version of this story did not include some of the provisions of the Sept. 22 San Jose City Council vote on banning most single-use shopping bags. Those provisions include the fact that city staff was ordered to prepare an ordinance banning most of these bags and that an environmental impact report be prepared prior to action on the ordinance itself.

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A MEMO FROM COMMUNITY DEVELOPMENT

TO: MAYOR AND COUNCIL
FROM: JOHN CHARLEY, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: BISBEE RECYCLING HISTORY/FUTURE OPPORTUNITIES
DATE: 8/13/10
CC: STEVE PAUKEN, CITY MANAGER

Attached is a report submitted by Andy Haratyk, Public Works Recycling Operator regarding a brief history of recycling efforts by the City of Bisbee and opportunities for expansion of the current program.

MATERIALS RECOVER FACILITY

The City of Bisbee has been recycling since 2006. The program started as a drop-off only station at the Tovreaville County Transfer Station. The City collected cardboard, newspapers, aluminum cans, and magazines only. By June of 2006, the City identified through viewing the waste stream that cardboard was the largest volume item in the garbage trucks. Concluding this, the decision was made to identify the users of commercial cardboard and developed routes for the collection. As of 2010, a cardboard route of 64 customers has been established, collecting up to 8 bails of cardboard or approximately 6200 lbs. of cardboard per week. It was realized at this point that collecting recycling at a point of origin was the easiest way to obtain clean sorted recycling. Since 2006, the City has carefully selected additional items to collect and bail.

By the end of 2006, we included office pack, shredded and sheet white paper because of the dollar value associated with products. In 2007, the City began the use of 95 gallon roll-offs to increase the volume of these products. The collection of newspapers was also added by identifying the sources of disposal for the product. At this point, the recycling in Bisbee had a crew of one full-time city work and 2 Arizona Department of Correction (ADC) inmates. As the volume of products grew, inmate labor increased and produced pickup throughout the City. This procedure was very slow due to limited resources available for the handling and processing of the products. By the end of 2008, the City accepted plastic-lined and metal can pet foods. In the middle of 2009, the City began collecting plastic 1 and plastic 2. Between 2006 and 2010, the Recycle program has increased the collecting from four products to eleven different products. The Recycling Program has always endeavored to expand recycling opportunities for the citizens. This year the recycling program will be increased made possible through a grant from the Bisbee Foundation to begin classroom recycling from every public school in the community. The City must be very careful on the usage of the equipment (one fork-lift, one bailer, and two enclosed trailers) so as not to exceed its limit. This equipment was purchased from an ADEQ administration grant. The City purchased a roll-off trailer, 120 95-gallon roll-offs, a twenty-year old van, and seven-year old pickup truck. All the dumpster containers used are broken or unusable garbage dumpsters that were salvaged from the Solid Waste Department.

This year, the City added another full-time employee and utilized six ADC inmates. During the first three months of 2010, approximately 120 tons of recycling was collected, placing the City at a limit of what can be collected and bailed with the equipment on hand.

This year's goal will be to handle glass by some alternative way, other than throwing it in the Transfer Station and pay a tipping fee.

Opportunities for Expanded Recycling Opportunities this year:

- Two eight roll-off stations will be added to the system this year in conjunction with the Bisbee School's Recycling Program. These stations will be made from recycled material with City purchased roll-offs.
- There will be an attempt made to recycle glass this year with costs not to exceed the \$5000 equipment line item in this year's budget.
- There will be no other recycling added to the system due to equipment limitations.
- In order to expand the program beyond this point, the City will have to bring in 3 phase electricity. APS has given an unofficial cost estimate (between \$10,000 and \$35,000) to upgrade electricity service to the garage facility. This electricity is needed to power another Bailer. Currently the City has one bailer and it is very important that it is noted in the current recycling system that if one piece of equipment, Bailer or Forklift is out of service there will be no recycling at all until the equipment can be replaced or repaired. Any attempt to expand the current recycling opportunities beyond a very careful and thoughtful plan will lead to a promise that cannot be kept to the citizens of Bisbee.
- The price of a new bailer including delivery and installation will exceed \$8,000.
- The cost of a facility to house the bailer is unknown, as well as the location. Associated with other costs as well include a fork lift and additional equipment to handle and haul recycling products.
- The average cost of a Material Recovery Facility (MURF) to handle curbside recycling is in excess of \$1M. This estimated price was developed with the help of Melanie Green, through the Community Development Office two years ago when an application was submitted for a recycling grant for a MURF.