

ORDINANCE 2015-O-057

**AMENDING THE CITY OF LAREDO CODE OF ORDINANCES
CHAPTER 33, ENVIRONMENTAL PROTECTION, ARTICLE
VIII, PLASTIC CHECKOUT BAG REDUCTION, BY
CLARIFYING THAT SCOPE OF PLACE OF COMMERCIAL
ESTABLISHMENTS WHERE PLASTIC CHECK OUT BAGS
MAY NOT BE PROVIDED, AND CLARIFYING THE
PROHIBITION OF ANY MANNER OF PROVIDING SUCH
CHECK OUT BAGS.**

Whereas, in December 2003, the City Council adopted a strategic plan that included a Clean City component which includes a goal to create a "trash-free city"; and,

Whereas, legal challenges have been brought against the efficacy of the ordinance causing City Council to clarify certain language within the ordinance to avoid unnecessary misunderstanding as to the meaning of the ordinance; and,

Whereas, City Council made motions to amend the Checkout Bag Ordinance at a special meeting on April 27, 2015;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Sec. 33-504. - Definitions.

For the purpose of this article only, the following terms, words, phrases, and their derivations, shall have the meanings set forth below except where the context clearly indicates a different meaning.

Checkout bag means a plastic one-time-use carryout bag that is provided by a commercial establishment to a customer at the point of sale or elsewhere in the commercial establishment, and is less than four (4) mils thick (one (1) mil is one-thousandth (0.001)) of one (1) inch), or a single-use paper bag. This does not include plastic or paper bags used in the sale and distribution of food stuffs such as meat, poultry, produce, laundry, newspaper, waste bags, pharmaceutical bags, veterinarian bags, restaurant bags, and bags used in charity and fundraising events.

Commercial establishment means any commercial enterprise or establishment, including sole proprietorships, joint ventures, partnerships, corporations, or any other legal entity whether for profit or not and includes all employees of the business and any independent contractors associated with the business that sells retail goods to the general public, including establishments located in the central business district as defined by the

official zoning map of the City of Laredo, Texas.

Single-use paper bag means a checkout bag provided by a commercial establishment at the point of sale or elsewhere in the commercial establishment that is made from paper and contains old growth fiber and or contains less than forty (40) percent post-consumer recycled material.

Sec. 33-505. - General prohibitions.

It shall be unlawful for any commercial establishment to provide in any manner including for free, by sale or otherwise, checkout bags to customers except as outlined by this article.

PUBLICATION.

That this ordinance shall be published one time in a local newspaper, pursuant to the City Charter 2.09 (D).

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE ____ DAY OF ____ 2015.

PETE SAENZ
MAYOR

ATTEST:

GUSTAVO GUEVARA, JR.
CITY SECRETARY

APPROVED AS TO FORM:

RAUL CASSO
CITY ATTORNEY