

ORDINANCE 1469

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, REPEALING CHAPTER 5.14 OF THE GIG HARBOR MUNICIPAL CODE ENTITLED "BRING YOUR OWN BAG;" PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in order to reduce the use of single-use plastic and paper carryout bags in the City, the City Council adopted Ordinance 1399 on December 10, 2019 which codified Chapter 5.14 of the Gig Harbor Municipal Code entitled "Bring Your Own Bag;" and

WHEREAS, during the 2020 legislative session, the Washington State Legislature adopted RCW 70A.530 regulating carryout bags; and

WHEREAS, after delaying implementation due to the COVID-19 pandemic, Governor Inslee directed that the bag ban set forth in RCW 70A.530 would take effect on October 1, 2021; and

WHEREAS, the bag ban set forth in RCW 70A.530 is in some instances more restrictive and rigorous than the City's "Bring You Own Bag" code; and

WHEREAS, the existence of two bag bans with differing restrictions may cause confusion and uncertainty for local businesses endeavoring to comply with these requirements;

NOW THEREFORE, the City Council of the City of Gig Harbor, Washington, do ordain as follows:

Section 1. Chapter 5.14 – Repealed. Chapter 5.14 of the Gig Harbor Municipal Code is hereby repealed.


Section 2. Ordinance 1442 Section 1 – Repealed. Section 1 of Ordinance 1442 is hereby repealed.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

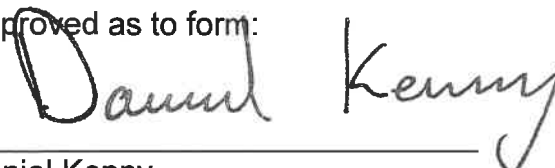
Section 4. Correction of Errors. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This Ordinance shall take effect and be in full force thirty (30) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 25th day of October, 2021.



Kit Kuhn
Mayor

Approved as to form:


Daniel Kenny
City Attorney

Attest:


Joshua Stecker
Interim City Clerk

PUBLICATION DATE: 10/28/21
EFFECTIVE DATE: 11/27/21