

ORDINANCE 1438

AN ORDINANCE OF THE CITY COUNCIL OF GIG HARBOR, WASHINGTON, RELATING TO NON-RECYCLABLE PLASTIC DISPOSABLE FOOD SERVICWARE; REVISING CHAPTER 5.15 OF THE GIG HARBOR MUNICIPAL CODE ENTITLED; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted Ordinance 1399 creating Chapter 5.15 of the Gig Harbor Municipal Code; and

WHEREAS, Ordinance 1399 went into effect on November 26, 2019; and

WHEREAS, Council has identified the need to revise Chapter 5.15 of the Gig Harbor Municipal Code to address unintended consequences of the original ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 5.15.020(B) - Revised. Chapter 5.15.020(B) of the Gig Harbor Municipal Code is hereby revised to read as follows:

B. The following food Serviceware items are exempt from the prohibition established in subsection A of this section until April 3, 2025:


1. Prepackaged soups and other foods that food service businesses sell or otherwise provide to their customers in ~~EPS containers~~ that have been filled and sealed prior to receipt by the food service businesses ~~shall be exempt from the prohibition established in subsection A of this section.~~
2. Products made from polylactic acid (PLA).
3. Catering trays.
4. Containers for uniquely-shaped foods such as deviled eggs and cupcakes.
5. Flexible plastic packaging used to preserve moisture and freshness such as for cookies.
6. Hot meat item containers such as those for ribs and rotisserie chicken.

Section 2. 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 3. Effective Date. This Ordinance shall take effect and be in full force thirty days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 24th day of February, 2020.

CITY OF GIG HARBOR



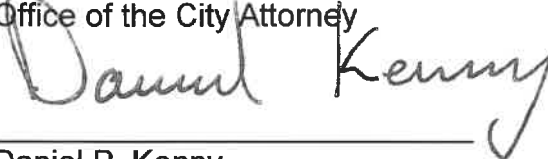
Mayor Pro Tem

ATTEST/AUTHENTICATED:



Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney



Daniel P. Kenny

FILED WITH THE CITY CLERK: 1/29/20
PASSED BY THE CITY COUNCIL: 2/24/20
PUBLISHED: 3/4/20
EFFECTIVE DATE: 4/3/20
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