

**AN ORDINANCE AMENDING SUBDIVISION A OF SECTION 5.48.015 AND
SUBDIVISION E OF SECTION 5.48.020 OF THE SANTA CRUZ COUNTY CODE
RELATING TO THE REDUCTION OF SINGLE-USE
PLASTIC AND PAPER CARRYOUT BAGS**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Subdivision A of Section 5.48.015 of the Santa Cruz County Code is hereby amended to read as follows:

5.48.015 Definitions.

A. For the purposes of this Chapter, the following definitions apply:

1. "Carryout bags" means bags provided by retailers to customers at the point of sale to hold customers' purchases. "Carryout bags" do not include bags used to contain loose items prior to checkout, such as meat, produce, and bulk goods, and does not include prepackaged products.
2. "Single-use plastic bag" or "single-use plastic carryout bag" means a single-use carryout bag of any size that is made from plastic and provided at the point of sale to customers by a retail establishment. Single-use plastic bags include both compostable and non-compostable carryout bags.
3. "Single-use paper bag" means a checkout bag provided by a retail establishment at the point of sale that is made from paper and is not a reusable bag.
4. "Recyclable" means material that can be sorted, cleansed, and reconstituted using the County's available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. Recycling does not include burning, incinerating, converting, or otherwise destroying solid waste.
5. "Reusable bag" means any bag with handles that is specifically designed and manufactured for multiple reuse, and is either 1) made of cloth or other washable woven fabric, or 2) made of durable material that is at least 2.25 mils thick. A "reusable bag" may be made of recyclable plastic such as high density polyethylene (HDPE), low density polyethylene (LDPE), or polypropylene.
6. "Retail establishment" or "retail store" means all sales outlets, stores, shops, restaurants, vehicles, or other places of business located within the County of Santa Cruz, which operate primarily to sell or convey goods, including "to go" food, directly to the ultimate consumer.
7. "Exempted uses" means those point-of-purchase or delivery sales, which have received an exemption under Section 5.48.030 that allows the use of single-use bags.
8. "Prepared food" means foods or beverages which are prepared on vendor's premises by cooking, chopping, slicing, mixing, freezing, or squeezing, and which require no further preparation to be consumed. "Prepared food" does not include any raw uncooked meat product or fruits and vegetables which are not chopped, squeezed, or mixed.

9. "Take out food" means prepared food or beverages requiring no further preparation to be consumed, and which are generally purchased in order to be consumed off restaurant or retail food vendor's premises.

SECTION II

Subdivision E of Section 5.48.020 of the Santa Cruz County Code as is hereby amended to read as follows:

5.48.020 Ban on plastic bags and store charge for single-use carryout bags and plastic reusable bags.

E. Notwithstanding the prohibition set forth in Subdivision (A) of this Section, single-use paper carryout bags may be distributed without charge by restaurants for the transportation of food or beverages that are provided to customers for consumption on the premises, for take-out, or by delivery.

SECTION III

This ordinance shall become effective on April 22, 2013.

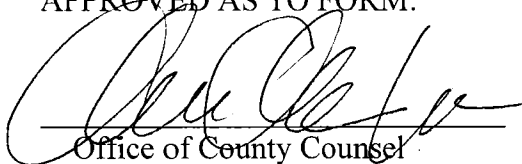
PASSED AND ADOPTED this _____ day of _____, 20____, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairperson, Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:



Office of County Counsel

Distribution: County Counsel, Public Works Department

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