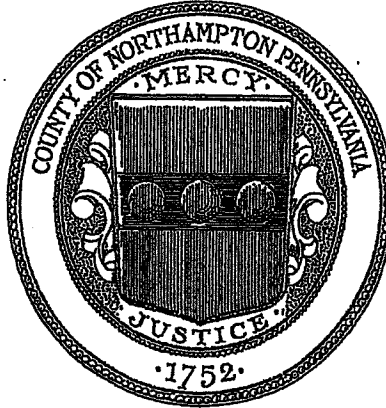


THE COUNTY OF NORTHAMPTON



RESOLUTION

Number ??-2019

A RESOLUTION OF THE NORTHAMPTON COUNTY COUNCIL
ESTABLISHING THE PROVISIONS FOR A BAN OF SINGLE-USE
PLASTIC BAGS AND STRAWS

WHEREAS, Article 1, Section 27 of the Pennsylvania Constitution provides that people have the right to clean air, pure water, and to the preservation of the natural, scenic, historic and aesthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources the Commonwealth shall conserve and maintain them for the benefit of all the people; and

WHEREAS, the purpose of this resolution is to reduce the use of a single-use carry-out plastic bags and single-use plastic straws by commercial establishments within the County of Northampton; curb litter on the streets, in the parks and on the trails; protect the local streams, rivers and waterways and other aquatic environments; reduce greenhouse gas emission and solid waste generation; promote the use of reusable, compostable and recyclable materials within the County of Northampton and to preserve the natural, scenic, historic, and aesthetic values of the County of Northampton; and

WHEREAS, the use of all single-use shopping bags and plastic straws have severe environmental impacts, including greenhouse gas (GHG) emissions, litter, harm to wildlife, ground-level ozone formation, atmospheric acidification, water consumption and solid waste generation; and

WHEREAS, there are numerous commercial retail establishments within Northampton County which provide single single-use, carry-out bags and single-use straws to their customers; and

WHEREAS, the majority of single-use, carry-out bags and single-use straws are made from plastic or other material that does not readily decompose; and

WHEREAS, approximately 100 Billion (100,000,000,000) single-use plastic bags are used and discarded by United States consumers annually and in Northampton County, such bags are not readily recyclable in our single-stream recycling process; and

WHEREAS, approximately 5 hundred million (500,000,000) single-use plastic straws are discarded by the United States consumers every day and in Northampton County, such straws are not readily recyclable; and

WHEREAS, numerous studies have documented the prevalence of single-use plastic carry-out bags and single-use straws littering the environment, blocking storm drains, entering local waterways and becoming stuck in or upon natural resources and public property; and

WHEREAS, the use of single-use paper bags result in greater (GHG) emissions, atmospheric acidification, water consumption and ozone production than single-use plastic bags; and

WHEREAS, plastic bags are a significant source of marine debris and are hazardous to marine animals and birds which often confuse single-use plastic carry-out bags for a source of food resulting in injury and death to birds and marine animals; and

WHEREAS, the Northampton County taxpayers must bear the brunt of the costs related to the clean-up of single-use plastic carry-out bags and plastic straws from the roadways, trees, sewers, waters and parks within Northampton County; and

WHEREAS, from an overall environmental and economic perspective, the best alternative to single-use plastic carry-out bags is a shift to reusable, compostable or recyclable paper bags and the best alternative to single-use plastic straws is reusable straws, recyclable paper straws or straws made from other natural products; and

WHEREAS, there are several alternatives to single-use plastic carry-out bags and single use plastic straws readily available in and around Northampton County; and

WHEREAS, an important goal of the Northampton County is to procure and use sustainable products and services; and

WHEREAS, it is the desire of Northampton County to conserve resources, reduce the amount of GHG emissions, waste, litter and marine pollution and to protect the public health and welfare as well as to protect wildlife, all of which activities increase the quality of life for the Northampton County residents and visitors; and

WHEREAS, studies have documented that placing a mandatory charge on single-use plastic carry-out bags and banning single-use plastic straws will dramatically reduce the use of both types of bags; and

WHEREAS, several municipalities in the United States have implemented single-use plastic straw and bag bans, including Boston, MA; Long Beach, NJ; Atlantic City, NJ; New York, NY; Washington, D.C.; San Francisco, CA; Los Angeles, CA; Austin, TX; Chicago, IL; Seattle, WA; Boulder, CO and Portland, ME; and

WHEREAS, several municipalities in Pennsylvania have implemented single-use plastic straw and bag ban most recently including Narbeth's ordinance passed on the 17th day of October 2018 and Lancaster's resolution passed on the 10th day of July 2018.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council as follows:

1. The above "WHEREAS" clauses are incorporated herein by reference and are made a material part of this resolution.

2. Northampton County Council recommends that any commercial establishment that distributes a single-use plastic carry-out bag shall sell the bag for no less than \$0.10 per bag and all monies collected in this regard shall be retained by the commercial establishment.

3. This resolution shall not preclude any commercial establishment from making reusable bags, recyclable paper bags or compostable plastic bags available to customers for sale or otherwise.

BE IT FURTHER RESOLVED that the Northampton County Council recommends that nothing in this resolution shall be read to alter the obligations of any commercial establishment under the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101, et, seq.

1. This resolution shall not be used to cause undue hardship to the commercial establishment either because the commercial establishment has a unique circumstance or situation such that there are no reasonable alternatives to single-use plastic carry-out bags or single-use plastic straws or, if compliance with the requirements herein recommended would deprive a commercial establishment of a legally protected right.

BE IT FURTHER RESOLVED that the Northampton County Council specifically concludes that compliance with this resolution as to the distribution of single-use, carry-out plastic bags and single-use plastic straws by commercial establishment shall conserve and maintain the environment and as such, our elected municipal leader and Environmental Advisory Councils to examine all of the benefits set forth in this resolution and to consider appropriate action to implement these benefits.

BE IT FURTHER RESOLVED that this resolution will be incorporated into the Municipal Solid Waste Plan Revision (2020-2030) and that the Department of Public Works and the Environmental Services Coordinator shall have any and all support of the Northampton County Council, material or otherwise, to initiate educational programming and produce educational material for the purpose of generating municipal interest and education about the reduction of single-use plastic waste.

BE IT FURTHER RESOLVED that copies of this resolution will be distributed to all municipal leaders and Environmental Advisory Councils within Northampton County and to Pennsylvania's Governor and State legislators within the General Assembly.

ATTEST:

INTRODUCED BY:

Linda M. Zembo
Clerk to Council

The above resolution was adopted by the Northampton County Council at the meeting held _____, 2019.

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