

ORDINANCE NO. 19-110

INTRODUCED BY: Mayor Stefanik

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 8 BUSINESS REGULATION BY CREATING A NEW CHAPTER 879 RETAIL DISPOSABLE BAG RECYCLING, AND DECLARING AN EMERGENCY

WHEREAS: Cuyahoga County Ordinance O2019-0005 was passed by Cuyahoga County Council without seeking the input of the cities that will be affected by said ordinance; and

WHEREAS: Cuyahoga County Ordinance O2019-0005 places undue burden on the City of North Royalton retail businesses as well as North Royalton residents and all customers of North Royalton retail establishments, and in any event, customers not wanting to use disposable plastic bags or non-permitted paper bags would be able to bring their own containers to those establishments; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 8 Business Regulation, by creating a new Chapter 879 entitled Retail Disposable Bag Recycling; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. Part 8 Business Regulation of the Codified Ordinances of the City of North Royalton is hereby amended by creating a new Chapter entitled Retail Disposable Bag Recycling which shall hereinafter read as follows:

**CHAPTER 879**  
**Retail Disposable Bag Recycling**

**879.01 Definitions.**  
**879.02 Bag collection and recycling.**  
**879.03 Penalty.**

**879.01 DEFINITIONS.**

*As used in this chapter:*

*(a) "Retail establishment" means any supermarket, convenience store, department store, store, shop, service station, or restaurant and any other sales outlet occupying 30,000 feet or more of usable space where a customer can buy goods or food.*

*(b) "Disposable plastic bag" means a bag made from either non-compostable plastic or compostable plastic provided by a retail establishment to a customer at point of sale for the purpose of transporting purchased items from the retail establishment, but does not include bags specifically intended for multiple reuse.*

**879.02 BAG COLLECTION AND RECYCLING.**

*No retail establishment shall offer customers disposable plastic bags unless:*

*(a) it provides a disposable plastic bag collection bin that is visible, easily accessible to the customer, and clearly marked that the collection bin is available for the purpose of collecting and recycling disposable plastic bags; and*

*(b) the retail establishment ensures all disposable plastic bags collected by the retail establishment are collected, transported and recycled, and not deposited within a solid waste disposal facility, except for disposable plastic bags that are not sufficiently free of foreign material to enter the recycling stream.*

**879.03 PENALTY.**

*Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor. Each day's continued violation shall constitute a separate offense.*

Section 2. All retail establishments within the City of North Royalton are hereby exempted from Cuyahoga County Ordinance No. O2019-0005, which creates a countywide disposable bag ban.

