

**RESOLUTION OF THE TOWN COUNCIL, TOWN OF MOUNTAIN VILLAGE, COLORADO
TO ESTABLISH A DISPOSABLE PLASTIC BAG REDUCTION PROGRAM FOR THE
TOWN OF MOUNTAIN VILLAGE
RESOLUTION NUMBER: 2012-0719-14**

WHEREAS, there is not a viable local option for the commercial recycling of disposable plastic shopping bags; and

WHEREAS, Town Council believes that residents and visitors should use reusable or compostable shopping bags; and

WHEREAS, charging a fee on the distribution of disposable shopping bags by, and at the discretion of, the Town Grocers is an action supported by Town Council especially if said fee is reinvested in some way in the Disposable Plastic Bag Reduction Program

WHEREAS, the Town believes the consumer should incur the true environmental and economic cost of a disposable shopping bag; and

NOW THEREFORE, be it resolved that the Town Council of the Town of Mountain Village, hereby adopts the Attached Disposable Plastic Bag Reduction Program.

The Town Council further resolves to review the results of the voluntary participation of the Disposable Plastic Bag Reduction Program and if the results of such participation are not satisfactory, the Council may consider a mandatory ordinance which could include penalties for non-compliance.

Approved by the Town Council at a public meeting July 19, 2012.

Town of Mountain Village, Town Council

By: _____

Robert Delves, Mayor

Attest:

By: _____

Jackie Kennefick, Town Clerk

THE TOWN OF MOUNTAIN VILLAGE
DISPOSABLE PLASTIC BAG REDUCTION PROGRAM
July 19, 2012

The Town of Mountain Village Disposable Plastic Bag Reduction Program (the "Program") is a cooperative program between Town of Mountain Village (the "Town"), the Town Grocery Stores ("Grocers") and the Town Retail Merchants ("Merchants").

The Program supports the Town's goal of Zero Waste (TMV Resolution 2008-1016-12) and is a step toward a significant reduction of plastic bags in the town's waste stream starting with the Grocers and eventually including all Merchants.

The Program is entirely voluntary on behalf of the Grocers and Merchant; however, the Town has a goal of achieving 100% participation of the Grocers by September 1, 2012 and 100% participation of the Merchants by September 1, 2013.

The Grocers who elect to participate in this program shall comply with the following on or before September 1, 2012:

1. Grocers shall eliminate the distribution of non-compostable disposable shopping bags at all points of sale within a Grocer's store (the "Grocer's Points of Sale").
2. Grocers shall collect a fee, to be determined by the Grocer, for each compostable disposable shopping bag distributed at the Grocer's Points of Sale. 100% of the fees collected will go to the Grocers to offset costs associated with implementation and operation of the Program.
3. Disposable Plastic Bags for produce, deli, meat and bakery items at the Groceries are exempt from the Program.
4. The Grocers shall provide Reusable Shopping Bags for customers to purchase and use, in prominent places at participating Grocer's locations.
5. The Grocers shall work with the Town Staff to install signage that explains the Program to customers, in prominent places at participating Grocer's locations.
6. The Grocers shall monitor and annually report on the Program to the Town, including the number of disposable shopping bags reduced as a result of the Program, the total amount of fees collected, and how the fees were utilized to support the Program. Reports shall be delivered to Town Staff no later than January 31 of each year for the previous year.

7. Grocers shall be recognized and celebrated publicly in Town communication vehicles for their voluntary participation.

The Merchants who elect to participate in this program shall comply with the following on or before September 1, 2013:

1. Merchants shall eliminate the distribution of plastic non-compostable and non-recyclable disposable shoppingbags at the Merchant's points of sale.
2. Merchants may collect a fee (to be determined by eachMerchant) for each compostable or recyclable disposable shopping bag distributed at the Merchant's points of sale. 100% of the fees remain with the Merchant to offset costs associated with implementation and operation of the Program.
3. Merchants shall provide Reusable Shopping Bags for customers to purchase and/or use, in prominent places at the stores.
4. Merchants shall work with the Town Staff to install signage that explains the Program to customers, in prominent places at the Town stores.
5. Lodges and Rental Properties may offer reusable bags for guests to use during their stay or to take home as souvenirs.
6. The Town Staff, Town Grocers, and Town Merchants shall support the local Zero Waste Task Force in their development of a commercial composting facility for the community.
7. Merchants shall be recognized and celebrated publicly in Town communication vehicles for their voluntary participation.

Town Staff will monitor compliance with this Program on an ongoing basis and with Town Council review this Program annually. If it is found that the goals of this program are not being achieved through this voluntary Resolution, Town Council will consider implementing a mandatory Ordinance to the same effect.

The Following Definitions shall apply to the Program:

DEFINITIONS

GROCER: Means that person who owns and/or operates a Grocery.

GROCERY: Means a retail establishment within Town limits that is a full-line, self-service market with a retail market area in excess of 2000 square feet and which sells a line of staple foodstuffs, meats, produce, household supplies, dairy products, beers, wines or liquors or other perishable items.

MERCHANT: Means any retail enterprise or establishment within Town limits whose primary purpose is the sale of goods and associated services (excluding restaurants).

TOWN STAFF: Means an employee of the Town of Mountain Village Environmental Services department.

COMPOSTABLE BAG: Compostable bags shall be certifiably compostable according to the applicable Food and Drug Administration (FDA) American Society for Testing and Materials (ASTM) standard and designed to break down quickly and safely at local composting facilities.

DISPOSABLE PLASTIC BAG: Means a non-compostable, non-recyclable, petroleum-based plastic bag provided to a customer at the point of sale for the sole purpose of transporting goods.

REUSABLE SHOPPING BAG: Means a bag that is specifically intended for multiple re-use and is made of cloth, fiber, or other machine washable fabric.