**Disposable Bags**

**Elements of Fort Collins’ Recently Adopted Ordinance No. 99, 2014**

**August 20, 2014**

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| Provision | What Became Law? | What Changed between First and Second Reading? |
| Is there a disposable bag charge required for single-use paper or plastic carry-out bags? | Yes; 5 cents each at all retailers | 10 cent charge was reduced to 5 cents |
| Which stores fall under the ordinance? | Almost all retailers with several exceptions (farmers’ markets, temporary vendors of food products, garage sales, restaurants) | Expanded from grocery stores only |
| Will customers on federal or state food assistance programs be exempted? | Maybe. Stores have the option to charge for disposable bags or they may waive the cost for customers receiving food assistance to the extent permissible under the relevant program. | No change |
| Must a customer consent to purchase the disposable bag(s)? | Yes. All customers who receive a disposable bag will be charged for it. The ordinance requires that customers must understand they are being charged. | New provision added to Ord. No. 99 |
| Must on-site recycling be provided by each retailer for disposable bags? | No | Eliminated |
| Will all revenue from sale of disposable bags be retained by the store? | Yes | Yes, but no longer specifies how grocers must spend any portion of new revenue. |
| Are newspaper “sleeve” bags regulated in any way by this ordinance? | No | N/A. A proposal was discussed as an option under a separate ordinance, but was not ultimately adopted. |
| Records must be kept by retailers for number of disposable bags sold | Yes | No change |
| Retailers may offer rebates for customers who bring their own bags to hold purchases | Yes | No change |
| City will strive to find alternatives to use of disposable bags in municipal operations | Yes | New provision added to Ord. No. 99 |
| City will create education and awareness materials and, as funding allows, provide them to retailers | Yes | New provision added to Ord. No. 99 |