

RESOLUTION NO.

WHEREAS, the City of Austin has had a Single-Use Bag Ordinance in effect since March 1, 2013; and

WHEREAS, this ordinance has been successful in reducing litter, decreasing instances of single-use bags clogging stormwater drains and waterways, and fewer bags in the recycling stream; and

WHEREAS, no fines have been levied against any business for violating the ordinance since its implementation; and

WHEREAS, the Supreme Court of Texas ruled on June 22, 2018, that ordinances such as this one are preempted by Texas law; and

WHEREAS, Texas cities including Laredo, Galveston, and Houston, as well as the Texas Municipal League and the Texas City Attorneys Association have formally put forward legal arguments contesting the fact of preemption;
NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That while the Council recognizes the City’s Single-Use Bag Ordinance is not enforceable at this time, we affirm it as part of the zero-waste goals of the City of Austin, and

BE IT FURTHER RESOLVED:

That the City Manager work with Austin Resource Recovery and the Zero Waste Advisory Commission in encouraging retailers and other affected parties to continue to honor the intent of the ordinance as they have since 2013, and work to identify opportunities for retailer and community education to continue voluntary reduction of single-use bags.

ADOPTED: _____, 2018 **ATTEST:** _____

Jannette S. Goodall
City Clerk