

## **Ordinance Committee Meeting Minutes—October 6, 2015**

Present: Councilors Anderson, McBrady, Kitchell, Goldberg, Hemphill

Staff—Nathan Poore, Kimberly Darling

1. Approve minutes  
All in favor of approving minutes
2. Discussion of all public input regarding single-use shopping bag policy
3. Discussion of next steps
  - a. What policy will be used; what additional information is needed?
  - b. Process and net steps for ordinance drafting

Goal is to reach a consensus amongst the committee to bring back to the Town Council as far as ordinance language. Public forum on September 16<sup>th</sup>. Emails/comments became before the public forum as well as after.

Kitchell—two or three options. One is for the sake of consistence with Portland and South Portland, may make some sense. Another is to serve the interest of our community which isn't like theirs. Third could be a fee for the bag with an all-out ban of any of the merchants. Does the Portland ordinance make sense for us? How do we feel for an all-out ban? One community charges a high fee (30-35 cents) which has a dramatic impact on plastic bags.

Anderson—concern is, is this too complicated? Why do a fee at all, can we just go to a ban? Can we just start with a fee and see how it goes? Concerned with the business point of view. Why not go with a ban all together? Cathy Nichols wrote a paper in response to the idea of no fees. Makes a good case for the effectiveness and rational for a fee. General support from the public seems evident. The ban gets a lot of folks concerned rather than just a fee. A ban feels punitive. Let's do what Portland and South Portland has done and see how it goes with the creation of measurable targets along the way. Leave the ban for another date, if it doesn't work.

McBrady—is the fee effective in other communities?

Anderson—Washington DC experienced in 3 months a 80% reduction in bag use with a fee (from Cathy's paper)

Kitchell—did Portland ever discuss a ban? Outcomes after 2 years? The fee does make a statement and gets people to think. Smaller bags for meat and produce don't typically end up as litter, they're exempt. We should start with something, and in two years re-evaluate. Makes it easier for the Ordinance language.

McBrady—what would the effect of 5 cents per bag mean in this town?

Goldberg—5 cents may or may not change behavior in Falmouth. A fee won't end the use of them. The nickel is more of a symbol—

McBrady—how do we police this? How do we determine the cause and effect of this?

Hemphill—people will self-police this if they see businesses aren't complying

McBrady—would be worried about how to enforce this and make this successful within the ordinance language. How do you enforce and how do you measure?

Kitchell—why isn't everyone in compliance? Why shouldn't everyone charge?

Anderson—a fee does suggest a change in behavior. We should be able to get a sense of how many bags are being given out through inventory reports. We can set objectives and measure that and revisit this.

McBrady—need to think about how small and mid-sized business will be affected

Hemphill—Portland gave thought with their 2%, we've given thought to our 10,000 Sq. footage

Goldberg—if you exclude restaurants, and the big 6 who give out food? Maybe less than 10

Hemphill—was supporting a ban up until recently, we've seen letters to the Forecaster, and two individuals are both very against bans. Also had a conversation with Troy Moon and Ed Schevick, South Portland's town manager, when you ban plastic everyone goes to paper. Paper is a worse option for many reasons. Worried about what the ultimate effects of the ban would be. Giving our discouragement of using plastic bags with a fee, coupled with public awareness will likely work.

**Consensus— fee on paper and plastic among the 6 biggest retailers in Falmouth, coupled with a lot of education.**

Need to look into splitting up fee and designating some fund.

Goldberg—voluntary fee for smaller businesses? Plenty of reasons why we shouldn't ban plastic bags. There's only one reason to do it—the environmental issue. In support of a fee versus the ban, you're taking a choice away from me (banning plastic).By doing a fee you still have a choice.

Anderson—we need to know how many bags are given out by the big 6 so we can compare data after a year.

Big 6—

What their annual usage of paper and plastic?

Heads up on reporting

How much lead time is needed to get ready to administer a fee? (April 1, 2016)

4. Other items

- a. Farmgate Road parking ban with the council and planning board.
- b. Food truck ordinance will be addressed in the winter to prepare for the spring.