



# TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

**PREPARATION DATE:** October 31<sup>st</sup>, 2018

**MEETING DATE:** November 5<sup>th</sup>, 2018

**SUBMITTING DEPARTMENT:** Public Works

**DEPARTMENT DIRECTOR:** Floren Poliseo

**PRESENTER:** Johnny Ziem, Assistant Public Works Director

**SUBJECT:** 1<sup>st</sup> Reading of Ordinance P for Disposable Bag Requirements

## STATEMENT/PURPOSE

The purpose of this item is to present Ordinance P, an ordinance adding Chapter 8.36 to the Municipal Code of the Town of Jackson establishing disposable bag requirements and providing for the collection and designation of the fee to the Teton County Waste Reduction Program and providing for an effective date.

## BACKGROUND/ALTERNATIVES

At the October 15<sup>th</sup>, 2018, Town Council Workshop, staff was directed to bring this ordinance back for first reading at the next regular Council meeting. During the last workshop, direction was given to staff on numerous sections that were requested to be changed in preparation for first reading.

## Changes Made to the Draft Ordinance:

There were several points and suggestions requested by Council to be changed in the draft ordinance. Below are the sections and changes that were made:

1. Section 8.36.020 (A.1): The disposable paper bag definition was added to reflect an exclusion for Grocers, Large Retailers, Retailers, and Retail Stores to allow for bulk items and gift cards/post cards an allowance to use paper bags without charging the \$.20 Waste Reduction Fee.
2. Section 8.36.020 (E): This section was added to reflect a new definition of "Large Retailer", which is the same definition of Retailer with the added language of square footage greater the 19,000 square feet.
3. Section 8.36.020 (I): In this section, a change was made to the value of the Waste Reduction Fee from \$.10 to \$.20 collected when paper bags are distributed to customers.
4. Section 8.36.030 (A and B): Both subsections in this section were changed to reflect a new commencement date of April 15<sup>th</sup>, 2019, for Grocers and Large Retailers and November 1<sup>st</sup>, 2019, for all Retailers and Retail Stores when single-use plastic bags will be prohibited from distribution to customers.
5. Section 8.36.040 (A and B): Both subsections in the section were changed to reflect a new commencement date of April 15<sup>th</sup>, 2019, for Grocers and Large Retailers and November 1<sup>st</sup>, 2019, for all Retailers and Retail Stores when the \$.20 Waste Reduction Fee (paper bag fee) will commence being collected at the point of sale.
6. Section 8.36.050 (B and C): Both subsections reflect the change to Waste Reduction fee from \$.10 to \$.20. Language was also added to allow for payment of the Waste Reduction Fee to be due to the Town of Jackson Finance Department by the last day of the following month when sales tax is submitted to the state for each Grocer, Larger Retailer, Retailer, and Retail Store.
7. Section 8.36.070 (D): This section was changed to also reflect #6 (above) that clarifies when the Waste Reduction Fee is to be submitted to the Town and also changes the late fee to the last day of the following month after which sales tax and the Waste Reduction Fee would be due.
8. Multiple sections were also changed to reflect the addition of Large Retailer when customer types were referenced, since that was a new definition that was added.

## ALIGNMENT WITH COMMUNITY PLANS AND INITIATIVES

- Policy 2.5.b: Manage our waste stream for sustainability
- Resolution recognizing Jackson Hole as a World Leading Sustainable Community and Destination
- Zero Waste Initiative Resolution

## ATTACHMENTS

- Draft Ordinance P
- Public comment received since the last workshop presentation on October 15, 2018.

## FISCAL IMPACT

There is no fiscal impact to the Town of the Jackson for providing direction to staff to present an ordinance for first reading. Should the ordinance be adopted and become effective, there would be no immediate fiscal impact to the Town organization. However, there is a fiscal impact to the Town and to businesses of ultimate passage of the ordinance as proposed as 50% of the fee Waste Reduction Fee collected would be remitted to the Town and provided to ISWR and 50% would be retained by the grocer, retailer, or retail store.

Additionally, there will be a fiscal impact to the Town's FY20 Budget in that funds would be budgeted to implement the initial education and outreach prior to collecting any Waste Reduction Fees. There would be a positive fiscal impact to ISWR in that it would have an additional revenue stream from the Waste Reduction Fees to address education, outreach, and the provision of reusable bags. Additionally, ISWR could avoid the cost of disposal for single-use plastic bags, which reportedly costs taxpayers \$40 per ton.

Please note that the goal of this program is not to create an additional revenue stream. The goal is to change behavior so that reusable bags are used in place of plastic or paper. The ultimate goal would be to collect a very minimal fee for paper bags usage as that would indicate success and reusable bags are being used in place of paper.

## STAFF IMPACT

Staff impact included preparing the ordinance for first reading and may include making changes/amendments as directed by Council. Numerous hours of staff time have been spent conducting phone interviews with resort communities that have already banned single-use plastic bags. If the ordinance is passed after the third and final reading, staff would need to dedicate time to continue working with stakeholders and retailers to ensure a smooth transition for implementation before the effective date. Further time would also be needed to coordinate an implementation plan with ISWR, the Chamber of Commerce, and the Travel and Tourism Board to educate retailers. This would involve approximately 10-15 hours of time from the Town's Public Information Officer and Assistant Public Works Director. Further, there would be additional staff time for the Police Department to investigate any possible violations of this ordinance. The estimated time for each citation would require roughly two hours of Police Department time and an estimated two hours of Legal time per each offense. Should citations proceed to Municipal Court, there would also be time spent by the Municipal Judge and the court staff in processing and disposing of each citation. The Police Department estimates a time of approximately one hour for written warnings. There would also be a notable amount of staff time spent in the Finance Department processing the fees collected by retail establishments, entering those amounts in the Town's accounting system and remitting those fees to ISWR.

## LEGAL REVIEW

Ongoing

## RECOMMENDATION

Staff recommends approval of Ordinance P, an ordinance adding Chapter 8.36 to the Municipal Code of the Town of Jackson establishing disposable bag requirements and providing for the collection and designation of the fee to the Teton County Waste Reduction Program and providing for an effective date, on first reading.

## SUGGESTED MOTION

I move to approve Ordinance P, an ordinance adding Chapter 8.36 to the Municipal Code of the Town of Jackson establishing disposable bag requirements and providing for the collection and designation of the fee to the Teton County Waste Reduction Program and providing for an effective date, on first reading.

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### Synopsis for PowerPoint (120 words max):

Purpose: The purpose of this item is to present Ordinance P, an ordinance adding Chapter 8.36 to the Municipal Code of the Town of Jackson establishing disposable bag requirements and providing for the collection and designation of the fee to the Teton County Waste Reduction Program and providing for an effective date.

Background: At the October 15<sup>th</sup>, 2018, Town Council Workshop, staff was directed to bring this ordinance back for first reading at the next regular Council meeting. During the last workshop, direction was given to staff on numerous sections that were requested to be changed in preparation for first reading.

Fiscal Impact: There is no fiscal impact to the Town of the Jackson for providing direction to staff to present an ordinance for first reading. Should the ordinance be adopted and become effective, there would be no immediate fiscal impact to the Town organization. However, there is a fiscal impact to the Town and to businesses of ultimate passage of the ordinance as proposed as 50% of the fee Waste Reduction Fee collected would be remitted to the Town and provided to ISWR and 50% would be retained by the grocer, retailer, or retail store.

ORDINANCE P

AN ORDINANCE ADDING CHAPTER 8.36 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON ESTABLISHING DISPOSABLE BAG REQUIREMENTS AND PROVIDING FOR THE COLLECTION AND DESIGNATION OF THE FEE TO THE TETON COUNTY WASTE REDUCTION PROGRAM AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT

**SECTION I.**

There is hereby added Chapter 8.36 of Title 8 Disposable Bag Requirements of the Municipal Code of the Town of Jackson as follows:

**CHAPTER 8.36  
DISPOSABLE BAG REQUIREMENTS**

**Sections:**

<b>8.36.010</b>	<b>Legislative Findings</b>
<b>8.36.020</b>	<b>Definitions</b>
<b>8.36.030</b>	<b>Single-Use Disposable Plastic Bag Prohibition</b>
<b>8.36.040</b>	<b>Disposable Paper Bag Fee Requirements</b>
<b>8.36.050</b>	<b>Collection and Remittance of the Waste Reduction Fee</b>
<b>8.36.060</b>	<b>Exemptions</b>
<b>8.36.070</b>	<b>Audits and Violations</b>

**8.36.010 Legislative Findings**

**WHEREAS**, the Town of Jackson, Wyoming (“Town”) is a municipal corporation existing pursuant to the laws of the Wyoming Constitution, the Wyoming Statutes, and the Town Charter; and

**WHEREAS**, the Town has a responsibility to protect the natural environment, economy, and health of its citizens and guests; and

**WHEREAS**, the Town, pursuant to Resolution 15-18 (“A Resolution Adopting Zero Waste as a Guiding Principle and Supporting the Creating of a Zero Waste Plan”) is committed to: pursuing a waste diversion goal of sixty percent (60%) or better; preserving Jackson’s unique environmental resources for generations to come by limiting environmental degradation and waste; and promoting practices that are sustainable and minimize harms to the natural environment; and

**WHEREAS**, the Town, pursuant to Resolution 12-001 (“A Resolution Certifying the Illustration of Our Vision Chapter of the Jackson/Teton County Comprehensive Plan as Part of the Comprehensive Master Plan for the Town of Jackson, Wyoming and Teton County, Wyoming”) is committed to minimizing the amount of solid waste it directs to landfills with a goal of “zero waste” by increasing efforts such as recycling and composting of waste; and

**WHEREAS**, the Town, pursuant to Resolution 17-08 (“A Resolution Recognizing Jackson Hole as a World-Leading Sustainable Community and Destination”) is committed to be a model of sustainability and support public and private sustainability efforts; and

**WHEREAS**, in the Town, innumerable single use disposable plastic bags are used each year that cannot be recycled in a cost-effective manner; and

**WHEREAS**, single-use disposable plastic bags create waste, pollute the Town’s waterways, roadways, landscapes and harm wildlife populations; and

**WHEREAS**, the Town Council finds and determines that prohibiting single-use disposable plastic bags and requiring a charge for disposable paper bags at grocers and other retailers would address the environmental and health problems associated with such use, would relieve Town taxpayers of the costs incurred by the Town in conjunction therewith, and would be in the best interest of the public health, safety, and welfare of the Town.

#### **8.36.020 Definitions**

As used in this Chapter the following definitions apply:

- A. *Disposable Paper Bag* means a bag made predominantly of paper that is provided to a customer by a Grocer, Large Retailer, Retailer, and Retail Store at the point of sale for the purpose of transporting goods which is subject to the Town’s Waste Reduction Fee.
  - 1. Disposable Paper Bag does not include the following:
    - a. Paper Bags used by consumers inside Retail Stores to:
      - 1. Package bulk items including: fruit, vegetables, nuts, grains, candy, or small hardware items; or
      - 2. Provided for the sale of gift cards and post cards
- B. *Fast Food Restaurant* means a retail food establishment where food and beverages are:
  - 1. Prepared in advance of customer orders or are able to be quickly prepared for consumption on or off premises; and
  - 2. Are ordered and served over counters or at drive-through windows; and
  - 3. Are paid for before being consumed.
- C. *Grocer* means a retail establishment or Business with the Town limits that is a full-line, self-service market with a retail market area more than Five Thousand (5,000) square feet and which sells a line of staple foodstuffs, meats, produce, household supplies, or dairy products or other perishable items
- D. *Retailer* means any person, corporation, partnership, business, facility, vendor, organization or individual that sells or provides merchandise, goods or materials, including without limitation, clothing, food, or personal items of any kind, directly to a customer.

- E. *Large Retailer* means any person, corporation, partnership, business, facility, vendor, organization or individual that sells or provides merchandise, goods or materials, including without limitation, clothing, food, or personal items of any kind, directly to a customer, that has a building square footage greater than Nineteen Thousand (19,000) square feet.
- F. *Retail Store* includes, without limitations, any department store, hardware store, pharmacy, liquor store, restaurant, catering truck, convenience store, gas station, and any other retail store or vendor.
1. *Retail Store* for the purposes of this ordinance does not include:
    - a. Vendors at a farmers' market, excluding any of the vendors' associated permanent business location(s);
    - b. Fast Food Restaurants; or
    - c. Art galleries and Art Fairs.
- G. *Reusable Bag* means a bag that is:
1. Designed and manufactured to withstand repeated uses over time; and
  2. Is made from a material that can be cleaned and disinfected regularly; and
  3. At least two and one quarter millimeters (2.25 mil) thick if made from plastic.
- H. *Single-Use Disposable Plastic Bag* means any bag that is less than two and one quarter millimeters (2.25 mil) thick and is made predominately of compostable or non-compostable plastic that is provided to a customer by a Grocer, Large Retailer, Retailer, or Retail Store at the point of sale for the purpose of transporting goods.
2. Single-Use Disposable Plastic Bag does not include the following:
    - a. Bags used by consumers inside Grocers, Larger Retailer, Retailer, and Retail Stores to:
      1. Package bulk items including: fruit, vegetables, nuts, grains, candy, or small hardware items; or
      2. Contain or wrap fresh or frozen meat or fish; or
      3. Contain or wrap flowers or potted plants; or
      4. Contain unwrapped prepared foods or unwrapped bakery goods.
    - b. Bags provided by pharmacists to contain prescription drugs.
    - c. Newspaper bags, door hanger bags, dry cleaning bags, or bags sold in packages containing multiple bags intended to enclose garbage, pet waste, or yard waste.
- I. *Waste Reduction Fee* means the Town fee of Ten Cents (\$.20) imposed and required to be paid by each consumer making a purchase from a Retailer or Retail Store for each Disposable Paper Bag used during the purchase at the point of sale.

**8.36.030 Single-Use Disposable Plastic Bag Prohibition**

- A. On April 15<sup>th</sup>, 2019, no Grocer or Large Retailer shall provide a Single-Use Disposable Plastic Bag to a customer at the point of sale.
- B. On November 1<sup>st</sup>, 2019, no Retailer or Retail Store shall provide a Single-Use Disposable Plastic Bag to a customer at the point of sale.

- C. Nothing in this section shall preclude any person or organization from making Reusable Bags available for sale or for no cost to customers.

**8.36.040 Disposable Paper Bag Fee Requirements**

- A. Effective on April 15<sup>th</sup>, 2019, Grocers and Large Retailers shall collect from customers, and customers shall pay, at the time of purchase a Waste Reduction Fee of Ten Cents (\$.20) for each Disposable Paper Bag provided to the customer at the point of sale.
- B. Effective on November 1<sup>st</sup>, 2019, Retailers and Retail Stores shall collect from customers, and customers shall pay, at the time of purchase a Waste Reduction Fee of Ten Cents (\$.20) for each Disposable Paper Bag provided to the customer at the point of sale.
- C. Grocers, Large Retailers, Retailers, and Retail Stores shall record the number of Disposable Paper Bags provided and the total amount of the Waste Reduction Fee charged on the customer transaction receipt.
- D. A Grocer, Large Retailer, Retailer, or Retail Store shall not refund to the customer any part of the Waste Reduction Fee or pay the Waste Reduction Fee for the customer or advertise or state to any customer that any part of the Waste Reduction Fee will be refunded to the customer.
- E. For the purposes of this subsection, a restaurant is not a Grocer, Large Retailer, Retailer, or Retail Store.

**8.36.050 Collection and Remittance of the Waste Reduction Fee**

- A. The Waste Reduction Fee collected by the Grocer, Large Retailer, Retailer, or Retail Store shall not be classified as revenue for the purposes of calculating sales tax.
- B. Each Grocer, Large Retailer, Retailer, and Retail Store shall retain Ten Cents (\$.10) of each Twenty Cent (\$.20) Waste Reduction Fee it collects.
- C. The remaining Ten Cents (\$.10) of each Twenty Cent (\$.20) Waste Reduction Fee collected by each Grocer, Large Retailer, Retailer, or Retail Store shall be due and remitted to the Town of Jackson Finance Department the last day of the following month in which sales tax was submitted to the state. The Town shall provide the necessary forms for Grocers, Large Retailers, Retailers, and Retail Stores to file with each month's remittance.
- D. The Waste Reduction Fees collected by the Grocers, Large Retailers, Retailers, and Retail Stores paid to the Town of Jackson Finance Department shall be deposited into the Waste Reduction Fee account.
- E. The Town of Jackson Finance Department shall remit all funds collected pursuant to this ordinance to the Teton County Integrated Solid Waste and Recycling Division.
- F. The Waste Reduction Fee shall be administered by the Teton County Integrated Solid Waste and Recycling Division.
- G. Waste Reduction Fees deposited in the Waste Reduction Account shall be used for the costs of the Plastic Bag Outreach Plan managed by Integrated Solid Waste and Recycling, which includes only:

1. Integrated Solid Waste and Recycling-sponsored reusable bag distribution and retailer support; and
  2. Community litter clean up; and
  3. Integrated Solid Waste and Recycling Zero Waste Infrastructure and Program.
- H. No Waste Reduction Fee collected in accordance with this ordinance shall be used to supplant funds appropriated as part of The Town of Jackson Annual Budget.
- I. No Waste Reduction Fee collected in accordance with this ordinance shall revert to the Town of Jackson General Fund at the end of the fiscal year, or at any other time.

### **8.36.060 Exemptions**

A Grocer, Large Retailer, Retailer, or Retail Store may provide a Disposable Paper Bag to a customer at no charge to that customer if the customer provides evidence that he or she is a participant in a state or federal food assistance program.

### **8.36.070 Audits and Violations**

- A. Each Grocer, Large Retailer, Retailer, or Retail Store shall maintain accurate and complete records of the Waste Reduction Fees collected, the number of Disposable Paper Bags provided to customers, and any underlying records, including any books, accounts, invoices, or other records necessary to verify the accuracy and completeness of such records. It is the duty of each Retailer to keep and preserve all such documents and records, including any electronic information, for a period of three (3) years beginning at the end of the calendar year of such records.
- B. If requested, each Grocer, Large Retailer, Retailer, and Retail Store shall make its records available for audit by the Town Manager or his/her designee during regular business hours for the Town to verify compliance with the provisions of this Chapter. All such records shall be treated as confidential commercial documents.
- C. Violation(s) of any of the requirements of this Chapter subject a Grocer, Large Retailer, Retailer, or Retail Store to the following penalties:
1. Any Person upon conviction of a violation of any provision of this Ordinance, shall be subject to the following penalties:
    - a. Fifty Dollars (\$50.00) for the first conviction.
    - b. One Hundred Dollars (\$100.00) for the second conviction.
    - c. For the third and all subsequent convictions there shall be a mandatory Jackson Municipal Court appearance and such penalty as may be determined by the Jackson Municipal Court pursuant to Jackson Municipal Code § 1.12.010.
  2. No more than one (1) citation shall be issued to a Grocer, Retailer, or Retail Store within any seven (7) calendar days.
- D. If payment of any portion of the Waste Reduction Fee is not received by the Town Finance Department on or before the last day of the following month after which the sales tax was submitted to the state, a Ten Dollar (\$10.00) late fee shall be imposed per month until said payment is received.



I hereby certify that the foregoing Ordinance No. \_\_\_\_\_ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the \_\_\_\_ day of \_\_\_\_\_, 2018.

I further certify that the foregoing Ordinance was duly recorded on page \_\_\_\_\_ of Book \_\_\_\_\_ of Ordinances of the Town of Jackson, Wyoming.

\_\_\_\_\_  
Sandy P. Birdyshaw  
Town Clerk

1st Reading

**From:** [Matt Moore](#)  
**To:** [Jim Stanford](#)  
**Subject:** An Aide To Plastic Bag Ban  
**Date:** Saturday, October 20, 2018 3:56:09 AM

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Good day Councilor Stanford,

My name is Matthew Moore. I am the owner of a reusable bag company. I created this business due to the state of the environment. What we do is we distribute reusable bags made from non woven polypropylene(the most eco-friendly material) to communities and businesses all over the U.S. since we are more for the environment and less of a money hungry business, we donate a portion of our profits to local communities we work with.

Being that the residents as well as the businesses are not opposed to a plastic bag ban in Jackson, I believe we can work together to bring about a more sustainable community as well as environment.

I would love to work with you and the community in creating a more sustainable environment. We can create custom quality bags for small/local businesses or areas, and our pricing is low too! Many businesses resell their reusable bags for \$1-\$3 and our bags are below \$.50 which means businesses as well as the community can make a profit while filling a need and helping the environment.

Kindly email me back if interested and I will send you the specifics.

Thank you!

Matt.

## Johnny Ziem

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**From:** Nikki Kaufman <nikki.kaufman1@gmail.com>  
**Sent:** Wednesday, October 17, 2018 12:48 PM  
**To:** Pete Muldoon; Jim Stanford; Don Frank; Bob Lenz; Hailey Morton Levinson  
**Subject:** Plastic Bag Education: Bigger job than we can imagine...

Mr. Muldoon, Mr. Stanford, Mr. Frank, Mrs. Morton Levinson, and Mr. Lenz,

I would like to thank you again for your deliberate and positive commentary regarding the plastic ban bag at Monday's workshop. I would like to second Wes Gardiner's comment that this been has been a very transparent and productive process.

I am reaching out to reiterate my point about having a .20 paper bag fee split 50/50 between businesses and ISWR. As a recent ISWR board member and through my own personal road to Zero Waste, I have seen just how difficult it is to find folks willing to educate themselves on waste reduction in this county. A

Like Mr. Scott from Whole Grocer suggested, it would be ideal to give 100% of the revenue back to businesses and allow them to educate their employees. However, I don't think that option fits our town's unique sales model. Between unrelenting employee turnover and the chaos that managers must endure during the "on" seasons, I am not so sure they have the time or mental capacity to take on this job. I don't think we should add another "to do" on to their already endless lists.

Instead, I believe we should let ISWR utilize their resources and incredibly knowledgeable team to help educate in an efficient and consistent manner across the town. Instead of a store by store implementation, this project could help make a town wide tool kit and protocol for the ban that each site can easily use.

That being said, I am not a business owner and believe that we should do whatever will relieve the most stress from their lives.

Thank you again for the opportunity to be heard during this process and I look forward to more meetings on the subject!

Cheers,  
Nikki Kaufman  
413-687-5062

## Johnny Ziem

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**From:** Carter Cox <caracartercox@gmail.com>  
**Sent:** Wednesday, October 10, 2018 8:33 AM  
**To:** Town Council  
**Subject:** Plastic Bag Ordinance

Dear Councilors,

I applaud your efforts in moving toward a plastic bag ordinance for Jackson. I encourage you to move forward with the ordinance and to consider fulling banning plastic bags specifically for grocery stores, at the very least. I look forward to hearing the outcome of next week's meeting.

Best,  
Carter

Carter Cox  
[caracartercox@gmail.com](mailto:caracartercox@gmail.com)

## Johnny Ziem

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**From:** Paul Hansen <paulwhansen@me.com>  
**Sent:** Tuesday, October 9, 2018 2:03 PM  
**To:** Town Council  
**Subject:** Plastic Bag ordinance

Jackson Town Council

To be an effective deterrent to the wasteful use of plastic bags that are used for minutes and last for centuries, and to encourage the use of reusable bags, an ordinance must ban most types of single use plastic and establish a significant fee on paper. Many other jurisdictions have done this and it is working fine. A single use plastic bag ordinance is inherently business friendly. In other towns that have done this, increasing use of reusable bags has reduced business costs for all bags over time. A small investment now pays off handsomely over the long haul. Besides, business mostly passes the cost of bags along to consumers.

In Jackson Hole we hear a lot about becoming a sustainable destination and staying wild. If our business community really means to support this concept, this is a small step they should be willing to take. Other communities have adopted restrictions on single use plastic bags without having to pay off the business community. We should too. Rebating part of the fee near term might make sense. Rebating all of it is extortion.

Paul W. Hansen  
1155 Melody Creek Lane  
Jackson, WY 83001  
307 734-0330 (home)  
307 413-8879 (cell)  
[paulwhansen@me.com](mailto:paulwhansen@me.com)

## Johnny Ziem

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**From:** Ryan Nourai <ryannourai@me.com>  
**Sent:** Wednesday, October 10, 2018 4:16 PM  
**To:** Town Council  
**Subject:** Plastic Bags

Dear Town Council Members,

Thank you for taking the time to address the unnecessary waste in our community. The prospect of becoming a community which does not overly-use plastic bags excites me. Leaving progressivism and the quality of being viewed as a leftist issue, this ordinance is the movement in direction of adhering to our morals.

Not only are we surrounded by pristine, unique and widely-authentic systems which allow for incredible view sheds and surreal experiences, we are also a bastion of environmentalism. For many, these mountains called to them because of the prolific and legacy-laden athletes which traversed of their accomplishments and gifts to the recreation -community. For me, the long history of environmental-conservation beckoned me north, promising an arena where I could get my hands dirty.

As a national model for outdoor recreation and environmentalism alike, we are stewards to keep a perpetual balance between two antithetical ideologies and lifestyles. To strike the conversation regarding this balance through a ban of plastic bags, I would think this is the least this ordinance could attain. Reducing plastic in our landfill seems to be a pleasant symptom of the larger statement this ordinance may prove to possess.

Please respect the grassroots coalition which has formed to reflect the wants and needs of this community. Personally, I have been lucky enough to share an office with a woman who helped champion this ordinance into existence. On multiple occasions I was privy to conversations she had about the thoughtful evolution of the ordinance and its consideration of businesses, the less fortunate, locals and tourists as well.

As one of your constituents living in the town of Jackson I ask you to please adopt the plastic-bag ordinance.

Thank you for your time and consideration.

Sincerely

Ryan Nourai

530 East Hall, Jackson WY 83001

PO Box 3728

## Johnny Ziem

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**From:** Heather Overholser  
**Sent:** Wednesday, October 17, 2018 1:07 PM  
**To:** Pete Muldoon  
**Subject:** RE:

Hi Pete,

Thanks for your e-mail. I personally am thrilled about the plastic bag ordinance. It is a big step in the right direction and will accomplish one of the strategies in the Road to Zero Waste Plan. I hope that Council approves some funding from the bag fee to come to ISWR to support education, bag distribution, etc. I noticed there was some feeling on the Council that the stores should be able to keep the entire fee to help cover the cost of the paper bags. ISWR can support some education and outreach from our normal outreach budget, but we wouldn't be able to offer expanded outreach without some funding from the fee. Thanks for your consideration on that.

In terms of plastics, yes, they are tricky. Your idea about additional signage just about plastic is something that we've actually been brainstorming and was supposed to happen, but now we are in the transition between a former and new Waste Diversion Outreach Coordinator and things are a bit hectic. I reached out to Carrie Bell, our new Outreach Coordinator, about this and expressed I'd like to have her make it a priority. You're not alone in being confused about plastics! Thanks for sharing your thoughts on this, and if we are ever short on funding for a project that includes the Town, I will reach out.

Also, if you have the interest, I'd like to discuss a few of our Road to Zero Waste strategies that involve the Town. Johnny and Rox know about them. If you'd like to leave it at the staff level, I understand that too. So just let me know.

Thanks again!  
Heather

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**From:** Pete Muldoon <pmuldoon@jacksonwy.gov>  
**Sent:** Wednesday, October 17, 2018 9:00 AM  
**To:** Heather Overholser <hoverholser@tetoncountywy.gov>  
**Subject:**

Hi Heather,

I just read your guest shot in the NaG. First, thanks for your help on the plastic bag ordinance. Hopefully we can get that done soon, and start looking at next steps.

I found the section in your piece about plastics and the various types to be interesting. I admit this is something that still confuses me every time I recycle. Is there anything the town can do to help with this? Ideally, all of this plastic would be clearly marked by type. But I wonder if a large sign near the stations (or on the containers - maybe magnetic?) with a lot of pictures and categories would help? Maybe an expanded version of the ISWR recycling guide?

I am certain you've thought of all of this, so I suppose I'm really wondering if there are things you'd like to do but need either funding or permission to do that you haven't been able to get from the town or county.

Thanks again for all you do!

-Pete

Pete Muldoon  
Mayor  
Jackson, WY

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## Johnny Ziem

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**From:** Ashley Watson <ashleyrwatson@gmail.com>  
**Sent:** Wednesday, October 10, 2018 1:18 PM  
**To:** Town Council  
**Subject:** Support for plastic bag ban

Dear town councilors,

I am writing to express my support for the plastic bag ban, along with a fee for paper bags. I applaud your efforts to make this positive change in our community. As a small business owner, I understand how difficult decisions aren't always easy or popular, but we need to do the right thing for our planet. Please pass this important and long-lasting improvement for our town, before it is too late! Thank you for all of your incredible hard work and dedication towards making Jackson the best town it can be for locals and visitors alike.

With gratitude,  
Ashley Watson

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Ashley Watson

Mountains of Groceries  
<http://www.mountainsofgroceries.com/>  
(307) 699-4901

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## Johnny Ziem

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**From:** Nikki Kaufman <[nikki.kaufman1@gmail.com](mailto:nikki.kaufman1@gmail.com)>  
**Sent:** Wednesday, October 31, 2018 1:38 PM  
**To:** Pete Muldoon  
**Subject:** Re: Plastic Bag Education: Bigger job than we can imagine...

Mr. Muldoon,

I know the new plastic ban bag ordinance will have its first reading this coming Monday Nov 5th (which happens to also be my birthday). I wanted to follow-up to see what support looked like for a .20 cent or more fee on paper bags and the split between ISWR and businesses. I know many people in the community would agree with this fee and split, and I would love to round up folks to voice their opinions on the matter if you think that make-up is unlikely.

Please let me know. Cheers!

Nikki

On Wed, Oct 17, 2018 at 12:48 PM Nikki Kaufman <[nikki.kaufman1@gmail.com](mailto:nikki.kaufman1@gmail.com)> wrote:

Mr. Muldoon, Mr. Stanford, Mr. Frank, Mrs. Morton Levinson, and Mr. Lenz,

I would like to thank you again for your deliberate and positive commentary regarding the plastic ban bag at Monday's workshop. I would like to second Wes Gardiner's comment that this been has been a very transparent and productive process.

I am reaching out to reiterate my point about having a .20 paper bag fee split 50/50 between businesses and ISWR. As a recent ISWR board member and through my own personal road to Zero Waste, I have seen just how difficult it is to find folks willing to educate themselves on waste reduction in this county. A

Like Mr. Scott from Whole Grocer suggested, it would be ideal to give 100% of the revenue back to businesses and allow them to educate their employees. However, I don't think that option fits our town's unique sales model. Between unrelenting employee turnover and the chaos that managers must endure during the "on" seasons, I am not so sure they have the time or mental capacity to take on this job. I don't think we should add another "to do" on to their already endless lists.

Instead, I believe we should let ISWR utilize their resources and incredibly knowledgeable team to help educate in an efficient and consistent manner across the town. Instead of a store by store implementation, this project could help make a town wide tool kit and protocol for the ban that each site can easily use.

That being said, I am not a business owner and believe that we should do whatever will relieve the most stress from their lives.

Thank you again for the opportunity to be heard during this process and I look forward to more meetings on the subject!

Cheers,  
Nikki Kaufman

