AN ORDINANCE AMENDING ORDINANCE #2018-16 PERTAINING TO ENVIRONMENTALLY ACCEPTED PACKAGING AND PRODUCTS

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF THE TOWN OF JAMES ISLAND, IN TOWN COUNCIL DULY ASSEMBLED:

Section 1: Exemptions, of the Code of the Town of James island is hereby amended to read as follows…..

Section 1-C Exemptions: Although the Town of James Island encourages the use of recyclable or compostable products throughout, the following shall be exempt from the provisions of this Article.

(a) Products made from polystyrene/plastic foam which is wholly encapsulated or encased by a more durable material are exempt from the provisions of this Article. Examples include surfboards, boats, life preservers, and craft supplies which are wholly encapsulated or encased by a more durable material, and durable coolers not principally composed of polystyrene/plastic foam;

(b) Construction products made by polystyrene/plastic foam are exempted from this Article if the products are used in compliance with the Town of James island Code and used in a manner preventing the polystyrene/plastic foam from being released into the environment;

(c) During a declared state of emergency or in an emergency where the immediate preservation of the public peace, health or safety is involved, any organization providing emergency services shall be exempt from the provisions of this Article;

(d) Laundry dry cleaning bags, door-hanger bags, newspaper bags, or packages of multiple bags intended for use as garbage, recycling, pet waste, yard waste or similar use; although the Town of James Island encourages the use of recyclables or compostable products throughout;

(e) Bags provided by physicians, dentists, pharmacists or veterinarians to contain prescription drugs or other medical necessities;

(f) Bags used by a customer **or an employee of** ~~inside~~ a business establishment to:

    (1) Contain bulk items, such as produce, nuts, grains, candy, or small hardware items
    (2) Contain or wrap **raw or** frozen foods, **any meat product, (i.e., beef, pork or poultry, whether seasoned or otherwise processed**), or **any seafood product** ~~fish~~ whether prepackaged;
    (3) Contain or wrap flowers, potted plants or other items to prevent moisture damage to other purchases; or
    (4) Contain unwrapped prepared foods or bakery goods;

(g) Bags used by a non-profit corporation or other hunger relief charity to distribute food, grocery products, clothing, or other household items;

(h) Bags of any type that the customer brings to the store for their own use for carrying away from the store goods that are not placed in a bag provided by the store;

(i) Meat **and seafood** trays, egg cartons, plastic ~~drink~~ lids **used to contain foods and liquids**, to go condiment packages and cutlery (i.e., forks, spoons, knives) are exempt from the provisions of this Article

(j) Plastic drinking straws when needed by customers due to medical or physical conditions and for whom other straws are unsuitable are exempt from the provisions of this Article.

(k) Any product purchased, prepared or packaged outside the Town of James island and thereafter sold in or delivered into the Town of James island are exempt from the provisions of this Article.

(l) **Any packaging used by Food or Grocery Establishments that is required in order to comply with South Carolina Department of Health and Environmental Control Retail Food Establishment Regulation 61-25 or similar food safety regulation, or with federal food safety laws or regulations**.

(m) **Packaging used by Food or Grocery Establishments that are predominantly made of paper, including wax paper products, paper products that have a clear plastic window and paper products, like paper cups or soup bowls that are lined in plastic, which are used to package ready-to-eat foods**.

Section 2. This Ordinance shall become effective upon ratification.

By: _____

   Bill Woolsey
   Mayor, Town of James Island

ATTEST:

_____
Frances Simmons
Town Clerk

Changes: new text in **<u>bold and underlined</u>**
Deleted text with ~~strikethrough~~