

A RESOLUTION ADOPTING CARRYOUT BAG ORDINANCE  
FOR WASHTENAW COUNTY

WASHTENAW COUNTY BOARD OF COMMISSIONERS

June 1, 2016

WHEREAS, MCLA 46.11(j) authorizes a county to pass ordinances that relate to county affairs and do not contravene state law or interfere with the local affairs of a township, city, or village within the county; and

WHEREAS, Part 115 of the Natural Resources and Environmental Protection Act grants authority to all Michigan counties for solid waste management within their geographic boundaries through respective approved county solid waste management plans; and

WHEREAS, Washtenaw County's Solid Waste Management Plan calls for an aggressive program to increase waste diversion, emphasizing commercial and residential source-reduction and recycling; and

WHEREAS, annual plastic bag waste management costs exceed \$200,000 for the two publically-owned material recovery facilities (MRFs) based in Washtenaw County (Western Washtenaw Recycling Authority and Ann Arbor); and

WHEREAS, annual costs to Washtenaw's MRFs include regular damage to equipment, decreased operations & labor efficiencies, increased residual waste-to-landfill costs and jeopardized commodity market values; and

WHEREAS, Washtenaw's MRFs are unable to recycle any plastic bag waste received, accounting for approximately 80%-by-volume of residual waste-to-landfill; and

WHEREAS, plastic bag waste management costs thus act as a direct obstruction to Washtenaw County's residential and commercial recycling economy; and

WHEREAS, annual plastic bag management costs exceed \$25,000 for Advanced Disposal's Arbor Hills Landfill, the single operating landfill in Washtenaw County, serving to further obstruct Washtenaw County achieving its Solid Waste Management Plan goals; and

WHEREAS, if Senate Bill 853 is adopted by Michigan legislature, it would cause a Washtenaw County Carryout Bag Ordinance to contravene with state law, effectively rescinding county authority to pass policy regulating "auxiliary containers" including plastic bags; and

WHEREAS, Washtenaw County seeks to retain its local authority to regulate auxiliary containers in furtherance of its duty to optimally manage solid waste within its geographic boundaries; and

WHEREAS, communities across the nation and globe that adopt bag policies consistently demonstrate reduction in plastic bag consumption, litter and contamination in recycling & waste streams, plus increased recycling rates; and

WHEREAS, the Carryout Bag Ordinance states an effective date of Earth Day 2017 (April 22);  
and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department,  
Human Resources, the County Administrator's Office and the Ways & Means Committee; and

WHEREAS, the county-wide Carryout Bag Ordinance is available through the Washtenaw  
County Clerk's Office.

NOW THEREFORE, BE IT RESOLVED that the Washtenaw County Board of Commissioners  
hereby adopts the Washtenaw County Carryout Bag Ordinance, attached to this resolution.

BE IT FURTHER BE RESOLVED that, in the event that SB853 is not adopted as Michigan law,  
Washtenaw County will resume with its ordinance development process, continue with  
stakeholder engagement, make any necessary revisions to the ordinance and will address the  
compliance budget.