

ORDINANCE NO. 2311 (2020)

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, REPEALING ORDINANCE 2296 CONCERNING USE AND SALE OF SINGLE-USE PLASTIC CARRYOUT BAGS AND FIXING AN EFFECTIVE DATE.

---

WHEREAS, on November 19, 2019, the Bothell City Council adopted Ordinance 2296, enacting a ban on single-use plastic carryout bags and imposing a \$0.10 pass-through charge for the use of paper bags; and

WHEREAS, a state of emergency has been declared by the federal, state, county, and municipal governments in response to the COVID-19 pandemic; and

WHEREAS, the use of reusable bags for shopping is being discouraged because of the potential for further transmission of the novel coronavirus; and

WHEREAS, the Washington State Legislature recently passed a ban of single-use plastic bags, effective January 1, 2021, which preempts Bothell's Ordinance 2296 in almost every respect, saving only Bothell's imposition of a ten-cent pass-through charge versus the state's imposition of an eight-cent pass-through charge; and

WHEREAS, the City wishes to eliminate any potential confusion its businesses may endure by being subject to two similar laws; and

WHEREAS, the City further wishes to mitigate and reduce the transmission of COVID-19 and to relieve businesses and customers of the financial burden of complying with Ordinance No. 2296 at this time.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL DOES ORDAIN AS FOLLOWS:

Section 1. REPEAL. Ordinance No. 2296 (2019) is hereby repealed in its entirety.

Section 2. EFFECTIVE DATE. This Ordinance, passed by at least a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the immediate preservation of the public peace, health, property, or safety and for the immediate support of City government and its existing public institutions, shall be effective immediately upon its adoption as provided in RCW 35A.13.190.

Section 3. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity

or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.


Section 4. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

APPROVED:



LIAM OLSEN  
MAYOR

ATTEST/AUTHENTICATED:

  
for  
LAURA HATHAWAY  
CITY CLERK

APPROVED AS TO FORM:

  
PAUL BYRNE  
CITY ATTORNEY

FILED WITH THE CITY CLERK: 04/02/2020  
PASSED BY THE CITY COUNCIL: 04/07/2020  
PUBLISHED: 04/10/2020  
EFFECTIVE DATE: 04/07/2020  
ORDINANCE NO.: 2311 (2020)

**SUMMARY OF ORDINANCE NO. 2311 (2020)**

City of Bothell, Washington

---

On the 7th day of April, 2020, the City Council of the City of Bothell passed Ordinance No. 2311 (2020). A summary of the content of said Ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, REPEALING ORDINANCE 2296 CONCERNING USE AND SALE OF SINGLE-USE PLASTIC CARRYOUT BAGS AND FIXING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

  
for LAURA HATHAWAY  
CITY CLERK

---

FILED WITH THE CITY CLERK: 04/02/2020  
PASSED BY THE CITY COUNCIL: 04/07/2020  
PUBLISHED: 04/10/2020  
EFFECTIVE DATE: 04/07/2020  
ORDINANCE NO.: 2311 (2020)