

STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH  
) TO ADD CHAPTER 7, ARTICLE IV, TO BAN THE USE OF SINGLE  
COUNTY OF HORRY ) USE PLASTIC BAGS AND TO ENCOURAGE BUSINESSES TO USE  
) MULTI-USE BAGS  
TOWN OF SURFSIDE BEACH )

**WHEREAS**, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled on this 11<sup>th</sup> day of September 2018; and

**WHEREAS**, the Mayor and Town Council have determined that Chapter 7 Health and Sanitation, Article IV Single Use Plastic Bag needs clarification as the acceptable materials and the food exemptions, **and whereas the intention of this ordinance is to control point of sale single use plastic bags.**

**NOW, THEREFORE**, by the power and authority granted to the Surfside Beach Town Council by the State of South Carolina that Chapter 7 Article IV, Paragraph 2 Definitions, subparagraph 3 and Paragraph 4 Exemptions, Subparagraph 2(iv) of the Code of Ordinances of the Town of Surfside Beach, South Carolina, are hereby amended to state:

#### **Chapter 7 – Health and Sanitation**

#### **Article IV. – Single – Use Plastic Bags**

2. **DEFINITIONS.** Subparagraph 3.ii. Is constructed out of any of the following materials:

- (1) Cloth, other washable fabric, or other durable materials whether woven or non-woven;
- (2) Recyclable plastic, with a minimum thickness of 2.25 mils;
- (3) Recyclable paper;
- (4) Biodegradable material.

4. **EXEMPTIONS.** This chapter shall not apply to:

2. Bags used by a customer inside a business establishment to:
  - a. Contain unwrapped foods, or prepared foods, or bakery goods; and
4. Dog waste bags; and
5. Litter bags provided by the town.

5. **EFFECTIVE DATE AND WAIVERS.** All of the requirements set forth in this chapter shall take effect upon second reading of this ordinance.

**SEVERABILITY.** If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall

not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

**EFFECT OF SECTION HEADINGS.** The headings or titles of the sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

**REPEAL AND EFFECTIVE DATE.** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon second reading by the Mayor and Town Council of the Town of Surfside Beach.

**BE IT ORDERED AND ORDAINED** by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this 9<sup>th</sup> day of October 2018.

**Surfside Beach Town Council**

VOTE:	Yes	No	
	<input type="checkbox"/>	<input type="checkbox"/>	_____ Robert F. Childs, III, Mayor
	<input type="checkbox"/>	<input type="checkbox"/>	_____ David L. Pellegrino, Mayor Pro Tempore
	<input type="checkbox"/>	<input type="checkbox"/>	_____ Bruce Dietrich, Town Council
	<input type="checkbox"/>	<input type="checkbox"/>	_____ Mark L. Johnson, Town Council
	<input type="checkbox"/>	<input type="checkbox"/>	_____ Ron Ott, Town Council
	<input type="checkbox"/>	<input type="checkbox"/>	_____ Debbie Scoles, Town Council
	<input type="checkbox"/>	<input type="checkbox"/>	_____ Randle M. Stevens, Town Council

Attest: \_\_\_\_\_  
Debra E. Herrmann, CMC, Town Clerk