

**RESOLUTION OF THE TOWN COUNCIL, TOWN OF MOUNTAIN VILLAGE, COLORADO
TO ESTABLISH A VOLUNTARY SINGLE-USE PLASTIC REDUCTION INITIATIVE FOR
THE TOWN OF MOUNTAIN VILLAGE**

Resolution No. 2019-0718-13

RECITALS:

- A. The Town of Mountain Village (the "Town) established waste reduction as the first priority for the collection, handling, and management of solid waste.
- B. There is not currently a viable local option for the commercial recycling of single-use plastics.
- C. The use and disposal of single-use plastics have significant adverse impacts on the environment, and that reusable or compostable alternative products are available.
- D. The Town found that it is necessary to change purchasing practices and waste generation behaviors to reduce the amount of waste.
- E. In 2012 the Town Council adopted, the Mayor concurring, Resolution 2012-0719-14, which was established to eliminate the distribution of non-compostable disposable shopping bags at all points of sale.
- F. Defined participants voluntarily prohibit the use of certain single-use plastics to reduce solid waste disposal and to protect the environment and eliminate the use or use compostable options when available.
- G. Any and all participants will be recognized by the Town of Mountain Village and offered assistance in marketing and educating customers concerning their efforts in eliminating the use of single-use plastics.
- H. The Town believes the consumer should incur the actual environmental and economic cost of disposable alternatives.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Mountain Village, hereby adopts the attached **Voluntary Single-Use Plastic Reduction Initiative**.

The Town Council further resolves to review the results of the voluntary participation of the Single-Use Plastic Reduction Initiative, and if the results of such participation are not satisfactory, the Council may consider a mandatory ordinance which could include penalties for non-compliance.

ADOPTED AND APPROVED by the Town Council of the Town of Mountain Village, Colorado, at a regular meeting held on the 18th day of July 2019.




TOWN OF MOUNTAIN VILLAGE,
COLORADO, a home rule municipality

By: 
Laila Benitez, Mayor

ATTEST:

By: 
Jackie Kennefick, Town Clerk

APPROVED AS TO FORM:

By: 
James Mahoney, Town Attorney

THE TOWN OF MOUNTAIN VILLAGE
VOLUNTARY SINGLE-USE PLASTIC REDUCTION PROGRAM
July 18, 2019

The Town of Mountain Village **VOLUNTARY SINGLE-USE PLASTIC REDUCTION PROGRAM** (the “Program”) is a cooperative program between Town of Mountain Village (the “Town”), the Town Grocery Stores (“Grocers”), the Town Food Service Businesses (“Restaurants”), the Town Lodging Establishments (Lodgers), and the Town Retail Merchants (“Merchants”),

The Program supports the Town’s goal of Zero Waste (TMV Resolution 2008-1016-12) and is building off the Town’s Disposable Plastic Bag Reduction Program (TMV Resolution 2012-0719-14) as a step toward a significant reduction of single-use plastic in the town’s waste stream.

The Program is entirely voluntary on behalf of the Grocers, Merchant, Lodgers, and Restaurants; however, the Town has a goal of achieving 100 percent participation by **December 31, 2019**.

The Grocers and Merchants who elect to participate in this initiative are encouraged to comply with the following on or before **December 31, 2019**:

1. Grocers and Merchants are encouraged to eliminate the distribution of non-compostable single-use plastics as defined in Figure 1.2 at all points of sale within a Grocer’s or Merchant’s store (the “Points of Sale”).
2. Grocers and Merchants are encouraged to offer reusable alternatives as shown in Figure 1.2 “Best Alternatives.”
3. If a reusable option does not seem attainable, Grocers and Merchants are encouraged to provide acceptable compostable options as shown in Figure 1.2 “Better Alternatives.”
4. Grocers and Merchants are encouraged to favor manufacturers of resale goods consisting of reusable or compostable components over single-use plastics whenever possible.
5. Pre-packaged resale items filled and sealed prior to receipt by the Grocers and Merchants shall be **exempt**.
6. Upon request and without question, a single-use plastic product may be provided to a person that requires a single-use plastic product due to a disability or medical condition.
7. The Grocers and Merchants are encouraged to work with the Town staff to install signage that explains the Initiative to customers, in prominent places at participating Grocer’s and Merchant’s locations.

8. The Grocers and Merchants providing compostable alternatives for on-premise use are encouraged to provide conveniently located and clearly marked containers where customers may discard compostable products and are encouraged to provide for the collection and delivery of these materials to appropriate processing facilities.
9. The Grocers and Merchants are encouraged to monitor and annually report on the Initiative to the Town, including the number of single-use plastics reduced as a result of the Initiative, and the cost analysis of alternative products versus reduced usage. Reports are encouraged to be delivered to Town staff no later than January 31 of each year for the previous year.
10. Grocers and Merchants shall be recognized and celebrated publicly in Town communication for their voluntary participation.

The Lodgers who elect to participate in this initiative are encouraged to comply with the following on or before **December 31, 2019**:

1. Lodgers are encouraged to eliminate the distribution of non-compostable single-use plastics as defined in Figure 1.2, including but not limited to travel-sized amenities made from single-use plastics, at all points of sale within a Lodging Establishment (the "Points of Sale").
2. Lodgers are encouraged to offer reusable alternatives as shown in Figure 1.2 "Best Alternatives."
3. If a reusable option does not seem attainable, Lodgers are encouraged to provide acceptable compostable options as shown in Figure 1.2 "Better Alternatives".
4. Lodgers are encouraged to favor manufacturers of resale goods consisting of reusable or compostable components over single-use plastics whenever possible.
5. Upon request and without question, a single-use plastic product may be provided to a person that requires a single-use plastic product due to a disability or medical condition.
6. The Lodger is encouraged to work with the Town staff to install signage that explains the Initiative to customers, in prominent places at participating Lodging Establishments.
7. The Lodger providing compostable alternatives for on-premise use are encouraged to provide conveniently located and clearly marked containers where customers may discard compostable products and are encouraged to provide for the collection and delivery of these materials to appropriate processing facilities.
8. The Lodgers are encouraged to monitor and annually report on the Initiative to the Town, including the number single-use plastics reduced as a result of the Initiative, and the cost analysis of alternative products vs. reduced usage. Reports are encouraged to be delivered to Town staff no later than January 31 of each year for the previous year.

9. Lodgers shall be recognized and celebrated publicly in Town communication for their voluntary participation.

The Restaurants who elect to participate in this program are encouraged to comply with the following on or before **December 31, 2019**:

1. Restaurants are encouraged to eliminate the distribution of non-compostable single-use plastics defined in Figure 1.2 at all points of sale within a Restaurant (the "Points of Sale").
2. Restaurants are encouraged to eliminate the selling or providing food, for consumption on or off the premises, in single-use plastic products, including but not limited to expanded polystyrene food service products.
3. Restaurants are encouraged to favor manufacturers of resale goods consisting of reusable or compostable components over single-use plastics whenever possible.
4. Pre-packaged soups and other foods that restaurants sell or otherwise provide to their customers in expanded polystyrene containers that have been filled and sealed prior to receipt by the restaurant shall be **exempt**.
5. Upon request and without question, a single-use plastic product may be provided to a person that requires a single-use plastic product due to a disability or medical condition.
6. Restaurants are encouraged to eliminate the selling or providing food, for consumption on or off the premises, in or with single-use plastic food service ware.
7. Restaurants are encouraged first to provide reusable food-service ware and utensils whenever possible as shown in Figure 1.2 "Best Alternatives."
8. If a reusable option does not seem attainable, restaurants are encouraged to provide compostable products, as shown in Figure 1.2 "Better Alternatives."
9. Restaurants are encouraged to offer compostable straws and compostable utensils only on request; and utilize dispensers when providing compostable straws and compostable utensils.
10. Restaurants are encouraged to allow patrons the use of personal reusable containers for off-premise consumption as long as said containers are clean and unconsumed food is that of the patron.
11. The Restaurant is encouraged to work with the Town staff to install signage that explains the Initiative to customers, in prominent places at participating Restaurant locations.
12. Restaurants providing food for consumption on premises using compostable food-service ware are encouraged to provide conveniently located and clearly marked containers where customers

may discard compostable food service ware and are encouraged to provide for the collection and delivery of these materials to appropriate processing facilities.

13. The Restaurant are encouraged to monitor and annually report on the Initiative to the Town, including the number expanded polystyrene food service products and disposable plastic food service ware reduced as a result of the Initiative, and the cost analysis of alternative products vs. reduced usage. Reports are encouraged to be delivered to Town Staff no later than January 31 of each year for the previous year.
14. Restaurants shall be recognized and celebrated publicly in Town communication vehicles for their voluntary participation.

Town staff will monitor compliance with this Initiative on an ongoing basis and with Town Council review this Initiative annually. If it is found that the goals of this program are not being achieved through this voluntary Resolution, the Town Council will consider implementing a mandatory Ordinance to the same effect.

The following definitions will apply to the Initiative:

DEFINITIONS

GROCER: Means that person who owns and/or operates a Grocery.

GROCERY: Means a retail establishment within Town limits that is a full-line, self-service market which sells a line of staple foodstuffs, meats, produce, household supplies, dairy products, beers, wines, or liquors or other perishable items.

MERCHANT: Means any retail enterprise or establishment within Town limits whose primary purpose is the sale of goods and associated services.

RESTAURANTS: Means full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts, business or institutional cafeterias, or other businesses, selling or providing food.

LODGER: Means that person who owns and/or operates a Lodging Establishment.

LODGING ESTABLISHMENT: Means an establishment providing accommodation for a short-term stay including but not limited to motels, hotels, hostels, short-term vacation rental homes, bed and breakfasts, boutiques, and lodges.

TOWN STAFF: Means an employee of the Town of Mountain Village.

EXPANDED POLYSTYRENE: Means blown polystyrene and expanded and extruded foams (sometimes called Styrofoam, a Dow Chemical Co. trademarked form of polystyrene foam insulation) which are

thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene).

EXPANDED POLYSTYRENE FOOD SERVICE PRODUCTS: Means food containers, plates, “clamshells,” hot and cold beverage cups, meat and vegetable trays, egg cartons, and other products made of expanded polystyrene and used for selling and providing food for consumption on or off premises.

SINGLE-USE PLASTIC FOOD SERVICE WARE: Means non-recyclable containers, plates, “clamshells”, serving trays, meat and vegetable trays, hot and cold beverage cups, and utensils that are made of plastic or plastic-coated paper and intended only for one-time use (including so-called biodegradable products where any portion is not compostable.)

COMPOSTABLE: Means made solely of organic substances that break down into a stable product due to the action of bacteria in a controlled, aerobic commercial process that results in a material safe and desirable as a soil amendment meeting the compost quality standards for metals, physical parameters, pathogens, manufactured inert material and other testing parameters set by the Colorado Department of Public Health and Environment.

RECYCLABLE: Means made solely of materials that are capable of being separated from a waste stream by a food service business and made available for collection and delivery to a processor for reuse or remanufacture into the same or other products.

RESALE GOOD: A category of finished items that are sold to a retailer by a manufacturer or distributor and are eventually intended to be sold to consumers for profit. These are not considered end-user goods at the time of purchase by the retailer because are still in the distribution phase.

REUSABLE: Means products that are made of **durable** materials and is specifically intended for multiple reuses.

DURABLE: Means any material capable of withstanding wear and tear or decay and made to withstand repeated use over a relatively long period, usually several years or more.

ON PREMISES: Means any use while inside a building or on the area of land that it is on, rather than taken out for use elsewhere.

PLASTIC: Meaning a lightweight, hygienic, and resistant material which can be molded in a variety of ways and utilized in a wide range of applications. Unlike metals, plastics do not rust or corrode. Most plastics do not biodegrade, but instead photodegrade, meaning they slowly break down into small fragments known as microplastics. The fragmentation of large plastic items into microplastics is common on land such as beaches because of high UV irradiation and abrasion by waves, while the degradation process is much slower in the ocean due to cooler temperatures and reduced UV exposure. The assertions made in this document refer mostly to fossil-derived plastics and not to plastics of biogenic origins.

SINGLE-USE PLASTICS: Also referred to as disposable plastics, mean plastic items intended to be used only once before they are thrown away or recycled. These include, among other items, grocery bags, food packaging, bottles, straws, containers, cups, and cutlery. Figure 1.1 introduces the main polymers used to manufacture single-use plastic items and indicates the most common plastic products.

FIGURE 1.1

Plastic Product	Likely Plastic-Like Polymer
Wrappers (candy, chips, etc.)	Several different plastics
Bottle Caps (Plastic)	Polypropylene (PP #5)
Beverage Bottles (Plastic)	Polyethylene terephthalate (PET #1)
Bags (Plastic)	Primarily Low-Density polyethylene (LDPE #4)
Straws, Stirrers	Polypropylene (PP #5)
Lids (Plastic)	Polystyrene (PS #6)
Utensils	Polystyrene (PS #6)
Take Out/Away Containers (Foam)	Polystyrene (PS #6)
Take Out/Away Containers (Plastic)	Several different plastics
Cups, Plates (Plastic)	(PS #6) & (PET #1)
Cups, Plates (Foam)	Polystyrene (PS #6)
Balloons	Latex or Mylar

FIGURE 1.2

Plastic Product	Likely Plastic-Like Polymer	Better Alternatives	Best Alternatives
Wrappers (candy, chips, etc.)	Several different plastics**	More work needed on bio-benign alternatives	Bulk purchasing of food in reusable containers
Bottle Caps (Plastic)	Polypropylene (PP #5)	“Connect the Cap” technical fix available	Functional replacement with reusable bottles
Beverage Bottles (Plastic)	Polyethylene terephthalate (PET #1)	Increase deposit to increase collection rates	Functional replacement with reusables
Bags (Plastic)	Primarily Low-Density polyethylene (LDPE #4)	Natural, bio-based shopping bags (paper)	Functional replacement with reusable bags
Straws, Stirrers	Polypropylene (PP #5)	Paper or wood straws/stirrers	Functional replacement with reusable straws/stirrers
Lids (Plastic)	Polystyrene (PS #6)	More work needed on bio-benign alternatives	Functional replacement with reusable cups
Utensils	Polystyrene (PS #6)	Natural, bio-based biodegradable (compostable) utensils (bamboo/wood)	Functional replacement with reusable utensils
Take Out/Away Containers (Foam)	Polystyrene (PS #6)	Plant-based biodegradable (compostable) take-out containers	Functional replacement with reusable take-out containers.

Take Out/Away Containers (Plastic)	Several different plastics**	Plant-based biodegradable (compostable) take-out containers	Functional replacement with reusable containers
Cups, Plates (Plastic)	(PS #6) & (PET #1)	Plant-based biodegradable (compostable) cups	Functional replacement with reusable cups
Cups, Plates (Foam)	Polystyrene (PS #6)	Plant-based biodegradable (compostable) cups	Functional replacement with reusable cups
Balloons	Latex or Mylar	Plant-based biodegradable (compostable) alternatives	Cultural alternatives to balloon releases