

ORDINANCE NO. 2017-20

AN ORDINANCE by the City Council of the City of Bainbridge Island, Washington, relating to the potential hazards to fish, wildlife, and human health caused by balloons composed of or containing plastic, metal, or other non-biodegradable materials; amending Chapter 8.16 of the Bainbridge Island Municipal Code (BIMC); and prohibiting the sale and use of any type of balloon that is not 100% biodegradable (including, but not limited to, any balloon containing plastic, metal, or Mylar).

WHEREAS, the City of Bainbridge Island currently regulates in Chapter 8.16 a broad range of activities relating to the control of “litter.” Restrictions include, but are not limited to, depositing litter in public places, on sidewalks, in parks, lakes, waterways, and fountains, from vehicles, on private property, and onto vacant lots; and

WHEREAS, expanding the definition of littering to include the uncontrolled release and disposal of non-biodegradable balloons will protect our natural environment, including surrounding marine environment; and

WHEREAS, non-biodegradable balloons may pollute and litter waterways, farms, city property, private property, and many other locations as they fall from the sky; and

WHEREAS, the Environmental Protection Agency (EPA), National Oceanic and Atmospheric Administration (NOAA), U.S. Fish and Wildlife Service (USFWS), among others, report that balloons kill marine mammals, birds, and other wildlife by entanglement or ingestion; and

WHEREAS, the City of Bainbridge Island should be a leader in encouraging action in other jurisdictions, particularly in coastal areas throughout Washington, where balloon releases and litter are particularly harmful; and

WHEREAS, the states of California, Connecticut, Florida, Tennessee, and Virginia; and the cities of Ocean City, MD, Nantucket, MA, Provincetown, MA, Huntsville, AL, Louisville, KY, San Francisco, CA, Baltimore, MD and Fairfax County, CA have enacted similar ordinances relating to the purchase, sale, disposal and release of balloons;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. BIMC Chapter 8.16 shall be amended to prohibit the sale and use of any type of balloon that is not 100% biodegradable (including, but not limited to, prohibiting the sale and use of any balloon containing plastic, metal, or Mylar).

Section 2. BIMC Chapter 8.16 shall be amended to prohibit the release by any person of any balloon, whether considered biodegradable or not, into the environment within or

from the City of Bainbridge Island for any purpose, including but not limited to as part of a private, public, or civic event or celebration; promotional activity; or product advertisement.

Section 3. This ordinance shall not apply to manned hot air balloons, or to balloons used in governmental, scientific, or meteorological research projects.

Section 4. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2017.

APPROVED BY THE MAYOR this _____ day of _____, 2017.

Val Tollefson, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NUMBER: 2017-20