



Ratification  
Number 2023-274

## AN ORDINANCE

TO AMEND PROVISIONS OF CHAPTER 14 OF THE CODE OF THE CITY OF CHARLESTON BY AMENDING ARTICLE V- ENVIRONMENTALLY ACCEPTABLE PACKAGING AND PRODUCTS PERTAINING TO CLARIFYING THE DEFINITION OF A REUSABLE CARRYOUT BAG.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Article V, Sec. 14-53 Definitions, of Chapter 14 of the Code of the City of Charleston is hereby amended as follows (new text in **bold and underlined**):

*REUSABLE CARRYOUT BAG* shall mean a carryout bag that is specifically designed and manufactured for multiple reuse, and meets the following criteria:

- (1) Displays in a highly visible manner on the bag exterior language describing the bag's ability to be reused and recycled;
- (2) Has a handle **which is stitched and not heat-fused**;
- (3) Is constructed out of any of the following materials:
  - (a) Cloth, other **machine**-washable fabric, or other durable materials whether woven or non-woven capable of being cleaned and disinfected; **or**
  - (b) Plastic film with a minimum thickness of four (4.0) mils and capable of being cleaned and disinfected.
- (4) Has a minimum lifetime of 125 uses, which for purposes of this section means the capability of carrying a minimum of 22 pounds 125 times over a distance of at least 175 feet.

Section 2. Article V, Sec. 14-54 Regulations, of Chapter 14 of the Code of the City of Charleston is hereby amended by adding thereto a new subsection (h). under Regulations, which shall read as follows:

**(h) While cutlery is considered exempt pursuant to Sec. 14-55(i), Food Providers in the City of Charleston shall only provide, distribute or deliver disposable to-go cutlery (i.e. forks, spoons, knives) for prepared food upon the request or affirmative response of a customer or person being provided the prepared food or beverage, or in a self-service area or dispenser.**

Section 4. The amendments associated with this Ordinance shall become effective on July 1, 2024.

Ratified in City Council this 5th day of December in the Year of Our Lord, 2023, and in the 248th Year of the Independence of the United States of America

  
John J. Tecklenburg  
Mayor, City of Charleston

ATTEST:   
Jennifer Cook  
Clerk of Council