

**TOWN OF TRUCKEE  
California**

**ORDINANCE 2024-01**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TRUCKEE  
ADOPTING CHAPTER 6.05 OF THE TRUCKEE MUNICIPAL CODE  
REGARDING SINGLE-USE PLASTIC BOTTLES AND PAPER CARTONS**

**WHEREAS**, the Town Council of the Town of Truckee acknowledges that the health and wellbeing of the Truckee community is dependent on the health and wellbeing of the natural environment in and around the Town; and

**WHEREAS**, single-use plastic packaging comprises a significant percentage of waste and litter in the Truckee-Tahoe region; and

**WHEREAS**, The League to Save Lake Tahoe found that plastic bottles are in the top five types of litter found in the Tahoe Basin and South Lake Tahoe, and a UC Davis Tahoe Environmental Resource Center study found plastic in nearly every sample taken from beaches around Lake Tahoe; and

**WHEREAS**, the production of single-use plastic bottles creates harmful greenhouse gas emissions, with the amount of bottled water purchased annually by Americans requiring roughly 17 million barrels of oil; and

**WHEREAS**, the Town Council has determined that single-use plastic water bottles are detrimental to the environment in and surrounding Truckee for the aforementioned reasons; and

**WHEREAS**, every residential and commercial building in Truckee has access to quality tap water, which is significantly cheaper and subject to stricter environmental regulations than bottled water; and

**WHEREAS**, the City of South Lake Tahoe adopted a ban on single-use plastic water bottles of less than one gallon in October 2022, and passage of a similar ordinance by the Town Council of the Town of Truckee encourages consistency around the Tahoe Basin; and

**WHEREAS**, a ban on water in single-use plastic and paper packaging is also consistent with the Town's recently amended Sustainable Purchasing and Practices Policy and the Climate Action Plan Element of the 2040 General Plan; and

**WHEREAS**, this ordinance builds upon the Town's existing sustainability efforts, including the Town's 2014 Reusable Bags Ordinance and 2022 Foodware and Food Packaging Ordinance; and

**WHEREAS**, the harms of single-use plastic bottles are not only well documented but also well understood by Truckee residents, businesses, and visitors, who have demonstrated support for a ban on single-use plastic water bottles through outreach conducted by Town Staff; and

**WHEREAS**, Town Staff has identified paper cartons as the only alternative packaging to single-use plastic water bottles that is not recyclable in Truckee; and

**WHEREAS**, the Town Council determines that banning the sale and commercial

distribution of water in single-use plastic bottles and single-use paper cartons will benefit the health and wellbeing of the natural environment in and around Truckee, as well as the Town's residents and visitors;

*The Town Council of the Town of Truckee Does Ordain as Follows:*

**Section 1. Incorporation of Recitals.** The recitals set forth above are true and correct and are incorporated herein by reference as findings adopted by the Town Council in connection with the adoption of this ordinance.

**Section 2. Adoption of Chapter 6.05.** A new Chapter 6.05 of the Truckee Municipal Code, entitled "Single-Use Plastic Bottles and Paper Cartons" is hereby adopted to read as set forth in Exhibit "A", attached hereto and incorporated herein by reference.

**Section 3. CEQA.** The Town Council hereby finds that under Section 15061(b)(3) of the California Environmental Quality Act ("CEQA") Guidelines, the adoption of this ordinance is exempt from review under CEQA because it can be seen with certainty that the provisions of this ordinance do not have the potential for causing a significant effect on the environment. The Town Council further finds that the adoption of this ordinance is additionally exempt from review under CEQA pursuant to CEQA Guidelines Sections 15307 and 15308, as an action taken by a regulatory agency to protect natural resources and the environment.

**Section 4. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The Town Council of the Town of Truckee hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

**Section 5. Effective Date.** This ordinance shall be published pursuant to law and shall become effective 30 days from the date of passage and adoption.

**Section 6. Posting and Publication.** The Town Clerk is hereby directed to publish this ordinance in accordance with the law.

\* \* \* \* \*

The foregoing ordinance was introduced at a regular meeting of the Truckee Town Council held on the \_\_\_ day of \_\_\_\_\_ 2024, and adopted at a regular meeting of the Truckee Town Council, on the \_\_\_ day of \_\_\_\_\_; 2024; \_\_\_\_\_ moved for the adoption, the motion was seconded by \_\_\_\_\_ and was carried by the following vote:

AYES:

NOES:

**ABSENT:**

\_\_\_\_\_  
**David Polivy, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Kelly Carpenter, Town Clerk**

\_\_\_\_\_  
**Andrew Morris, Town Attorney**

**EXHIBIT "A"**

**CHAPTER 6.05**

**CHAPTER 6.05 SINGLE-USE BOTTLES AND BEVERAGE PACKAGING**

**6.05.010 - PURPOSES**

Single-use plastic bottles and paper cartons are detrimental to the health of the natural environment in and around the Town of Truckee, and reducing the waste that accompanies the sale and distribution of these containers will provide great benefit to the Town as well as its residents and visitors. It is hereby declared by the Town Council that a ban on the sale and commercial distribution of water in single-use plastic bottles and paper cartons is in the interest of the public health and welfare of all who visit and reside in the Town of Truckee, and the provisions of this chapter are adopted in furtherance of these purposes.

**6.05.020 – DEFINITIONS**

As used in this chapter, the terms set forth below shall have the following meanings:

"Single-Use Paper Carton" means any formed container comprised predominantly of paper or paperboard with a closing or sealing mechanism such as a plastic cap, which undergoes aseptic processing and is designed to be used once and then discarded, and not designed for repeated use and sanitizing.

"Single-Use Plastic Bottle" means any formed or molded container comprised predominantly of plastic resin, having a relatively inflexible fixed shape or form, having a neck that is smaller than the container body, and designed to be used once and then discarded, and not designed for repeated use and sanitizing. "Single-Use Plastic Bottle" includes a compostable or biodegradable plastic bottle meeting these criteria.

"Social Services" means services provided by state or local government or nonprofit organizations to those persons who, because of their economic circumstances or social condition, are in need of those services and may benefit from them.

"Town Funds" means all monies or other assets received and managed by, or which are otherwise under the control of, the Town, and any notes, bonds, securities, certificates of indebtedness or other fiscal obligations issued by the Town and County.

“Vendor” means any store or business which sells or offers goods or merchandise, located or operating within the Town of Truckee, including mobile or temporary vendors at special events in the Town of Truckee.

“Water” means spring or well water; water taken from municipal or private utility systems or other sources; distilled, deionized, filtered, or other purified water; or any of the foregoing to which chemicals may be added. Water does not include the following: mineral water; carbonated or sparkling water; soda, seltzer, or tonic water; or flavored water, also marketed as fitness water, vitamin water, enhanced water, energy water, or other similar products; food ingredients that are listed in ingredient labeling as ‘water,’ ‘carbonated water,’ ‘disinfected water,’ or ‘filtered water.’

#### **6.05.030 – RESTRICTION OF SALE OR COMMERCIAL DISTRIBUTION OF WATER IN SINGLE-USE PAPER CARTONS AND PLASTIC BOTTLES**

A. Effective April 22, 2025, no person in the Town of Truckee shall, on behalf of a business or other organization, distribute water in single-use plastic bottles less than 1 gallon in volume or single-use paper cartons less than 1 gallon in volume. All town vendors, concessionaires, lessees, licensees, and permittees for facility use, special events, and temporary activities shall comply with this section.

B. Effective April 22, 2025, no vendor shall sell water in single-use plastic bottles less than 1 gallon in volume or single-use paper cartons less than 1 gallon in volume in the Town of Truckee.

C. No town funds shall be used to purchase water in single-use plastic bottles or single-use paper cartons.

#### **6.05.040 – EXEMPTIONS**

The following circumstances and settings shall be exempt from the provisions of this chapter:

A. Emergencies or other circumstances in which the Emergency Services Coordinator or designee determines that relying on water in single-use paper cartons or plastic bottles is necessary to protect the public health, safety, and welfare, and no reasonable alternative would serve the same purpose. Examples of an emergency include, but are not limited to, natural disasters, emergencies due to release of hazardous materials, emergencies associated with loss of power and/or water or emergency medical response.

- B. The provision of social services in which distribution of water in single-use paper cartons or plastic bottles is necessary to promote public health, including without limitation food banks and warming shelters.
  
- C. Healthcare settings, to the extent that the healthcare provider determines that distribution of water in single-use paper cartons or plastic bottles is necessary for patient care, provided that this exemption shall not apply to the commercial sale of single-use paper cartons or plastic bottles within a healthcare facility.
  
- D. Facilities owned and operated by the Tahoe Truckee Unified School District or the Truckee-Donner Recreation and Park District.
  
- E. Special events run by the Tahoe Truckee Unified School District or the Truckee-Donner Recreation and Park District on their own property, provided that this exemption shall not apply to events organized by private parties at Tahoe Truckee Unified School District or Truckee-Donner Recreation and Park District facilities for which the Town of Truckee issues a special event permit.