

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

The city attorney of Campbell has prepared the following title and summary of the chief purpose and points of the proposed measure:

**Initiative Ordinance Nullifying and Prohibiting any Campbell Law Regulating, Taxing or Requiring Minimum Charges for Carryout Bags**

This proposed initiative petition seeks to adopt an ordinance to prohibit the City of Campbell from regulating or taxing “carryout bags.” The proposed ordinance would include an amendment to the Campbell Municipal Code. In the proposed amendment to the Municipal Code, “carryout bag” is defined as a bag of any size, shape, thickness, or composition that is provided by a business of any type for any purpose, including the transport of food or merchandise out of the place of business. The initiative ordinance specifically provides that it would nullify and require the repeal of any law regulating, restricting, taxing or requiring a minimum charge on carryout bags. The initiative ordinance also would amend the Campbell Municipal Code to prohibit the City from banning, regulating, restricting, taxing or requiring a charge for carryout bags. In addition, the proposed amendment to the Municipal Code would prohibit the adoption of any law that restricts the free distribution of carryout bags from businesses to customers, unless the law was approved by the voters.

**NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.**

ALL SIGNERS OF THIS PETITION MUST BE REGISTERED VOTERS OF THE CITY OF CAMPBELL, CALIFORNIA.

	Name & Signature	Registered Campbell Address	For Official Use	
PLEASE PRINT LEGIBLY!	1	_____ Print Your Name  _____ Sign as Registered to Vote	_____ Residence Address ONLY  _____ City State ZIP	
	2	_____ Print Your Name  _____ Sign as Registered to Vote	_____ Residence Address ONLY  _____ City State ZIP	
	3	_____ Print Your Name  _____ Sign as Registered to Vote	_____ Residence Address ONLY  _____ City State ZIP	
	4	_____ Print Your Name  _____ Sign as Registered to Vote	_____ Residence Address ONLY  _____ City State ZIP	
	5	_____ Print Your Name  _____ Sign as Registered to Vote	_____ Residence Address ONLY  _____ City State ZIP	

**This petition is for the City of Campbell in the county of Santa Clara, California.**

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**NOTICE OF INTENT TO CIRCULATE PETITION**

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Campbell for the purpose of placing a ballot initiative before the qualified electors of the City of Campbell that would amend the Campbell Municipal Code to prohibit bans and minimum fees on carryout bags and to repeal any carryout bag law enacted prior to approval of the initiative by the qualified electors of the City of Campbell. Respectfully, Larry Grattan, Scott Erskine, Robert S. Taylor, Jr.

**AN INITIATIVE ORDINANCE OF THE CITY OF CAMPBELL ADDING CHAPTER 5.61 TO THE CITY OF CAMPBELL MUNICIPAL CODE RELATED TO A PROHIBITION ON RESTRICTIONS OF CARRYOUT BAGS**

WHEREAS the people of Campbell wish to maintain the freedom of businesses to offer carryout bags to customers of a composition and price of their own choosing without government regulations, and WHEREAS the people of Campbell wish to preserve the freedom of individual choice to receive carryout bags from businesses, and WHEREAS the people of Campbell do not wish public health endangered by bans or restrictions on safe and clean carryout bags or laws that manipulate citizens into reusing carryout bags against their will;

NOW THEREFORE, THE PEOPLE OF THE CITY OF CAMPBELL DO ORDAIN AS FOLLOWS:

SECTION ONE: Any law regulating, restricting, taxing, or requiring minimum charges on carryout bags already in effect is null and void and shall be immediately repealed by the City of Campbell.

SECTION TWO: Title 5 of the Campbell Municipal Code is hereby amended by adopting a new Chapter 5.61 to read as follows:

Chapter 5.61 RESTRICTIONS AGAINST CARRYOUT BAG REGULATIONS

5.61.010 – Definition

“Carryout bag” means a bag of any size, shape, thickness, or composition that is provided by a business of any type for any purpose, including the transport of food or merchandise out of the place of business.

5.61.020 – Prohibition against carryout bag regulations

The City of Campbell shall not ban, regulate, restrict, tax, or require a charge for carryout bags.

5.61.030 – Voter approval requirement for carryout bag restrictions

No law shall be passed that restricts the free distribution of carryout bags from businesses to customers without voter approval.

SECTION THREE: Severability. Should any part or provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION FOUR: Operative Date. This ordinance, including the Campbell Municipal Code amendment, shall become operative according to the applicable law.

**DECLARATION OF THE CIRCULATOR (To be completed after above signatures have been obtained.)**

I am a voter or qualified to register as a voter in the State of California. I circulated this petition section and witnessed each of the appended signatures on this petition section being written. Each signature on this petition section is, to the best of my information and belief, the genuine signature of the person whose name it purports to be.

All signatures on this petition section were obtained between \_\_\_\_\_ and \_\_\_\_\_.  
Month, Day, Year Month, Day, Year

I declare (certify) under penalty of perjury under the laws of the State of California that the information in this Declaration is true and correct.

Executed at \_\_\_\_\_ on \_\_\_\_\_. Signature of Circulator \_\_\_\_\_  
City, State Month, Day, Year Sign Full Name, including Middle Name or Initial

\_\_\_\_\_  
Print Full Name, including Middle Name or Initial Current Residence Address City, State Zip

**This petition is for the City of Campbell in the county of Santa Clara, California.**

Return Petition to: 1136 Steinway Ave, Campbell, Ca 95008 email: stopthebagban@gmail.com / web: www.stopthebagban.com