



**Kirkland Wednesday Market  
2018 VENDOR APPLICATION**  
*Due Friday, March 30*

Kirkland Downtown Association  
Kirkland Wednesday Market  
440 Central Way,  
Kirkland, WA 98033  
425-827-1707  
<http://kirklandmarket.org>

**Applications will not be processed if information is incomplete or required attachments are missing.**

**VENDOR INFORMATION**

- Farmer                       Seafood & Shellfish                       Processed Food Producer  
 Artisan                       Prepared Food Vendor                       Other \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Business/Farm Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Website Address: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Fax: \_\_\_\_\_ WA State Tax (UBI)#: \_\_\_\_\_

List full names of employees who are authorized to sell for you:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Please see more information and requirements under Vendor Categories for your business

**GOODS TO BE SOLD**

List all items to be sold at market and approximate dates of availability. **Vendors will only be granted authorization to sell what is listed.** (Attach additional sheets if necessary).

Item / Approx. Date	Item / Approx. Date	Item / Approx. Date

**LICENSE/PERMIT & INSURANCE REQUIREMENTS – Required Attachments**

Please check all licenses and permits required to operate your business and **provide a current copy of each with this application.** Please see Vendor Categories for more information.

- Commercial Kitchen Permit       Food Processors Permit       High Hazard Food Permit
- Food Handlers Permit       Organic Certification       Other

In addition, Kirkland Downtown Association requires a certificate of insurance covering the upcoming season from every vendor participating at the market. Attach a current certificate to this application.

**DATES STALL SPACE WANTED – Select full season OR individual dates you want to attend**

Full Season (16 dates)

June 6                       June 13                       June 20                       June 27                       July 11

July 18                       July 25                       August 1                       August 8

August 15                       August 22                       August 29                       September 5                       September 12

September 19       September 26

**PAYMENT**

Stall fees can be prepaid or be paid on a weekly basis. All pre-paid fees are non-refundable. Select one daily 10'x10' stall fee payment option (if more space is needed, please contact Market Manager):

- Option 1: Pre-Pay Full Season with one day discount (**\$600.00**)
- Option 2: Pre-Pay Partial Season (# \_\_\_\_\_ of market days X # \_\_\_\_\_ of stall spaces X **\$40.00** = \$ \_\_\_\_\_)
- Option 3: Pay on arrival each week

<b>Fees Due with Application</b>	
Stall Fees:	\$
Annual Application Fee:	\$40.00
<b>Total due:</b>	\$

**Make checks payable to: Kirkland Downtown Association**  
Send payment, complete application and copies of attachments to:

**Kirkland Downtown Association/KWM**  
**440 Central Way**  
**Kirkland, WA 98033**

**HOLD HARMLESS/INDEMNIFICATION**

Applicant shall defend, indemnify and hold harmless the Kirkland Downtown Association, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of participation in the Kirkland Wednesday Market or from any activity, work or thing done, permitted, or suffered by Applicant during the Kirkland Wednesday Market. Applicant shall list the "Kirkland Downtown Association" as the "Additional Insured."

The undersigned hereby makes application to the Kirkland Downtown Association to participate in the Kirkland Wednesday Market and certifies the information provided in this application and supporting materials is true and accurate. The undersigned further states that he/she has the authority to make this application for the Applicant and agrees the Applicant will observe all ordinances and regulations of the City of Kirkland.

Read and check each statement below:

- I have read, understand and accept all rules and regulations as outlined in the Kirkland Wednesday Market 2016 Vendor Guidelines.
- I am aware all information contained herein is subject to public disclosure in accordance with the Washington State Public Disclosure Act.
- I hereby give permission in perpetuity to the Kirkland Downtown Association, its officials, employees, agents and assigns to use my business name and photographic likeness in all forms and media for advertising and other promotional purposes.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_



## Kirkland Wednesday Market 2018 Vendor Guidelines

Kirkland Downtown Association  
Kirkland Wednesday Market  
440 Central Way,  
Kirkland, WA 98033  
425-827-1707  
<http://kirklandmarket.org>

The Kirkland Wednesday Market (KWM) is operated by the Kirkland Downtown Association. The KWM provides an opportunity where community members can come together and support their local farmers by purchasing fresh, quality, locally grown goods. In addition, the KWM is an outlet for area non-profit organizations to provide information to the public.

For questions/information please contact the Kirkland Downtown Association

425-827-1707 or [info@kirklandmarket.org](mailto:info@kirklandmarket.org)

### **GENERAL INFORMATION**

#### **Market Hours/Location**

The KWM opens to the public every Wednesday, June 6 - September 26, from 2:00 p.m. to 7:00 p.m. at Kirkland Marina Park - 25 Lakeshore Plaza Dr., Kirkland, WA.

#### **Fees & Payments**

A one-time \$40.00 Application Fee is due at the time of application.

A \$40.00 Stall Fee is due for each 10'x10' stall, each market day (multiple stalls may be requested, please contact Market Managers to request pricing). Full season Stall Fees may be paid in full at a discounted rate at the time of application or paid on a weekly basis before the end of each market day.

Community Booth – Free for non-profit groups. Please contact Market Managers for Community Booth

#### **Vendor Selection**

Washington State Farmers Market Association requests that applicants grow, craft, or process what they sell within the state of Washington. All items will be evaluated on quality, value and contribution to the KWM. All items offered for sale shall be subject to inspection and approval by the Market Managers.

**\* ALL applicants (Farmers excluded) are requested to participate in the Vendor Selection event on Saturday, April 14 11am-2pm in downtown Kirkland. Please bring samples and/or pictures of goods to be sold. All applications with attachments (permits and licenses) and the \$40 application fee are due March 30th. Locations and details will be emailed to all applicants after March 30th. Tables will be provided at the juried Vendor Selection event and we look forward to meeting the applicants in person and being introduced to your products.**

## **Vendor Categories**

Please read the following descriptions which pertain to your category prior to submitting your vendor application. Some vendors may have products for sale in multiple categories so read all categories that apply to you and your products.

### **Farmers**

Those who produce from seed, propagate from clippings, or bulbs, will be allowed to sell produce/berries/live flowers/live plants/fresh or dried flowers/fresh or dried herbs, etc. Those that raise animals for meat, to sell for meat sales or fiber sales, must raise, feed and care for the animal themselves for that purpose. Meat may not be purchased from an outside source and then resold. The farmer selling must own, rent or lease their land in the State of Washington. The farmer must be an active owner and operator of the farming operation and may not be operating the business under a franchise agreement. No farm resellers (buying wholesale and then reselling) will be permitted to sell in this market.

Farmers, who sell just produce, seasonal fruits, flowers, meats, cheeses, honey, nursery plants, herbs, jams, jellies, vinegars, or other processed/canned items from their farm, are not be required to go through the jury process.

Processed food items must be prepared in a licensed commercial kitchen and this kitchen shall be disclosed on the vendor application. We do ask that you submit with your application a copy of any required licensing, permits or certificates which are required to sell your items within the State of Washington and/or King County.

If the farmer sells value-added products for example - soaps, bath products, hand-crafted items, baskets, wreathes, etc., these items will be required to go through the jury process and will be considered as part of the artisan category. However, farmers, who have value-added items, will be given first priority, as long as their items, either a portion or all, made from that which they raise or grow.

Organic products: if a product is labeled "organic," it must be certified in accordance with Washington State law and the standards set forth by the national organic program. Verbal or written declarations of organic status not certified or verified, may result in termination of vendor's permit to sell. When an organic producer is also selling non-organic produce at the same stand, the non-organic produce must be clearly separated from the organic produce and clearly labeled as non-organic or conventionally grown. Certificates should be posted on canopy so as to clearly inform the customer as to what your status is.

Unsprayed, pesticide-free, or low spray: written and verbal declarations regarding pesticide use which cannot be certified such as "unsprayed" "pesticide free" or "low spray" are not allowed. Consumer queries regarding farming practices must be answered factually. Please enter any information you would give a customer about pesticide/chemical usage in the appropriate section in the application.

All farmers are required to adhere to King County Health Department requirements regarding sampling. A food handler's permit is required if providing samples.

### **Food Processors**

Those who sell processed foods which include juices, preserved foods, jams, pastries, pasta, granola, cookies, muffins, breads, pies, and related take home desserts, not prepared on site. This includes bakeries: those bakeries that sell more than 25% of their products wholesale must be licensed by the department of agriculture as food processors. Other King County Health Department requirements apply. Vendor must be an active owner/operator of the business and may not be operating under a franchise agreement. All processed food must personally have been prepared on property they own, rent or lease. Vendors in this category are those who have cooked, baked, or otherwise treated the product they sell. No commercially prepared dough mixes, crusts, shells or fillings are allowed. Processed food products should use ingredients from Washington farms or waters as much as possible. Processors may include someone who processes produce grown on their own property into a value added product such as jams, cider, salsa, or other food items stemming from the vendors crops. Processors may also include those who raise the basic ingredient(s) of a product, but who must send it out for fundamental processing before creating the value added product.

The vendor's application for a permit to sell shall state what is grown/processed or prepared by vendor, and what the vendor will sell at the farmers market. Processed food vendors must be licensed by the department of agriculture as a food processor and follow all of the King County Health Department regulations for sampling or food handling. Foods include dried fruits, herbs, teas, baked goods, cider, preserves, salsas, and salad dressings. Processed foods, including honey, must be labeled according to Washington State labeling requirements. All prepared food and baked goods vendors must have a current King County Health Department food handler's permit and disclose in the application the commercial kitchen where they have prepared the food.

Wineries and Breweries who would like to participate as a vendor must have the Washington State Liquor Control Board Farmers Market endorsement (cost: \$80/year) and meet all qualifications. See additional information at <http://liq.wa.gov/licensing/farmers-market-authorizationendorsement> .

### **Prepared Food Vendors (Concessionaires)**

Prepared food vendors are those that offer freshly made foods, available for sale and immediate consumption on-site. Vendor may not be operating under a franchise agreement. When selecting prepared food vendors, priority will be given to vendors preparing food from raw ingredients and using ingredients grown and/or produced in Washington State and/or purchased by participating market farmers. Vendor must have all required state, county, and local food permits. The application for a permit to sell shall state what is grown/processed or prepared by the vendor and what will be sold at the farmers market. All food vendors will be required to submit a menu or brochure of what is intended to be served. Items prepared ahead of the market – for example dough or sauces must be prepared in a licensed commercial kitchen and this kitchen shall be disclosed on the vendor application.

Food vendors are juried based on type of food selling and are chosen based on needs of market. Food vendors are required to have all health department permitting in place prior to selling at the duvall farmers market. If you have questions regarding permits, please contact King County Health Department. Please note: it is the responsibility of the market manager to inspect all food entering market for sale. Upon arrival the market manager will take temperatures of incoming coolers and food prior to heating along with checking temps during market hours. It is your responsibility to ensure that these temperatures fall within the requirements of King County Health Department.

Note: those preparing fresh at the market are required to adhere to all health department requirements. We encourage you to utilize as much of your ingredients found at local farmers markets.

Note: Prepared food vendors (or any vendor) heating or cooking using any method must have the proper fire extinguisher in their booth at all times. For more details see Section 2.4.4 Fire Protection. The market manager will be checking this weekly.

### **Artisans/Crafters**

Artisans are persons or entities who craft with their own hands the products they offer for sale. Artisans should incorporate materials produced in Washington as much as possible. Artisans must create their craft products in Washington. All artisans are required to go through the jury process and are required to provide at least three (3)

(nonreturnable) product photos of works in progress, along with a detailed description of the product they intend to sell. All works must be original to the artisan. At times items like dish clothes, scrubbies, etc. are made by grandma or another family member. This IS allowed, but must be declared when selling. Please disclose on vendor application.

## **Bath, Beauty Products And Essential Oils - Specific Requirements**

Cosmetic or Drug Items are Bath/Beauty Products which also includes those distilling Essential Oils.

All items sold which are considered "cosmetic or drug" are required to comply with all Federal Food and Drug Administration rules. The term "cosmetic" means (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness or altering the appearance, and (2) articles intended for use as a component of any such articles; except that such term shall not include soap. -- FD&C Act, Sec. 201 (i)

A cosmetic is also a drug when it is intended to cleanse, beautify or promote attractiveness as well as treat or prevent disease or otherwise affect the structure or any function of the human body.

## **ONSITE PREPARED AND PROCESSED FOOD HANDLING**

[New Health Department requirements and permits take effect in 2016](#) for prepared food vendors and vendors offering samples. Check the following site for details on the new Certified Booth Operator training and permit changes.

**<http://www.kingcounty.gov/healthservices/health/ehs/foodsafety/FoodBusiness/farmers.aspx>**

It is the responsibility of the Market Manager to ensure temperature of foods, food sources, proper set up of a hand washing station, and food worker use of handwashing stations IT IS YOUR RESPONSIBILITY TO ENSURE THAT THESE TEMPERATURES FALL WITHIN THE REQUIREMENTS OF KING COUNTY HEALTH DEPARTMENT.

Note: Hand washing stations are required for any food to be eaten at the market including free samples. The market manager will check for correct setup and use of handwashing stations at the market.

## **EXEMPTION FROM PERMIT AND SAMPLING**

Sampling (while encouraged) may take place when Vendor complies with all King County Dept. of Health requirements. This includes sampling of fruits and vegetables. To assist you in locating this information we have included the following information and links:

1. All vendors serving samples must have a food workers permit or be supervised by someone that has a food workers permit. These currently cost \$10 and can be obtained by taking a course and test online at [www.foodworkercard.wa.gov](http://www.foodworkercard.wa.gov)
2. The vendor or farm must also have acquired a Farmers Market Exemption from permit at least 14 days prior to the market they will be sampling at. This Temporary Food Service Permit is free and good for the entire season.

A link to the application form can be found on this page

**<http://www.kingcounty.gov/healthservices/health/ehs/foodsafety/FoodBusiness/farmers.aspx>**

The application is under the third option ("Situations where you might not need a permit") under the large number 2. Expand the third option to find: "Application for exemption from permit".

In addition to farmers sampling produce, Vendors selling popcorn, Kettle corn, corn on the cob, crushed ice drinks, roasted nuts or roasted whole peppers also are 'permitted' with the above mentioned "Exemption from Permit".

## **Insurance**

The Kirkland Downtown Association provides proof of insurance from all applicants. The "Kirkland Downtown Association" must be added as "Additional Insured."

## **Non-Profit Groups**

Each week there will be a Community Booth stall space available to a local non-profit group. Non-profit applicants must have current non-profit status and approved by the Kirkland Wednesday Market for participation. Each participating non-profit will be limited to two market days per season with no weekly fee. Non-profits may rent equipment (canopy and tables) if needed. Space is limited and available on a first come, first serve basis.

## **Market Cancellation**

The KWM operates rain or shine. The market will only close for severe weather or when all booth operators and the Market Manager agree to close.

## **MARKET DAY RULES**

### **Load-in**

Load-in is from 11:00 p.m. – 1:45 p.m. **No setup** may take place before the Market Manager arrives on site. All vehicles must be removed from the market area by 1:45 p.m. for pedestrian safety. Late arrivals will be accommodated if space allows but will not be permitted to drive into the market area to unload, all equipment must be carried in.

### **Stall Assignment**

Stall location will be assigned upon arrival at the market each week. A permanent location for the entire season is not guaranteed. Assigned location may vary at the discretion of the Market Manager.

### **Load-out/Cleanup**

Booth teardown and load-out may not begin until close of market at 7:00 p.m. To ensure everyone's safety and to maintain market ambiance, packing and leaving before end of market is not permitted. This also applies to Booth Operators who sell out before end of market. Everyone participating in the market must clean their assigned stall space by disposing of all debris before leaving the area. NO EXCEPTIONS.

## **BOOTH REQUIREMENTS**

### **Stall Size**

Stalls are 10' x 10' – all displays must fit within the assigned space. Any booth operator exceeding beyond their assigned space will be charged accordingly. Those requiring a 10'x20' or 10'x30' may request additional space at an additional cost.

### **Fire Extinguisher**

Booths with ANY heating equipment, such as electric hotplate or other similar heat-producing device or where cooking will take place, requires one fire extinguisher with a minimum rating of 2A:10BC. Booths with deep-fat fryers require a UL listed Class K fire extinguisher. Extinguishers must be in good working condition, fully charged, with seals intact and certified within the last year or equipment will not be allowed to operate.

### **Tent/Canopy Weights**

Booth operators are required to secure tent/canopy with a minimum of 25lbs on each post to prevent damage and/or injury in the event of wind. Where tents/canopies are tied together a minimum of 50lbs per leg is required. There are no exceptions – tents/canopies may not be erected without required weights.

### **Stall Identification/Pricing**

Each stall must have a sign clearly marking the name of the business and price of products. Pricing and any applicable taxes are the sole responsibility of the Vendor. The Market Managers reserve the right to enforce fair price standards on fruits and vegetables in order to discourage dumping of low quality products.

## **REGULATIONS**

### **Advertising**

General advertising of the KWM is provided by the Kirkland Downtown Association. Vendors are encouraged to include market information on their websites, newsletters, mailings and social media accounts.

### **Amplified Music**

The KWM may schedule live music for everyone's enjoyment. Booth operators may not have amplified music at their stalls.

### **Cancellation/No-Show Policy**

Vendors must cancel their attendance, by calling or emailing the Market Manager, no later than 2:00 p.m. on Tuesdays or 24 hours prior to the market to avoid a \$40.00 No-Show Fine. No-Show Fines are due upon arrival at the next attended market, in addition to the daily Stall Fee, before entry is permitted. Second violations result in a double No-Show Fine of \$80. Vendors no longer attending the market will be sent a final invoice. No-Shows hurt the credibility of the market and negatively affect all booth operators. Upon the third violation, the vendor will be suspended from the market for the remainder of the season.

### **Organic Labeling**

Use of organic labeling shall be governed in accordance with Washington State Department of Agriculture regulations. Booth operators are expected to advertise truthfully and to respond to customer's questions in a like manner.

### **Payment**

Vendors are encouraged to determine their own method of payment: cash, checks and/or cards. EBT/ SNAP will be through a token purchase and reimbursement system.

### **Pets/Service Animals**

Booth operators may not bring pets to the KWM. One licensed service animal may be allowed per booth with appropriate documentation. City of Kirkland Park Rules require animals to remain on leash at all times.

### **Plastic Bag Ban**

The plastic bag ban restricts retailers from providing single-use, disposable plastic carryout bags. The restriction applies to retail businesses that provide carryout bags at point of sale. Exemptions include take-out food, bulk food, and items where moisture is an issue. More information is available at [www.kirklandwa.gov/bringyourownbag](http://www.kirklandwa.gov/bringyourownbag) or contact the Recycling Hotline at [recycle@kirklandwa.gov](mailto:recycle@kirklandwa.gov) or (425) 587-3812.

### **Power**

Power is not available on-site and generators must have prior approval by the Market Manager.



**Print Materials**

Booth operators are allowed to display and distribute print materials that pertain to the products being sold. No other print materials, political or otherwise, may be displayed or distributed without prior approval by the Market Manager.

**Public Health Requirements**

Food vendors are responsible for obtaining health permits required for operation of the business. Food booth operators must adhere to sanitary procedures as required by the King County Public Health Department (KCPHD). Any food booth operator found to be selling contaminated food shall be suspended from selling operations until satisfactory clearance has been obtained from the KCPHD.

Food booth operators offering samples must have a food handlers' permit and proper hand-washing set up, including: 5 gallon container of warm water with a spigot, grey water collection bucket, soap, paper towels and some type of barrier (toothpicks, plastic gloves, tongs, etc.) for passing samples to the customer. Without the proper setup sampling will not be allowed.

For more information and to obtain required health permits contact King County Public Health.

**Smoking**

Booth operators may not smoke in or around the market area.

**Taxes**

Vendors are solely responsible for reporting and paying required taxes.

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**RULES AND REGULATIONS ARE SUBJECT TO CHANGE**

The Kirkland Wednesday Market reserves the right to cancel the privileges of any vendor or booth operator who has willfully violated the rules and regulations governing the KWM.



City of Kirkland  
Public Works Department  
Solid Waste Division  
123 - 5th Ave  
Kirkland WA 98033

## Important Information Regarding the New Plastic Bag Reduction Program in City of Kirkland

May 27, 2015

Dear Kirkland Retailer:

The City of Kirkland recently enacted a ban on certain disposable plastic carryout shopping bags. As a business potentially affected by the ban, you are encouraged to learn about the program. City staff are available to answer your questions and help you prepare for when the ban takes effect on March 1, 2016.

As a retail establishment, you will no longer be allowed to provide disposable plastic carryout shopping bags to consumers, and will be required to charge a minimum fee of five cents per large paper bag (one-eighth barrel/882 cubic inches). The City urges you to encourage your customers to shop with machine washable, reusable bags, and is incentivizing consumers through the five-cent charge on paper bags. Retailers keep the fee to help cover the cost of each paper bag.

Please note that some plastic bags are still allowed, including bags for takeout foods, produce and meat, bulk food, newspapers, dry cleaning, and more. This packet includes information to help your business prepare for and implement the policy. Full details on the program are available at [www.kirklandwa.gov/bringyourbag](http://www.kirklandwa.gov/bringyourbag).

We understand that you may have concerns and questions about the impact of this new program to your business. The goal of the program is to reduce plastic waste by eliminating unnecessary disposable plastic shopping bags. Over the next several months, City staff will implement a comprehensive education and outreach plan for residents and businesses. They are available as a resource to you to answer questions and to help your business comply with the new regulations.

For additional assistance, contact the City of Kirkland's Solid Waste and Recycling staff at 425-587-3812 or [recycle@kirklandwa.gov](mailto:recycle@kirklandwa.gov).

Sincerely,

Kathy Brown  
City of Kirkland  
Public Works Director





# Kirkland Plastic Bag Reduction Program

## FREQUENTLY ASKED QUESTIONS

This guide is intended to help businesses understand and prepare for the implementation of Kirkland's plastic bag reduction policy.

### Implementation of the Program

#### 1. What businesses are affected by the ordinance?

Most retail establishments are subject to the new requirements, including grocery stores, department stores, hardware stores, pharmacies, liquor stores, convenience stores, farmers' markets, and other retail stores or vendors. There is no exemption for small retailers.

#### 2. When will the ordinance take effect?

March 1, 2016. The effective date for food rescue organizations (e.g. redistribution of otherwise wasted food) is March 1, 2017. However, businesses are allowed to adopt the policy before the effective date if desired.

#### 3. During the transition, is the City going to offer any assistance to businesses?

Downloadable media and signage are available on the City's website ([www.kirklandwa.gov/bringyourbag](http://www.kirklandwa.gov/bringyourbag)). Upon request, the City will provide free copies to retailers. The City urges retailers to hang signs in their parking lots and stores that remind customers to bring their own bags. In addition, the City of Kirkland plans to promote the program to the public through print and broadcast media, including car window clings, emphasizing the "Bring Your Bag" message.

#### 4. How will this ordinance be enforced?

Kirkland will take an educational approach to enforcement. Staff will rely on reports from consumers and business owners via an online complaint form and phone hotline to identify businesses not in compliance. If a complaint is received, City staff will visit the retailer to explain what's needed to comply. If a retailer is found to be out of compliance after a verbal warning, the City may initiate a code enforcement action per Kirkland Municipal Code 1.12.

### Plastic Bag Restrictions and Exemptions

#### 1. What bags are restricted by the ordinance?

Plastic bags considered disposable are prohibited at point of sale (see exemptions).

#### 2. What exemptions are allowed?

Plastic bags are allowed for the following uses:

- Takeout food
- Meat, produce, and unwrapped bakery goods
- Items sold in bulk, like food or hardware items
- Newspaper, dry cleaning, pet waste, and garbage bags
- Flowers and other items where dampness is an issue



#### 3. Why are to-go food vendors allowed to use plastic bags?

Restaurants and deli counters are allowed to use plastic bags to prevent problems from spillage of hot items, and reduce potential issues from steam and dampness. However, the City encourages food vendors to use paper bags whenever possible. Restaurants may not provide plastic bags for items other than prepared foods (e.g. cookbooks, t-shirts, bottled salad dressing).

#### 4. Why are thicker plastic bags also restricted?

While other cities have defined thick (2.25 mil and thicker) bags as reusable, the Kirkland City Council determined that the 2.25 mil bags are inherently disposable. The goal of the ordinance is to reduce plastic waste in our community by eliminating all unnecessary disposable plastic shopping bags.

## Paper Bag Charges

#### 1. Which paper bags do I have to charge my customers for?

Stores and vendors are only required to charge a minimum five-cent fee for each large paper bag such as typical grocery store carryout bag – technically a bag larger than 882 cubic inches (cu in), known as one-eighth barrel in the grocery trade. As a rule of thumb, if a bag has a flat bottom greater than 6 inches by 10 inches, your business must charge for it. Stores are not required to charge for smaller paper bags, but they may at their discretion. Retailers are allowed to charge more than five cents per large paper bag.



#### 2. What standards must paper bags meet?

Large paper bags – the ones for which a five-cent charge is required – must contain a minimum 40% post-consumer recycled content and be labeled as such on the outside of the bag. There is no post-consumer recycled content requirement for smaller paper bags, but the City encourages retailers to use recycled-content paper bags.

#### 3. Can retailers just “eat the cost” of the large paper bags and not charge their customers?

No. The minimum five-cent charge must be collected. It is meant to remind customers to shop with reusable bags, and, for that reason, the number of recyclable paper carryout bags provided and the amount of the pass-through charge must be shown on the customer’s sales slip.

#### 4. Are there exemptions for the charge for low-income customers?

Yes, many low-income customers are exempt from the charge. Specifically, retail stores may not charge the five-cent pass-through fee for large recyclable paper bags to customers presenting vouchers or electronic benefits transfer cards (EBT) issued under the:

- Women, Infants and Children (WIC) or Temporary Assistance to Needy Families (TANF) support programs,
- Federal Supplemental Nutrition Assistance Program (SNAP, formerly “Food Stamps,” also known as Basic Food), or
- Washington State Food Assistance Program (FAP).

#### 5. Is this transaction taxable?

Yes. The Washington State Department of Revenue has confirmed that the five-cent pass-through charge is subject to sales tax.

#### 6. Our store currently offers a discount to customers that bring in their own bags. Can we continue to do that?

Yes. Retail stores that offer discounts for reusable bag use may continue to do so if they choose.

