

## Memorandum

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Date: October 4, 2021  
Submitted by: Legislative Services Division  
Subject: Amended Single-Use Plastic Bylaw – Adoption

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At the Regular Council meeting held on September 28, 2021, Council considered a memo dated September 20, 2021 from the General Manager of Engineering and Operations regarding Amended Single-Use Plastic Bylaw (**Attachment 1**) and passed the following resolution:

RC21/394 (Consent)

THAT third reading for City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 be rescinded as recommended in the memo dated September 20, 2021 from the General Manager of Engineering and Operations regarding Amended Single-Use Plastic Bylaw;

AND THAT City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 be read a third time as amended.

City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301—a Bylaw to Regulate Single-Use Plastic and Foam Items—(**Attachment 2**) will be before Council for consideration of adoption at the Regular Council meeting of October 12, 2021.

The recommended resolution is:

**THAT City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 be now adopted as recommended in the memo dated October 4, 2021 from the Legislative Services Division regarding Amended Single-Use Plastic Bylaw – Adoption.**

Attachments:

1. Memo considered at the September 28, 2021 Council meeting – Single-Use Plastic Bylaw.
2. Draft City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301.

# Considered at the October 12, 2021 Council meeting

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## Report Approval Details

Document Title:	Amended Single-Use Plastic Bylaw – Adoption.docx
Attachments:	- Attachment 1 - Memo considered at the September 28, 2021 Council meeting - Single-Use Plastic Bylaw.pdf - Attachment 2 - Draft City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301.pdf
Final Approval Date:	Oct 4, 2021

This report and all of its attachments were approved and signed as outlined below:

Dorothy Shermer, Corporate Officer - Oct 4, 2021 - 10:01 AM

Tim Savoie, City Manager - Oct 4, 2021 - 1:12 PM

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Considered at the September 28, 2021 Council meeting

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# Memorandum

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Date: September 20, 2021  
Submitted by: General Manager of Engineering and Operations  
Subject: Amended Single-Use Plastic Bylaw

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On April 27, 2021, Council read the City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 for a third time and directed staff to submit the Bylaw to the Minister of the Environment for approval. The full report considered at the Regular Council Meeting of April 27, 2021 is included as **Attachment 1**.

On July 26, 2021, the Province issued Ministerial Order M309 (**Attachment 2**) granting municipalities the ability to enact bylaws banning the use of certain single-use plastics without the need for Ministerial approval as long as certain conditions are met.

Staff have amended the Bylaw so that it complies with Ministerial Order M309 (**Attachment 3**). The changes are as follows:

- expanded the definition of “reusable bag” to include that it must be washable 100 times;
- increased the fee for paper bags from \$0.15 to \$0.25;
- increase the fee for reusable bags from \$1.00 to \$2.00;
- added a fee exemption for paper bags used in pharmacies for prescribed pharmaceutical drugs or medical devices;
- added a definition of a small paper bags. (a paper bag that is less than 15 cm by 20 cm when flat);
- added an exemption for small paper bags;
- added language explicitly stated that all fees are collected by the business;
- added a definition of a “Used Bag” to mean a checkout bag or a reusable bag that has been previously used and is being reused; and
- added an exemption for “Used bags”.

The recommended resolutions are:

**THAT third reading for City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 be rescinded as recommended in the memo dated September 20, 2021 from the General Manager of Engineering and Operations regarding Amended Single-Use Plastic Bylaw;**

**AND THAT City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 be read a third time as amended.**

Attachment(s)

1. Report Considered at the April 27, 2021, Regular Council Meeting.
2. Ministerial Order No. M309.
3. Amended City of Port Moody Single-Use Plastics Bylaw, 2021, No. 3301.

Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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**Report Approval Details**

Document Title:	Amended Single Use Plastic Bylaw.docx
Attachments:	<ul style="list-style-type: none"><li>- Attachment 1 - Report considered at the April 27, 2021 Council meeting.pdf</li><li>- Attachment 2 - Ministerial Order No M309.pdf</li><li>- Attachment 3 - Amended City of Port Moody Single Use Plastic Bylaw 2021 No. 3301.pdf</li></ul>
Final Approval Date:	Sep 21, 2021

This report and all of its attachments were approved and signed as outlined below:

Paul LeBlanc, Manager of Solid Waste, Fleet, and Shared Services - Sep 20, 2021 - 7:27 AM

Jeff Moi, General Manager of Engineering and Operations - Sep 20, 2021 - 8:40 AM

Dorothy Shermer, Corporate Officer - Sep 20, 2021 - 10:18 AM

Natasha Vander Wal for Rosemary Lodge, Manager of Communications and Engagement -  
Sep 20, 2021 - 1:52 PM

Paul Rockwood, General Manager of Finance and Technology - Sep 21, 2021 - 8:36 AM

Tim Savoie, City Manager - Sep 21, 2021 - 11:31 AM

Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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Considered at the April 27, 2021 Council meeting

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## City of Port Moody

### Report/Recommendation to Council

Date: April 6, 2021

Submitted by: Engineering and Operations Department – Solid Waste, Fleet, and Shared Services Division

Subject: A Bylaw to Regulate Single-Use Plastic and Foam Items – Third Reading

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#### Purpose

To present for third reading Bylaws to regulate Single-Use Plastic and Foam Items; to reduce waste created from single-use items and the associated municipal costs; to better steward municipal property, including sewers, street, park, beaches, and waterways; and to promote responsible and sustainable environmental practices that are consistent with community values.

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#### Recommended Resolution(s)

**THAT City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 be read a third time as recommended in the report dated April 6, 2021 from the Engineering and Operations Department – Solid Waste, Fleet, and Shared Services Division regarding A Bylaw to Ban Single-Use Plastic and Foam Items – Third Reading;**

**AND THAT staff be directed to submit City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 for approval to the Minister of Environment following third reading of the Bylaw;**

**AND THAT staff be directed to draft and send a letter to the Minister of Environment on behalf of the City of Port Moody, in support of Ministerial Approval for City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301;**

**AND THAT City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, 2021, No. 3302 be read a third time.**

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#### Background

On March 23, 2021 Council passed the following resolution:

##### RC21/160

THAT City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 be read a first and second time as recommended in the report dated February 3, 2021 from the Engineering and Operations Department – Solid Waste, Fleet, and Shared Services Division regarding Bylaw to Ban Single-Use Plastic and Foam Items;

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AND THAT staff be directed to present City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 for consideration of third reading on April 27, 2021;

AND THAT City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, 2021, No. 3302 be read a first and second time;

AND THAT the budget of \$10,000 for an information campaign be referred to the Finance Committee for identification of a funding source.

The full report considered at the Regular Council Meeting of March 23, 2021 is included as **Attachment 1**.

The draft bylaw is included as **Attachment 2** and is now ready for third reading.

### Discussion

Following a B.C. Court of Appeal decision on July 11, 2019, which determined that a city bylaw to regulate plastic was invalid on the basis that it is a law intended to protect the environment rather than one concerned with the regulation of business, the Government of BC announced that it will consider and approve municipal bylaws as they are submitted. The Province has stated that while it will introduce new legislation to allow cities to move ahead without seeking provincial approval in advance, this new legislation is not expected until the summer of 2021.

City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, 2021, No. 3302 establishes the fines that can be imposed for violation of the Single-Use Plastic Bylaw (**Attachment 3**). The recommended fines are for offenses consistent with other Metro Vancouver jurisdictions and are in amounts consistent with other Port Moody fines.

### Other Option(s)

THAT Council direct staff to report back with further information or modifications to the draft bylaw prior to consideration.

### Financial Implications

As indicated in the previous report to council, in order to increase compliance with the new bylaw, staff recommend an information campaign to advise impacted stakeholder businesses. The bulk of the work will take place in 2022. A budget of up to \$10,000 was approved by Council on March 23, 2021 to support this campaign.

### Communications and Civic Engagement Initiatives

As indicated in the previous report to council, public consultation for this bylaw took place in March and April, 2019. Feedback was sought from Port Moody business licence holders through a survey, and Port Moody business owners were sent a targeted direct mail out along with some individual outreach, particularly to food and beverage businesses.

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Considered at the September 28, 2021 Council meeting

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During the development of the Bylaw, input was received and included from the following City departments:

- ≠ Economic Development;
- ≠ Building, Business Licensing, and Bylaw;
- ≠ Environment; and
- ≠ Operations – Solid Waste.

Following adoption of the Bylaws, staff will inform impacted stakeholder businesses about the Bylaw, including information about fines for violations.

### Council Strategic Plan Objectives

The Bylaw to ban certain single-use plastic items will support Council's Strategic priority of Environmental Leadership – specifically by achieving the goal of reducing the City's impact on the planet.

### Attachment(s)

1. Report Considered at the Regular Council Meeting of March 23, 2021.
2. City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301.
3. City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, No. 3302.

### Report Author

Ian Smedley  
Corporate Planning Advisor

Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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Considered at the April 27, 2021 Council meeting

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**Report Approval Details**

Document Title:	A Bylaw to Regulate Single-Use Plastic and Foam Items - Third Reading.docx
Attachments:	- Attachment 1 - Report Considered at the Regular Council Meeting of March 23, 2021.pdf - Attachment 2 - City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301.pdf - Attachment 3 - City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, No. 3302.pdf
Final Approval Date:	Apr 13, 2021

This report and all of its attachments were approved and signed as outlined below:

Paul LeBlanc, Manager of Solid Waste, Fleet, and Shared Services - Apr 8, 2021 - 3:46 PM

Jeff Moi, General Manager of Engineering and Operations - Apr 8, 2021 - 5:00 PM

Dorothy Shermer, Corporate Officer - Apr 9, 2021 - 4:23 PM

Rosemary Lodge, Manager of Communications and Engagement - Apr 12, 2021 - 1:54 PM

Paul Rockwood, General Manager of Finance and Technology - Apr 12, 2021 - 3:13 PM

Tim Savoie, City Manager - Apr 13, 2021 - 9:16 AM



Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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Considered at the April 27, 2021 Council meeting

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Considered at March 23, 2021 Council Meeting

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## City of Port Moody

### Report/Recommendation to Council

Date: February 3, 2021  
Submitted by: Engineering and Operations Department – Solid Waste, Fleet, and Shared Services Division  
Subject: Bylaw to Ban Single-Use Plastic and Foam Items

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#### Purpose

To recommend a bylaw to regulate Single-Use Plastic and Foam Items; to reduce waste created from single-use items and the associated municipal costs; to better steward municipal property, including sewers, streets, park, beaches, and waterways; and to promote responsible and sustainable environmental practices that are consistent with community values.

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#### Recommended Resolution(s)

**THAT City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 be read a first and second time as recommended in the report dated February 3, 2021 from the Engineering and Operations Department – Solid Waste, Fleet, and Shared Services Division regarding Bylaw to Ban Single-Use Plastic and Foam Items;**

**AND THAT staff be directed to present City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 for consideration of third reading on April 27, 2021;**

**AND THAT staff be directed to notify Port Moody business licence holders of the opportunity to provide their feedback during the public input session at the Council meeting to be held on April 27, 2021;**

**AND THAT City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, 2021, No. 3302 be read a first and second time;**

**AND THAT the budget of \$10,000 for an information campaign be referred to the Finance Committee for identification of a funding source.**

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Considered at the April 27, 2021 Council meeting

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## Background

On October 6, 2020, Council passed the following resolution:

### CW20/089

THAT staff report back with a bylaw to ban single-use plastics as recommended in the report dated September 16, 2020 from Mayor Rob Vagramov regarding Finally Banning Single-Use Plastics;

AND THAT the report include the exploration of a transition period involving fees on single-use plastics, and subsidies for local businesses that choose to switch early;

AND THAT a letter be written to the Province of British Columbia and Government of Canada to request a ban of single-use plastic items and support for affected.

Staff have now prepared a draft bylaw (**Attachment 1**) and an implementation plan for Council consideration.

## Discussion

Many levels of government are working to regulate the use of Single-Use Plastic Items to reduce the impact upon the environment. This report presents a draft bylaw, along with recommended implementation timelines, exemptions, and enforcement options to regulate businesses to be considered for adoption within the City of Port Moody.

Check-out bags, plastic straws and stir sticks, and polystyrene foam containers are among the top priority items identified by the Ministry of Environment for elimination and are among the most common pollutants found on shoreline clean-ups. Regulations to enforce bans on Single-Use Items has proven to change consumer behaviour, which encourages compliance, and reduces consumption resulting in overall waste reduction. However, until recently, jurisdictional challenges have made it difficult for cities to enact changes on their own.

In early 2018, the City of Victoria passed a bylaw banning the distribution of plastic bags. The Canadian Plastic Bag Association challenged the legal authority of the City of Victoria to enact the bylaw. A June 19, 2018 ruling in the BC Supreme Court dismissed the case, but on July 11, 2019, the B.C. Court of Appeal judgment determined that the bylaw was invalid on the basis that it is a law intended to protect the environment rather than one concerned with the regulation of business, therefore approval of the Minister of Environment was required. The City of Victoria appealed to the Supreme Court of Canada, but in January 2020, the Supreme Court of Canada determined they would not hear the case. Following this decision, the Government of BC announced in September 2020 that it would approve the bylaws governing the banning of single-use plastics in the municipalities of Richmond, Victoria, Saanich, Tofino, and Ucluelet, clearing the way for those communities to implement their bans. The Province also announced that it will consider other bylaws as they are submitted, and stated that it will introduce new legislation sometime between March and May, 2021 to allow cities to move ahead without seeking provincial approval in advance. **Attachment 2**, Summary of Single-Use Item Reduction Regulations and Policies in Canada, provides a recent jurisdictional scan of other governmental statutes on the subject.

Considered at the October 12, 2021 Council meeting

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Following resolution CW20/089, staff began drafting of a bylaw to ban certain single-use plastic items. As part of this work, staff examined the possibility of a transition period program involving fees on single-use plastics and subsidies for early adopters. Special attention was given to the administrative burden required to audit and collect fees, distribute subsidies, and ensure compliance. The jurisdictional scan showed that most fee-for-item programs involve the businesses keeping the fees themselves. Given the above, staff have determined that it would not be feasible to collect money from businesses or redistribute it.

Using the information gained in the jurisdictional scan, staff have drafted the attached bylaw banning plastic checkout bags, plastic straws and stir sticks, and polystyrene foam take-away containers for Council consideration. In making decisions during development of the bylaw, the following hierarchy was used:

- 1) In order to increase consumers and businesses compliance, the bylaw was written so that:
  - a. requirements are simple and easy to follow and enforce; and
  - b. requirements are as consistent as possible with other Metro Vancouver jurisdictions with bylaws already in place. At the time of drafting, this included Richmond and Vancouver; and
- 2) Requirements should be chosen to ensure the highest environmental benefit possible.

Details regarding several choices in the bylaw, made using the above hierarchy, are below.

#### Effective Date

While there is an urgency to implement the new bylaw immediately, it is also recognised that the COVID-19 pandemic has taken a toll on businesses that will need to make changes to implement the new bylaw such as restaurants offering take-out food. The Bank of Canada has predicted that the economy will not return to pre-COVID levels until 2023. Other jurisdictions have already pushed back their expected implementation dates for Single-Use Items bylaws. The date of April 22, 2022 was chosen as it will give businesses approximately 1 year from the final reading of the bylaw, and coincides with Earth Day in 2022. The final reading of the bylaw is being used to estimate the effective date and not the formal adoption date of the bylaw. Bylaw adoption requires approval from the Province and will take additional time. Provincial approval and adoption is not expected before May 11, 2021.

#### Fees for Alternate Bags

Research from other jurisdictions shows that if fees are not imposed on paper and reusable bags, businesses and consumers typically switch to these other alternatives and total waste is not reduced, only the type of waste is be changed. Paper bags, due to their weight and manufacturing process, have high environmental costs including increased GHG emissions. Likewise, reusable bags frequently need to be used more than 100 times in order to have a lower environmental impact than single-use bags, which is not always achieved. To reduce the overall number of bags used, reduce the waste generated, and improve the environmental impact of the bylaw, a fee on both paper and reusable bags was included. The fee was set in order to be in line with other Metro Vancouver jurisdictions that have imposed a fee.

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#### Restriction on Compostable Plastic Bags

Most compostable plastic bags require a special handling processes to be broken down. Due to this requirement, most of these bags are not composted and end up in landfills. Therefore compostable plastic bags do not have increased environmental benefits, and are included in the ban. Paper bags can be composted in most existing green waste programs, and so are not included in the ban.

#### Exemptions

The exemptions included in the bylaw are the same as those found in the other Metro Vancouver jurisdictions. The most important ones, based on consultations held in other jurisdictions and internal research, are the exemption for health care and long-term care facilities, and the provision of straws to persons with accessibility needs.

#### Enforcement

City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, 2021, No. 3302 establishes the fines that can be imposed for violation of the Single-Use Plastic Bylaw (**Attachment 3**). The recommended fines are for offenses consistent with other Metro Vancouver jurisdictions and are in amounts consistent with other Port Moody fines.

#### Other Option(s)

1. THAT staff be directed to report back with further information or modifications to the draft bylaws prior to consideration.
2. THAT City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 and City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, 2021, No. 3302 be read a first, second, and third time.

#### Financial Implications

To increase the adoption rate of the new bylaw, staff recommend an information campaign to advise impacted stakeholder businesses. The bulk of the work will take place in 2022. A budget of approximately \$10,000, which had been previously identified as part of Council Strategic Plan discussions, is unfunded and will require separate consideration by the Finance Committee.

#### Communications and Civic Engagement Initiatives

Public consultation for this bylaw took place in March and April, 2019, at Council's direction. Feedback was sought from Port Moody business licence holders through a survey, and Port Moody business owners were sent a targeted direct mail out along with some individual outreach, particularly to food and beverage businesses. There were a total of 38 responses received, with 12 of those being from restaurant, food, and beverage businesses. A summary of the responses is included as **Attachment 4**.

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During the development of the bylaw, input was received and included from the following internal departments:

- ≠ Economic Development;
- ≠ Building, Business Licensing, and Bylaw;
- ≠ Environment; and
- ≠ Operations/Solid Waste.

Staff have recommended a delay between second and third reading of the Bylaw to allow a final opportunity for stakeholders to provide input to Council. Staff recommend that Port Moody business licence holders be notified of the opportunity to provide their comments and feedback to Council during the public input session prior to third reading. Following adoption of the Bylaws, staff will inform impacted stakeholder businesses about the Bylaw, including information about fines for violations.

#### Council Strategic Plan Objectives

The Bylaw to ban certain single-use plastic items will support Council's Strategic priority of Environmental Leadership – specifically by achieving the goal of reducing the City's impact on the planet.

#### Attachment(s)

1. Draft Single-Use Plastic Bylaw, No. 3301.
2. Metro Vancouver Single-Use Plastics Jurisdictional Scan.
3. Draft Municipal Ticket Information Authorization Amendment Bylaw, No. 3302.
4. Port Moody Single-Use Plastic Stakeholder Consultation Summary.

#### Report Author

Ian Smedley  
Corporate Planning Advisor

Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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Considered at the April 27, 2021 Council meeting

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Considered at March 23, 2021 Council Meeting

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**Report Approval Details**

Document Title:	Bylaw to Ban Single-Use Plastic and Foam Items.docx
Attachments:	<ul style="list-style-type: none"><li>- Attachment 1 - Single-Use Plastic Bylaw, No. 3301.pdf</li><li>- Attachment 2 - Metro Vancouver Single-Use Plastics Jurisdictional Scan.pdf</li><li>- Attachment 3 - Municipal Ticket Information Authorization Amendment Bylaw, No. 3302.pdf</li><li>- Attachment 4 - Port Moody Single-Use Plastic Stakeholder Consultation Summary.pdf</li></ul>
Final Approval Date:	Mar 8, 2021

This report and all of its attachments were approved and signed as outlined below:

Paul LeBlanc, Manager of Solid Waste, Fleet, and Shared Services - Mar 2, 2021 - 3:47 PM

Jeff Moi, General Manager of Engineering and Operations - Mar 2, 2021 - 6:43 PM

Dorothy Shermer, Corporate Officer - Mar 3, 2021 - 6:05 PM

Rosemary Lodge, Manager of Communications and Engagement - Mar 4, 2021 - 9:42 AM

Paul Rockwood, General Manager of Finance and Technology - Mar 4, 2021 - 9:44 AM

Tim Savoie, City Manager - Mar 8, 2021 - 11:09 AM

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Considered at the April 27, 2021 Council meeting

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## City of Port Moody

### Bylaw No. 3301

A Bylaw to Regulate Single-Use Plastic and Foam Items.

WHEREAS the *Community Charter* authorizes a council to regulate in relation to the protection of the natural environment with the approval from the minister responsible, and to regulate business;

AND WHEREAS Port Moody City Council wishes to establish a Bylaw to reduce the creation or waste from single-use items and the associated municipal costs to better steward municipal property, including sewers, streets, parks, beaches, and waterways;

AND WHEREAS Port Moody City Council wishes to promote responsible and sustainable environmental practices that are consistent with community values;

NOW THEREFORE, the Council of the City of Port Moody enacts as follows:

#### 1. Citation

- 1.1 This Bylaw may be cited as "City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301".

#### 2. Definitions

- 2.1 In this Bylaw:

"Business Operator" includes the owner of a business, a person having responsibility for its management and operation, and any person who is employed by or acts on behalf of the business in dealing with its customers and patrons;

"City" means the City of Port Moody;

"Foam Container" means any container for food service or food transporting including cups, plates, and bowls made from or containing expanded polystyrene foam;

"Paper Checkout Bag" means a bag made out of paper and contains at least 40% recycled paper content, that displays the words "recyclable" and "made of 40% recycled content" or "made of 40% post-consumer recycled content" or other applicable amount on the outside of the bag, and is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer from the business providing the bag.

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“Plastic Checkout Bag” means any bag that is produced from plastic, including biodegradable or compostable plastic, that is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer from the business providing the bag;

“Plastic Drinking Straw” means a tube made primarily of plastic, including biodegradable or compostable plastic, and used to transfer a beverage from a container to the mouth of the individual drinking a beverage by suction;

“Plastic Stir Stick” means a stick made primarily of plastic, including biodegradable or compostable plastic, primarily used to stir beverages;

“Prepared Food” means any food or beverage prepared for consumption by a business at that licensed premise or location, using any cooking or food preparation technique; and

“Reusable Checkout Bag” means any bag designed and manufactured to be capable of multiple uses, and primarily made of fabric and is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer.

### 3. Regulation

- 3.1 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide a Plastic Checkout Bag to a customer except in accordance with section 3.2.
- 3.2 A business may provide a Paper Checkout Bag or a Reusable Checkout Bag to a customer only if:
  - a) the customer is first asked whether they need a bag;
  - b) the bag provided is a Paper Checkout Bag or a Reusable Checkout Bag, for which the customer is charged a fee not less than:
    - i) \$0.15 per Paper Checkout Bag; and
    - ii) \$1 per Reusable Checkout Bag.
- 3.3 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide Prepared Food to a customer in a Foam Container.
- 3.4 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide a customer with a Plastic Drinking Straw or Plastic Stir Stick.
- 3.5 A Business Operator must not prohibit or discourage a customer from using their own Reusable or Plastic Checkout Bags or Plastic Drinking Straws.



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#### 4. Exemptions

##### 4.1 This Bylaw shall not apply to:

- a) a hospital or any facility licensed as a community care facility under the *Community Care and Assisted Living Act*;
- b) organizations in good standing under the *Societies Act*, or registered as a charitable society or organization under the *Income Tax Act* (Canada);
- c) Foam Containers that have been filled and sealed outside of the City prior to delivery at the premises or location where the holder of a Business Licence operates;
- d) providing a Plastic Drinking Straw to a person with a disability or other accessibility need who requests a Plastic Drinking Straw;
- e) the sale of Plastic Checkout Bags, Plastic Drinking Straws, or other single-use related items intended for use at the customer's home or business, provided that they are sold in packages of multiple units; and
- f) Plastic Checkout Bags used to:
  - i) package loose bulk items that are not prepackaged, such as fruit, vegetables, nuts, grains, and candy;
  - ii) contain small hardware items that are not prepackaged, such as nails, screws, nuts, and bolts;
  - iii) contain or wrap frozen foods, meat, poultry, or fish, which may be prepackaged;
  - iv) wrap flowers or potted plants;
  - v) protect Prepared Foods or baked goods that are not prepackaged;
  - vi) contain prescription drugs and over the counter medications; or
  - vii) protect clothes after professional laundering or dry cleaning.

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5. Offence and Penalty

5.1 Every person who:

(a) contravenes this Bylaw;

(b) permits, suffers, or allows any act or thing to be done in contravention of this Bylaw; or

(c) neglects to do or refrains from doing anything required to be done under this Bylaw,

commits an offence, and every day that the offence continues amounts to a new and separate offence.

5.2 A person found guilty of contravening this Bylaw shall be liable, upon summary conviction, to pay a fine of up to \$10,000, and the costs of prosecution, if proceedings are brought under the *Offence Act*.

5.3 Offences for which tickets can be issued and fines imposed are prescribed in the City of Port Moody Municipal Ticket Information Authorization Bylaw.

6. Severability

6.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

7. Effective Date

7.1 This Bylaw is to come into force and take effect on Earth Day, April 22, 2022.

**Read a first time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Read a second time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Read a third time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Approved by the Minister** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Adopted** this \_\_\_ day of \_\_\_\_, 20\_\_.

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R. Vagramov  
Mayor

---

D. Shermer  
Corporate Officer

Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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Considered at the April 27, 2021 Council meeting

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Considered at March 23, 2021 Council Meeting

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I hereby certify that the above is a true copy of Bylaw No. 3301 of the City of Port Moody.

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D. Shermer  
Corporate Officer

Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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Considered at the April 27, 2021 Council meeting

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Considered at March 23, 2021 Council Meeting

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## Summary of Single-Use Item Reduction Regulations and Policies in Canada

### Purpose

This document summarizes regulations and policies put in place by governments across Canada and the world to reduce single-use items. It is not intended to be a comprehensive list but provides a snapshot of various initiatives are being taken in other jurisdictions.

The scan focuses on Metro Vancouver's priority single-use items: bags, cups, takeout containers, straws and utensils, and jurisdictions with strategies to reduce single-use items.

### Updates and Suggestions

This document was last updated **July 2020 based on research completed between from April to June 2020. Therefore, it may not reflect all changes made in the past 3 months. All changes made since the previous version released July 2019 are highlighted with red text.**

We welcome any updates or information about other programs. Please email suggested updates to [karen.storry@metrovancover.org](mailto:karen.storry@metrovancover.org).

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## Government Single-Use Item Reduction Regulations and Policies Canada

This summary is organized by province and in alphabetical order.

Table 1 - Summary of Single-Use Item Reduction Regulations and Policies in Canada

Canada						
British Columbia						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Courtenay	-	Ban (enforcement pending)	-	Ban (enforcement pending)	-	-
Cumberland	-	Ban	-	Ban	-	-
Qualicum Beach	-	Ban	-	Ban	-	-
Salmon Arm	-	-	-	Ban	-	-
Squamish	-	Ban	-	Ban	-	-
Tofino	-	Ban (Pending MoECCS Approval)	-	Ban (Pending MoECCS Approval)	Foam Ban (Pending MoECCS Approval)	Foam Ban (Pending MoECCS Approval)
Ucluelet	-	Ban (Pending MoECCS Approval)	-	Ban (Pending MoECCS Approval)	-	-
Victoria	-	-	-	Ban (Pending MoECCS Approval)	-	-
Metro Vancouver Regional District						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
North Vancouver, District	Options presented to Council	-	-	-	-	-
Richmond	-	Ban (Pending MoECCS Approval)	-	Ban (Pending MoECCS Approval)	Foam Ban (Pending MoECCS Approval)	Foam Ban (Pending MoECCS Approval)
City of Port Moody	Consultation results submitted to Council	-	-	-	-	-
Surrey	Request to Council	-	-	-	-	-

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Table 1 - Summary of Single-Use Item Reduction Regulations and Policies in Canada Continued

Metro Vancouver Regional District Continued						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Vancouver	Yes	Ban (Pending April 2020)	By-request (Pending April 2020)	Ban (Pending 2021)	Foam Cups Banned and Fee for Disposable Cups (Pending 2021)	Foam Ban
West Vancouver	See details below.					
Alberta						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Calgary	Draft Strategy and Engagement created	-	-	-	-	-
Jasper	-	-	-	Ban	-	-
RM Wood Buffalo	-	-	-	Ban	-	-
Saskatchewan						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Regina	Report with Options submitted to Committee	-	-	-	-	-
Ontario						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Toronto	Consultation Phase in progress	-	-	-	-	-
Quebec						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Montreal	-	-	-	Ban	-	-
New Brunswick						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Moncton	-	-	-	Ban	-	-
Dieppe	-	-	-	Ban	-	-
Riverview	-	-	-	Ban	-	-
Prince Edward Island						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
PEI	-	-	-	Ban	-	-
Nova Scotia						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Nova Scotia	-	-	-	Ban	-	-

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Table 1 - Summary of Single-Use Item Reduction Regulations and Policies in Canada Continued

Yukon						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Dawson City	-	Plastic Ban	Plastic Ban	Plastic Ban	Plastic and Foam Ban	Plastic and Foam Ban

#### Canada

The Canadian Council of Ministers of Environment have approved, in-principle, a [Canada-wide strategy](#) on zero plastic waste ([link](#)). Prime Minister Justin Trudeau announced the Government of Canada will [ban harmful single-use plastics](#) such as bags, straws, cutlery, plates and stir sticks, as early as 2021, and the Government of Canada will work with the provinces and territories to make companies that manufacture plastic products, or sell items with plastic packaging, responsible for this plastic waste. In January 2020, Environment and Climate Change Canada released a [Draft Science Assessment of Plastic Pollution](#), stating:

“Science confirms that plastic pollution is everywhere and is negatively impacting our environment. This assessment will inform our decisions as our government follows through on our commitment to ban harmful single-use plastics as soon as 2021 because Canadians expect us to.”

– The Honorable Jonathan Wilkinson, Minister of Environment and Climate Change ([source](#))

#### British Columbia

Several municipalities throughout BC have adopted or are considering adopting regulations to reduce single-use items. The most common approach is a plastic bag and/or straw ban. A few municipalities are also implementing foam take-out container bans. Several local governments, including Metro Vancouver, have written letters to the Province supporting a provincial strategy to reduce single-use items. On July 25, 2019, the Province released their [Plastics Action Plan Policy Consultation Paper](#).

On June 29, 2020, the BC Government adopted amendments to the Recycling Regulation (B.C. Reg 449/2004) that will change how EPR programs in BC manage single-use items. Notable amendments are highlighted below.

- Effective June 29, 2020, the minimum deposit for beverage containers is set at \$0.10 and refunds can be paid by cash or a method other than cash (e.g., e-Transfer).
- Effective February 1, 2022, milk and milk substitute beverage containers will transition from the packaging and paper product category to the beverage container deposit-return program.
- Effective January 1, 2023, packaging-like products and single-use products will be regulated items in the packaging and paper product category.
  - *Packaging –like products* include items sold as products, which consumers may use associated with packaging such as: non-durable paper or plastic food containers, foil and wraps, bags, and boxes.
  - *Single-use products* includes items such as: straws, beverage stirrers, utensils, plates, bowls, cups, and party supplies.

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#### Courtenay

On June 17, 2019, Courtenay City Council proceeded with final adoption of “City of Courtenay Single Use Plastic Regulations Bylaw No. 2970, 2019”. It began July 1, 2019, with enforcement starting on March 31, 2020, in order to give businesses time to use up existing stock. Council requested that staff prepare a report on additional items to be added to the bylaw one year after the bylaw takes force. **On December 2019 the Council directed staff not to enforce the bylaw until the the provincial and federal government announce their regulatory approach. The council report cites:**

- the court’s decision that the City of Victoria’s *Checkout Bag Regulation Bylaw* required approval from the MoECCS to regulate businesses on environmental matters;
- the announcement from the Government of Canada to ban harmful single-use plastics as early as 2021; and
- the release of the Province of British Columbia’s *Plastic Action Plan – Policy Consultation Paper*

**as the key reasons for delaying enforcement of the City of Courtenay Single Use Plastic Regulations Bylaw.**

#### Resources

Landing Page:	<a href="#">Single-Use Plastics Regulations</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">April 15, 2019 Staff report titled City of Courtenay Single Use Plastic Regulation Bylaw No. 2970, 2019</a></li><li>• <a href="#">June 10, 2019 Staff report titled City of Courtenay Single Use Plastics Regulation Bylaw No. 2970, 2019</a></li><li>• <a href="#">June 17, 2019 Council Meeting Minutes – Final Adoption Carried (page 6)</a></li><li>• <a href="#">December 16, 2019 Staff report titled Single Use Plastic Regulation Bylaw - Enforcement Provisions</a></li></ul>
Bylaw:	<a href="#">Bylaw No. 2970</a>
Other Resources:	<a href="#">Resident Survey Results</a> <a href="#">Business Survey Results</a>

#### Cumberland

On March 25, 2019, Cumberland City Council adopted “Single-Use Item Regulation Bylaw No. 1098, 2019”, which includes the following:

- Biodegradable and compostable plastic are included in the definition of a plastic checkout bag and plastic drinking straw.
- Reusable bag is defined as being able to be used for 100 uses and made of cloth or other washable fabric.

**The Bylaw came to force on July 1, 2019 and enforcement began January 2020.**

#### Resources

Landing Page:	<a href="#">Reducing Reliance on Single-Use Plastics in Cumberland</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">November 6, 2018 Staff report titled Single Use Plastic Ban Report (page 43)</a></li><li>• <a href="#">November 13, 2018 – Staff report titled Single Use Item Regulation</a></li><li>• <a href="#">March 14, 2019 – Staff report titled Single Use Item Regulation</a></li></ul>



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	<ul style="list-style-type: none"><li>• <a href="#">March 25, 2019 Council Meeting Minutes – Final Adoption Carried (page 5)</a></li></ul>
Bylaw:	<a href="#">Bylaw No. 1098</a>
Other Resources:	<a href="#">FAQ</a> <a href="#">Retailer Toolkit</a> <a href="#">Resident Survey Results</a> <a href="#">Business Survey Results</a>

#### North Vancouver, District of

On May 6, 2019, District of North Vancouver Council passed a motion for staff to update Council on the actions of regional, provincial and federal governments to reduce and regulate single-use items. Council also passed a motion for staff to report back within 90 days with estimates of the cost and timeline to create and enact policies to reduce single-use items.

At the July 9, 2019 Council workshop, staff reported back on options and considerations for taking actions to reduce single-use items.

#### Resources

Landing Page:	None
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">May 6, 2019 minutes with motion to update Council on the actions regional, provincial and federal levels to reduce and regulate single-use items</a></li><li>• <a href="#">July 9, 2019 staff report for Council workshop titled <i>Taking Action to Reduce Single-Use Items</i></a><ul style="list-style-type: none"><li>○ <a href="#">Presentation</a></li></ul></li></ul>
Bylaws:	None

#### Qualicum Beach, Town of

The Town of Qualicum Beach banned plastic bags and straws, including those labelled biodegradable starting July 1, 2019. Reusable bags (rated for 100+ uses) and compostable bags labelled with BPI or BNQ compostable are acceptable alternatives. **An enforcement plan will be considered in the future.**

#### Resources

Landing Page:	<a href="#">Plastic Bag Ban</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">March 19, 2018 Staff report titled <i>Proposed Plastic Bag Ban Consultation Results</i> (page 48)</a></li><li>• <a href="#">March 19, 2018 Staff report titled <i>Uptown Summer Market and Reusable Summer Bags Proposals</i> (page 75)</a></li><li>• <a href="#">February 25, 2019 Council Meeting Minutes with final adoption carried</a></li></ul>
Bylaws:	<a href="#">Bylaw No. 723</a>
Other Resources:	<a href="#">Public Brochure</a> FAQ on landing page

#### Richmond

On June 10, 2019, Richmond City Council directed staff to start working on a bylaw or bylaws to ban plastic straws and plastic bags.

On July 15, 2019, staff presented a single-use plastic and other items bylaw to the General Purposes Committee. The bylaw targets the reduction of single-use items by banning:

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- food service ware that contains polystyrene foam;
- plastic straws except for persons with disability and/or other accessibility needs who request a plastic straw, including those labelled compostable or biodegradable; and
- plastic bags including those labelled compostable or biodegradable.

On July 22, 2019, Council approved the implementation plan for single-use items with the direction to:

- seek approval of the bylaws from the Minister of Environment and Climate Change Strategy as soon as possible;
- analyze the minimum charge for paper bags and the definition of reusable bags and report back; and
- provide options to immediately commence educational outreach programs for the public and business.

The City of Richmond developed an engagement campaign with the tag-line “Let’s be Leaders”. The campaign includes information for businesses about the potential bylaws sent to the Ministry of Environment and Climate Change Strategy for approval. The city is running a door-to-door campaign to directly reach business that may be impacted. **Public engagement concluded on November 10, 2019.**

**The bylaw was sent to the Ministry of Environment and Climate Change for approval.**

#### Resources

Landing Page:	<a href="#">About Single-Use Items Bylaw</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">May 14, 2019 General Purpose Committee staff report dated April 2, 2019 titled <i>Single-Use Plastic Items – Proposed Consultation</i> (page GP-69)</a></li><li>• <a href="#">July 15, 2019 General Purpose Committee meeting staff report dated July 5, 2019 titled <i>Single-Use Plastic and Other Items Bylaw and Implementation Plans</i></a></li><li>• <a href="#">July 22, 2019 Council Minutes</a></li><li>• <a href="#">September 9, 2019 Council Meeting Agenda staff report dated August 8, 2019 titled <i>CleanBC Plastics Action Plan - Policy Consultation Paper</i> (page 48)</a></li></ul>
Bylaws:	<a href="#">Bylaw No. 10000</a>
Other Resources:	<a href="#">Business Implementation Resources</a> <a href="#">Implementation Support</a> <a href="#">FAQs</a>

#### Port Moody

On June 26, 2018, Council asked staff to:

- Participate in the Metro Vancouver Single-Use Item Reduction Consultation;
- Report back after the Metro Vancouver Consultation with recommendations on next steps; and
- Seek feedback from Port Moody business license holders on their concerns about eliminating single use items.

In April 2019, Port Moody completed consultation survey of businesses. Based on feedback from 38 respondents, staff reported:

- “Many respondents indicated they are moving toward reducing single-use items”
- “Concerns about eliminating single-use items included a lack of alternative products, increasing costs for businesses, and loss of convenience for customers.”

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On January 21, 2020, Council asked staff to connect with the District of Tofino to gather information regarding the plastic bag ban in that community. Port Moody city staff summarized the results of the discussions with Tofino in a Memorandum dated February 10, 2020. Tofino has since updated their bylaw in March 2020 (see Tofino).

#### Resources

Landing Page:	<a href="#">None</a>
Council Reports, Presentations and Minutes:	<a href="#">June 26, 2018 Motion from Council to begin consultation process for eliminating single-use items</a> <a href="#">September 23, 2019 staff report titled Stakeholder Consultation Summary on Single-Use Items (Page 58)</a> <a href="#">February 10, 2020 Memorandum to Council titled Delegation Response – SUPER (Single Use Plastics Elimination Reinforcer) Team (Page 55)</a>
Bylaws:	<a href="#">None</a>
Other Resources:	<a href="#">Business Consultation Summary</a>

#### Salmon Arm

On June 10, 2019 City Council approved a bylaw to reduce checkout bags, which included:

- a ban on plastic bags including those labelled biodegradable or compostable;
- fees on paper bags of \$0.15 as of July 1, 2019 and \$0.25 after January 1, 2020; and
- fees on reusable bags of \$1.00 as of July 1, 2019 and \$2.00 after January 1, 2020.

A 6-month transition period for businesses to source appropriate bags and use existing plastic bag stock.  
The city began enforcement January 1, 2020.

#### Resources

Landing Page:	<a href="#">Reducing Single-Use Plastic Bags</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">December 10, 2018 Minutes with request for staff to bring forward draft bylaws to ban plastic bags</a></li><li>• <a href="#">February 25, 2019 staff report dated February 7, 2019 titled Checkout Shopping Bag Regulation Bylaw No 4297</a></li><li>• <a href="#">April 2019 staff report titled Checkout Shopping Bag Regulation Bylaw No. 4297 Update</a></li><li>• <a href="#">April 23, 2019 – Video of Public Meeting</a></li><li>• <a href="#">September 17, 2019 – Council Report titled MOECCS Plastics Action Plan Submission</a></li></ul>
Bylaws:	<a href="#">Bylaw No. 4297</a>
Other Resources:	<a href="#">FAQs for Residents</a> <a href="#">FAQs for Businesses</a>

#### Squamish

On July 2, 2019, Council approved recommendations from the Committee of the Whole, which included:

- consulting with stakeholders on draft bylaw to ban single-use plastic bags and straws starting January 1, 2020;
- bringing a report to Council in 2020 on regulating other single-use plastic items; and

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- writing to the Ministry of Environment and Climate Change Strategy, UBCM and Squamish-Lillooet Regional District to request support for:
  - developing a province wide strategy to reduce single-use items and disposable plastic packaging;
  - developing a provincial single-use item reduction strategy;
  - developing provincial standards for compostable single-use items; and
  - collecting compostable single-use items through an extended producer responsibility program.

On September 17, 2019 staff provided Council outlining possible bylaw components for a

- Plastic bag ban; and
- Plastic straw ban.

On December 17, 2019, the District of Squamish adopted their Single-Use Items Reduction Bylaw. The bylaw

- restricts the distribution of single-use plastic checkout bags and straws including those labelled biodegradable or compostable;
- requires businesses to ask if the customer needs a checkout bag;
- requires business to charge a fee on Plastic Bags of \$0.10 per bag increasing to \$0.25 ninety days after the adoption of the bylaw;
- requires business to charge a fee on Paper Bags of \$0.20 per bag increasing to \$0.75 90 ninety days after adoption of the bylaw; and
- requires business to charge a fee on Reusable Bags of \$1.20 per bag increasing to \$2.75 ninety days after adoption of the bylaw.

#### Resources

Landing Page:	<a href="#">Reducing Single-Use Items</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">June 25, 2019 staff report titled <i>Update: Single-Use Items Regulation</i></a></li><li>• <a href="#">September 17, 2019 report to Council titled <i>Single-Use Item Reduction Bylaw(Proposed Contents)</i></a></li><li>• <a href="#">September 17, 2019 staff presentation to Council titled <i>Single-Use Item Regulation (Proposed Bylaw Contents)</i></a></li></ul>
Bylaws:	<a href="#">Single Use Item Reduction Bylaw No. 2703</a> <a href="#">Municipal Ticket Information Bylaw No. 2704</a> <a href="#">Notice Enforcement Bylaw Amendment</a>
Other Resources:	<a href="#">FAQs</a>

#### Surrey

On May 27, 2019, City Council endorsed the proposed actions as outlined in the Council [report](#) to commence the development of a Single-Use Item Reduction Strategy for Surrey. Early actions identified in the report include

- initiating preliminary consultation with residents and businesses;
- completing a single-use item waste composition study; and

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- conducting an extensive review of regulatory and legislative authority.

On February 24, 2020, staff reported back to City Council after completing the Public Consultation, Waste Composition Study and collaboration with Metro Vancouver on the SUI toolkit. Surrey requested approval from council to

- prepare a Plastic Bag and Single-Use Item Bylaw; and
- develop a communications and education campaign on the proposed bylaw.

#### Resources

Landing Page:	<a href="#">Single-Use Item Reduction Strategy</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li><a href="#">May 27, 2019 staff report dated May 23, 2019 titled <i>Update on Single-Use Plastics and Other Items</i></a></li><li><a href="#">February 24, 2020 staff report dated February 20, 2020 titled <i>Plastic Bags and Single-Use Items Update</i></a></li></ul>
Bylaws:	None

#### Tofino

Tofino, in coordination with Ucluelet, passed a bylaw that banned plastic straws and bags as of June 8, 2019. The bylaw

- includes a ban on plastic bags and straws including those labelled “biodegradable” or “compostable”;
- includes fees for paper and reusable bags; and
- permits plastic bags to be distributed that have already been used by a customer and that have been returned to the business for the purpose of being reused by other customers.

On March 10, 2020, District of Tofino resolved that:

“District of Tofino Single-Use Item Regulation Bylaw No. 1277, 2020 be revised to include a prohibition on polystyrene foam containers and an exemption for the provision of Plastic Drinking Straws to person with disabilities upon request.”

During the March 10, 2020 council meeting, the amended bylaw was read a first, second and third time. The amended bylaw was sent to the Minister of Environment and Climate Change Strategy for approval.

#### Resources

Landing Page:	<a href="#">Single-Use Item Regulations</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li><a href="#">February 25, 2019 staff report titled <i>District of Tofino Single-Use Plastic Bylaw</i></a><ul style="list-style-type: none"><li>Attachment 1 - <a href="#">District of Tofino Single-use Item Regulation Bylaw No 1263, 2019</a></li><li>Attachment 2 - <a href="#">Single-Use Item Communications Plan</a></li></ul></li><li><a href="#">April 30, 2019 staff report titled <i>Single-Use Plastics Regulations</i></a><ul style="list-style-type: none"><li>Attachment 1 <a href="#">Draft Bylaw</a></li><li>Attachment 2 <a href="#">Feedback</a></li><li>Attachment 3 <a href="#">Municipal Ticketing Bylaw</a></li></ul></li></ul>

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	<ul style="list-style-type: none"><li>• <a href="#">March 10, 2020 staff report titled <i>Single-Use Item Regulation Bylaw Amendments</i></a><ul style="list-style-type: none"><li>○ Attachment 1 Proposed Bylaw Amendment</li><li>○ Attachment 2 <a href="#">Municipal Ticketing Bylaw Amendment</a></li></ul></li></ul>
Bylaw:	See Bylaw as attachment in Council Reports, Presentations and Minutes

#### Ucluelet

Ucluelet, in coordination with Tofino, passed a bylaw that as of June, 8, 2019, bans plastic straws and bags. The bylaw

- includes a ban on plastic bags and straws including those labelled “biodegradable” or “compostable”;
- includes fees for paper and reusable bags; and
- permits plastic bags to be distributed that have already been used by a customer and that have been returned to the business for the purpose of being reused by other customers.

Ucluelet collected feedback through Facebook.

On February 11, 2020 Council approved and gave first, second and third reading to an updated bylaw. The updated bylaw

- identified that they bylaw is being adopted for the protection of the natural environment;
- expressly exempts small paper and plastics bags under 15cmx20cm; and
- removed transition provisions.

The updated bylaw was sent to the Minister of Environment and Climate Change Strategy for approval.

#### Resources

Landing Page:	<a href="#">Single Use Plastic Regulations Bylaw</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">November 27, 2018 staff report titled <i>Single-Use Shopping Bag Bylaw</i></a></li><li>• <a href="#">March 26, 2019 staff report titled <i>Single-Use Plastics Bylaw – 1<sup>st</sup> Reading</i></a></li><li>• <a href="#">February 11, 2020 staff report titled <i>Single-Use Item Regulation Bylaw No 1266, 2020</i></a></li></ul>
Bylaw:	<a href="#">Bylaw No. 1247</a> (to be superseded pending Ministry approval)
Other Resources:	<a href="#">Tip Sheet – For Residents</a> <a href="#">Tips for Business</a> <a href="#">Tips for Staff</a> <a href="#">FAQs</a>

#### Vancouver

City of Vancouver consulted on and is implementing a single-use item reduction strategy that targets: foam cups and containers, plastic and paper bags, disposable cups, straw, utensil and take-out containers.

Existing and upcoming bylaws include:

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- January 2020 – Foam cups and container ban
  - Food vendor ban on serving prepared food in polystyrene foam cups and take-out containers, with a temporary 1-year exemption of hospitals and care facilities.
- April 2020 – Plastic straw ban
  - Final bylaw was presented to Council November 30, 2019.
- January 2021—pending bans include
  - Plastic and paper bags;
  - Disposable cups; and,
  - Disposable utensils.

A take-out container pilot program is planned, with details to be determined.

The City website encourages early adopters to reduce items if possible. For items that cannot be reduced, the City suggests selecting items that are readily accepted in the City's residential green bin program or the Recycle BC residential blue box program.

On April 9, 2020 the City of Vancouver updated their website to clarify that the start dates for single-use item bylaws for straws, utensils, cups and shopping bags remain unchanged. However, the city is suspending education, outreach and enforcement of by-laws until further notice due to the Covid-19 pandemic.

#### Resources

Landing Page:	<a href="#">Single-Use Item Reduction Strategy</a>
Strategy:	<a href="#">City of Vancouver Single-Use Item Reduction Strategy 2018-2025</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">Feb 2, 2016 Report to Council titled <i>Enhanced Solid Waste Management and Diversion By-law Authority</i></a><ul style="list-style-type: none"><li>○ <a href="#">Feb 2, 2016 Council minutes</a></li><li>○ <a href="#">Feb 2, 2016 Council presentation</a></li></ul></li><li>• <a href="#">June 27, 2017 Report to Council titled <i>Single Use Items Update and Consultation Launch</i></a><ul style="list-style-type: none"><li>○ <a href="#">June 27, 2017 Council minutes</a></li><li>○ <a href="#">June 27, 2017 Council presentation</a></li></ul></li><li>• <a href="#">May 16, 2018 Report to Council titled <i>Single Use Item Reduction Strategy</i></a><ul style="list-style-type: none"><li>○ <a href="#">May 16, 2018 Council minutes</a></li><li>○ <a href="#">May 16, 2018 Council presentation</a></li></ul></li><li>• <a href="#">April 24, 2019 Report to Council titled <i>Single-Use Item Reduction Strategy By-laws—Consultation Update</i></a><ul style="list-style-type: none"><li>○ <a href="#">April 24, 2019 Council minutes</a></li><li>○ <a href="#">April 24, 2019 Council presentation</a></li></ul></li><li>• <a href="#">November 27, 2019 Report to Council titled <i>Bylaws to Reduce Single-Use Items</i></a><ul style="list-style-type: none"><li>○ <a href="#">November 27, 2019 Council minutes</a></li><li>○ <a href="#">November 27, 2019 Council presentation</a></li><li>○ <a href="#">November 27, 2019 Council report, Appendix I-1</a></li><li>○ <a href="#">November 27, 2019 Council report, Appendix I-2</a></li><li>○ <a href="#">November 27, 2019 Council report, Appendix I-3</a></li></ul></li></ul>

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Bylaws:	<ul style="list-style-type: none"><li>• Foam<ul style="list-style-type: none"><li>◦ <a href="#">By-law 12416 (amends By-law 4450 regarding polystyrene foam)</a></li><li>◦ <a href="#">By-law 12604 (amends By-law 4450 regarding charitable food services)</a></li></ul></li><li>• Plastic Straws<ul style="list-style-type: none"><li>◦ <a href="#">By-law 12618 (amends By-law 4450 regarding plastic straws)</a></li></ul></li><li>• Bags<ul style="list-style-type: none"><li>◦ <a href="#">By-law 12624 (amends By-law 4450 regarding shopping bags)</a></li></ul></li><li>• Utensils<ul style="list-style-type: none"><li>◦ <a href="#">By-law 12620 (amends By-law 4450 regarding single-use utensils)</a></li></ul></li><li>• Cups<ul style="list-style-type: none"><li>◦ <a href="#">By-law 12622 (amends By-law 4450 regarding single-use cups)</a></li></ul></li></ul>
Other Resources:	For bylaw adoption resources, see landing page <a href="#">Consultation Paper September 12, 2017</a> <ul style="list-style-type: none"><li>• <a href="#">Phase 1 Consultation Summary</a></li><li>• <a href="#">Phase 2 Consultation Summary</a></li><li>• <a href="#">Phase 3 Consultation Summary</a></li></ul>

#### Victoria

City of Victoria passed a [bylaw](#) that bans distribution of plastic shopping bags and requires a minimum fee of \$0.12 and \$1.00 for paper and reusable bags respectively.

The Canadian Plastic Bag Association challenged the legal authority of the City of Victoria to enact the bylaw. A [June 19, 2018, ruling in the BC Supreme Court](#) dismissed the case. On July 11, 2019, the Court of Appeal judgment determined the bylaw was invalid on the basis that it is a law intended to protect the environment rather than one concerned with the regulation of business and therefore approval of the Minister of Environment was required. On September 25<sup>th</sup>, 2019 the City of Victoria announced their plan to ask the Supreme Court of Canada to rule on the authority of municipalities to regulate the distribution of plastic bags by businesses. **In January 2020, the Supreme Court of Canada determined they would not hear the case.**

#### Resources

Landing Page:	<a href="#">Reducing Single-Use Plastic Bags</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">October 2017 report titled Single-Use Checkout Bag Reduction Program – Bag Reduction Strategy</a><ul style="list-style-type: none"><li>◦ <a href="#">PowerPoint</a></li></ul></li><li>• <a href="#">December 2017 report titled Single-Use Checkout Bag Regulation – Draft Bylaw Feedback</a></li></ul>
Bylaw:	<a href="#">Bylaw No. 18-008</a> <a href="#">Amendment Bylaw No. 18-064</a>
Legal Challenges:	<ul style="list-style-type: none"><li>• <a href="#">June 19, 2018 ruling in the BC Supreme Court</a></li><li>• <a href="#">July 11, 2019 judgment at the Court of Appeal for British Columbia</a></li><li>• <a href="#">July 11, 2019 media release titled City Vows to Find Another Way to Eliminate Single-Use Plastic Bags</a></li><li>• <a href="#">September 25, 2019 media release titled City to Ask Supreme Court of Canada to Rule on Municipal Power to Regulate Business Use of Plastic Bags</a></li></ul>



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#### West Vancouver

On June 24, 2019, District of West Vancouver Council adopted a notice of motion to ask the Province – both directly and through a proposed Union of BC Municipalities (UBCM) resolution – to provide clear jurisdiction to municipalities to pass single-use item reduction bylaws. This UBCM resolution was endorsed by the UBCM Conference.

On September 9, 2019, District of West Vancouver Council instructed staff to develop a Single-Use Item Reduction Strategy. The city conducted an initial discussion with local businesses to collect input and ideas, and hear concerns and aspirations about their experience with single-use items. A business survey through [westvancouverite.ca](http://westvancouverite.ca) concluded February 7<sup>th</sup>, 2020.

#### Resources

Landing Page:	<a href="#">Developing a Single-Use Item Reduction Strategy</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">June 24, 2019 Report to Council Titled Notice of Motion regarding Confirming Municipal Jurisdiction to Regulate Single-Use Items</a></li><li>• <a href="#">September 9, 2019 Report to Council titled Municipal Single-Use Item Reduction Strategy</a></li></ul>
Bylaw:	None

#### Alberta

##### Calgary

On May 14, 2019, City Council directed staff to develop a City strategy to reduce single-use items. In October and November 2018, Calgary collected online feedback from citizens, businesses and organizations as part of their phase one of engagement. The city held further engagement with students at the 2019 Mayor's Environment Expo. Calgary plans to combine recommendations of the Federal Government with their stakeholder engagement to develop a draft Single-Use Items Waste Reduction Strategy for feedback in early 2020 and presentation to council in Spring 2020.

#### Resources

Landing Page:	<a href="#">Single-Use Items Waste Reduction Strategy</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">May 27 staff report dated May 15 2019 titled Scoping Report on Reducing Waste From Single-Use Items</a></li></ul>
Bylaw:	None
Other Resources:	<a href="#">What we Heard Report</a> <a href="#">Verbatim Comments</a> FAQs on landing page

#### Jasper

Jasper banned plastic bags including those labelled as compostable or biodegradable as of July 1, 2019. Compliance is voluntary with enforcement to take effect at a date determined by Council. Jasper promoted the bylaw through their BYO Bag Campaign.

The bylaw:

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- requires that the business ask the customer first if they need a bag;
- requires paper bag to have 40% recycled post-consumer content and be labelled as such; and
- defines reusable as capable of at least 100 uses.

#### Resources

Landing Page:	<a href="#">Bring Your Own Bag, Jasper</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">Minutes May 21, 2019 (Page 2)</a></li><li>• <a href="#">March 12, 2019 staff report titled <i>Comparative Environmental Impact of Alternative Checkout Bags</i> (Page 23)</a></li></ul>
Bylaw:	<a href="#">Bylaw No. 215</a>
Other Resources	<a href="#">Retail toolkit</a> <a href="#">Business and Resident Feedback – May 2019</a>

#### Regional Municipality of Wood Buffalo

In 2010, the Regional Municipality of Wood Buffalo banned plastic bags, including biodegradable bags. While the municipal staff received some complaints about the cost of purchasing reusable bags, overall the bylaw was well received.

#### Resources

Landing Page:	None
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">November 24, 2009 report titled <i>Bylaw No 09/33 Single-Use Plastic Shopping Bag Bylaw</i></a></li></ul>
Bylaw:	<a href="#">Bylaw No. 12/007</a>
Other Resources:	<a href="#">BYO Bag Brochure</a>

#### Saskatchewan

##### Regina

The City of Regina is considering different single-use plastic reduction options to reach their reduction goals of their Waste Plan Regina. Staff conducted an online survey that ended October 2019.

On May 19, 2020, staff submitted a report to the Public Works and Infrastructure Committee following an early consultation. The report elaborated on three options:

- Continued focus on implementation of the Waste Plan Regina by working toward reduction of all disposable products, including plastics (Recommended).
- Implementing mandatory bag fees, or fees for other single use items.
- Ban plastic checkout bags at the municipal level via enforceable bylaw.

The report was withdrawn from the May 2020 committee meeting agenda with all members in favor of postponement.

#### Resources

Landing Page:	<a href="#">City Seeks Input on Single-Use Plastics</a>
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Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li><a href="#">May 19, 2020 staff report to committee titled Item# PW120-3 Single-Use Plastics</a> (page 64 of 130)</li></ul>
Bylaw:	none

#### Ontario

##### Toronto

City of Toronto began consultation to develop a single-use and takeaway items reduction strategy following City Council direction in July 2018. In October, 2019 the City of Toronto started engagement on the following proposed bylaws with a plan for a phased-in approach

- 2021 – Ask first for utensils and fees for paper and plastic bags; and
- 2022 – Ask first for straws; fees on disposable cups; and ban on foam cups and containers.

Based on phase 1 consultation results from fall 2018, City of Toronto began developing potential policies and programs for their reduction strategy. Following phase 2 consultation in September 2019, City Staff are refining initiatives for presentation to the Infrastructure and Environment Committee in 2020.

#### Resources

Landing Page:	<a href="#">Reducing Single-Use &amp; Takeaway Items</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li><a href="#">July 23, 2018 Council direction to Address Single-Use Items, Misleading Advertising, and textile Waste in the City of Toronto</a></li><li><a href="#">May 6, 2019 staff report titled Single Use Item Consultation and Reduction Strategy Next Steps</a></li></ul>
Bylaw:	None
Other Resources:	<a href="#">Single-Use and Takeaway Items Public Consultation Report dated May 2019</a> <a href="#">Single-Use and Takeaway Item Reduction Strategy – Phase 2 Consultation Presentation</a>

#### Quebec

##### Montreal (Ville and Metro)

In January 2018, the Ville de Montreal introduced a bylaw which bans:

- conventional plastic shopping bags (thickness less than 50 microns); and
- all oxo-degradable, oxo-fragmentable and biodegradable plastic shopping bags.

Over 30 jurisdictions (representing over 75% of the population) in the Communaute Metropolitaine de Montreal have banned bags. The [Ville de Montreal website](#) has the bylaw and FAQ detailing which municipalites have banned bags. Enforcement began June 5, 2018.

#### Resources

Landing Page:	<a href="#">Banning Single-Use Plastic Bags</a>
Bylaw:	<a href="#">Bylaw 16-051</a>
Other Resources:	<a href="#">FAQs</a>

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#### *New Brunswick*

##### *Tri-Cities of Moncton, Dieppe and Riverview*

Neighboring cities Moncton, Dieppe and Riverview all passed similar bylaws in June 2019 banning the distribution of plastic checkout bags. Retailers can provide paper and reusable bags at a fee. Exceptions include bags for bulk foods and other specified items. The cities planned for the bylaws to come into force on July 1, 2020, but due to Covid-19, the start date was amended to begin October 1, 2020.

#### Resources

Landing Page:	<a href="#">None</a>
Bylaw:	<a href="#">Moncton Bylaw P-619</a> <a href="#">Dieppe Bylaw A-13</a> <a href="#">Riverview Bylaw 700-75</a>

#### *Prince Edward Island*

As of July 1, 2019, Prince Edward Island will be the first province to ban the distribution of plastic checkout bags, including those labelled biodegradable or compostable. Business must charge a fee for paper bags (minimum \$0.15) and reuseable bags (minimum \$1.00), which the business will retain.

#### Resources

Landing Page:	<a href="#">Plastic Bag Reduction</a>
Act:	<a href="#">Plastic Bag Reduction Act – Bill No. 114</a>
Other Resources:	<a href="#">Business Fact Sheet</a> <a href="#">Customer Q&amp;A</a>

#### *Nova Scotia*

Nova Scotia passed a bill to ban single-use plastic bags on October 29, 2019. The bill takes effect on October 30, 2020 and includes bags made from biodegradable or compostable plastic. Paper bags are permitted, but must be made from at least 40 percent post-consumer recycled paper. Exceptions include bags for bulk foods and other specified items.

#### Resources

Landing Page:	<a href="#">Single-use Plastic Bag Ban</a>
Act:	<a href="#">Plastic Bags Reduction Act – Bill No. 152</a>

#### *Yukon Territories*

##### *Dawson City*

Dawson City passed their Single Use Plastics Bylaw on February 12, 2020. Businesses are prohibited from providing customers with:

- Plastic bags;
- Plastic drinking straws;
- Plastic utensils; and
- Plastic or polystyrene foam take out containers or cups (including biodegradable or compostable variants).

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The bylaw came into force as of April 22, 2020.

#### Resources

Landing Page:	<a href="#">Project &amp; Council Initiatives: Single Use Plastics Bylaw</a>
Bylaw:	<a href="#">Bylaw No. 2019-10</a>

#### USA and Europe

Table 2 - Summary of Single-Use Item Reduction Policies and Strategies Outside of Canada

USA						
California						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
Portland, OR		By Request	By Request	Plastic Ban	Foam Ban	Foam Ban
California	-	-	-	Ban	-	-
Berkeley, CA		By Request	By Request	Plastic Ban/Fees (Alameda County)	Mandatory Fee Compostable Require Reusable for Dine-in	Compostable Require Reusable for Dine-in
Connecticut	-	-	-	Fee and Ban Pending (2021)	-	-
Philadelphia, PA	-	-	-	Ban (Pending January 2021)		
Europe						
	Plan/Strategy	Straws	Utensils	Bags	Cups	Containers
European Union	Directive to ban nine single-use items as well as oxo-degradable plastics.	Pending Ban (2021)	Pending Ban (2021)		Pending Ban (2021)	Pending Foam Ban (2021)

#### Portland

As of October 1, 2019 businesses in Portland cannot automatically include plastic straws, stirrers, utensils or individually packaged condiments in a customer's order for dine-in, drive through, take-out or delivery. These include plastic products labeled "compostable" or "biodegradable".

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Since October 2013, the City of Portland has had a Checkout Bag Regulation which states that all retail establishments and food providers shall only provide recycled paper bags or reusable bags as checkout bags to customers.

Since January 1990, the City of Portland banned restaurants from serving food in polystyrene foam food containers.

#### Resources

Landing Page:	<a href="#">Single-use Plastics Reduction Policy</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">November 14, 2018 Council Report title <i>By-request policy for plastic straws in dine-in areas; as well as an ask-first policy for plastic utensils and condiments for take-out, delivery and fast food orders.</i></a></li></ul>
Regulation:	<a href="#">City Code 17.103</a> <a href="#">Oregon Straw Bill 90</a>
Other Resources:	<ul style="list-style-type: none"><li>• <a href="#">Straws available by request sign</a></li><li>• <a href="#">Utensils available by request sign</a></li><li>• <a href="#">Straws, stirrers, utensils, and condiments available by request sign</a></li><li>• <a href="#">Business notification letter: <i>Single-Use Plastics Reduction Policy Notification Letter</i></a></li></ul>

#### State of California

On November 8, 2016, California banned the distribution of single-use carry out bags. Business may still provide reusable grocery bags or recycled paper bags. But they must charge at least \$0.10 for each bag. Stores may sell compostable plastic bags if

- they are located in a jurisdiction where the majority of residential household have access to curbside collection for composting; or
- the local government has voted to allow the sale of compostable bags to consumers.

Bag manufacturers who sell reusable grocery bags in California must be certified by the Reusable Grocery Bag Reporting System.

#### Resources

Landing Page:	<a href="#">Single-Use Carryout Bag Ban</a>
Regulation:	<a href="#">Bill No. 270</a>

#### City of Berkeley

The City of Berkeley introduced a Single-Use Foodware and Litter Reduction Ordinance which came into effect March 27, 2019 (phase 1) with additional restrictions coming into effect January 1, 2020 (phase 2) and July 1, 2020 (phase 3). Ordinance enforcement begins one year after their effective date. The ordinance includes the following components aimed at reducing the use and disposal of cups, lids, utensils, straws, clamshells, and other disposables:

##### Phase 1

- The following items will only available by request:

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- Straws, stirrers, napkins, utensils, condiments cups and packets, cup sleeves, tops, lids, spill plugs, and other similar accessories
- Food Vendors must provide color-coded receptacles.
- City events and facilities must only serve food in reusable or certified compostable food serviceware.

#### Phase 2

- All disposable food serviceware must be certified compostable and free of intentionally added fluorinated chemicals.
- Food vendors must charge \$0.25 for disposable cups.

#### Phase 3

- Food vendors offering on-site dining may only use reusables (durable/washable).

The Alameda County Reusable Bag Ordinance applies to City of Berkeley. Therefore City of Berkeley retailers must

- no longer distribute single-use plastic bags;
- charge a minimum of \$0.10 for paper bags and/or compliant reusable bags; and
- encourage customers to bring their own bag.

#### Resources

Landing Page:	<a href="#">Berkeley Single Use Foodware and Litter Reduction Ordinance</a>
Council Reports, Presentations and Minutes:	<a href="#">July 24, 2012 Council Report titled <i>Expanded Single-Use Bag Reduction Ordinance</i></a>
Regulation:	<a href="#">City of Berkeley Single Use Foodware Ordinance No. 7,639-N.S.</a> <a href="#">Alameda County Reusable Bag Ordinance 2016-2</a>
Other Resources:	<a href="#">Ordinance Requirements for the Prepared Food Vendors fact sheet</a>

#### State of Connecticut

On August 1, 2019, Connecticut retailers were required to charge a fee of \$0.10 per single-use plastic checkout bag less than 4 mils thick. "Single-use checkout bag" does not include paper bags; reusable bags; newspaper bags; laundry or dry cleaning bags; or bags used only to contain meat, seafood, loose produce or other unwrapped food items. **Single-use plastic checkout bags are scheduled to be banned on June 30, 2021.**

Municipalities can enact ordinances concerning plastic single-use checkout bags that are as restrictive or more restrictive than the statewide Act.

#### Resources

Landing Page:	<a href="#">Single-Use Plastic Bag Fee</a>
Regulation:	<a href="#">Bill No. 7424</a>
Other Resources:	<a href="#">FAQs</a>

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#### Philadelphia

Philadelphia City Council passed a Single Use Plastics Ban in December 2019. The original effective date of the ban was pushed from July 2, 2020 to January 1, 2021 in light of Covid-19. Enforcement will begin April 1, 2021. Following a three month education period, fines for non-compliance will begin July 1, 2021.

Exceptions to the bag ban include

- Dry Cleaner bags;
- Bags sold in packages with multiple bags, such as garbage, recycling and yard waste bags; and
- Bags used inside retailers by a customer to delivery perishable items to pointof sale (bulk items, meats, bakery goods, flowers and similar items).

In addition, only recyclable plastic bags will be permitted. Philadelphia plans to release additional support material such as flyers and business signage in the coming months.

#### Resources

Landing Page:	<a href="#">Philadelphia's Single Use Plastic Bag Ban</a>
Regulation:	<a href="#">Bill No. 190610-A02</a>
Other Resources:	<a href="#">FAQs on landing page</a>

#### European Union

The European Union voted to ban selected single-use plastics by 2021. The ban includes cotton bud sticks, utensils, plates, straws, stirrers, sticks for balloons, cups, foam food and beverage containers, and products made of oxo-degradable plastics. Taking action on plastics is a priority for the EU's Circular Economy Action Plan.

#### Resources

Landing Page:	<a href="#">European Strategy for Plastics</a>
Council Reports, Presentations and Minutes:	<ul style="list-style-type: none"><li>• <a href="#">Brussels May 28, 2018 document titled Proposal for a Directive of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment</a> and <a href="#">Annex</a></li><li>• <a href="#">March 27, 2019 meeting agenda and vote</a></li></ul>
Strategy:	<a href="#">Implementation Plan</a> <a href="#">Directive</a>
Other Resources:	<a href="#">Single-use Plastics Factsheet</a> <a href="#">Press release May 28, 2019</a> <a href="#">Q&amp;A</a> <a href="#">Impact assessment part 1, part 2, part 3 and summary</a> <a href="#">Supporting Study: Assessment of measures to reduce marine litter from single use plastics</a> <a href="#">Engagement Synopsis report</a>



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## City of Port Moody

### Bylaw No. 3302

A Bylaw to add fines for contravention of City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 for the regulation of single-use plastic and foam items.

The Council of the City of Port Moody enacts as follows:

#### 1. Citation

- 1.1 This Bylaw may be cited as "City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, 2021, No. 3302".

#### 2. Amendments

- 2.1 City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218 is amended by adding the following Designated Bylaw and corresponding Designated Bylaw Enforcement Officers in Schedule 1:

Designated Bylaws	Designated Bylaw Enforcement Officers
Single-Use Plastic Bylaw, 2021, No. 3301	≠ Bylaw Enforcement Officer
	≠ General Manager of Engineering and Operations
	≠ Manager, Solid Waste, Fleet, and Shared Services
	≠ Director of Environment and Parks

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- 2.2 City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218 is further amended by adding the following fines in Schedule 2:

Single Use Plastic Bylaw, No. 3301	Section(s)	Fine(s)	
Distribution of Plastic Checkout Bag	3.1	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent	\$300.00
		Recurrences	
Failure to Charge Paper Bag Fee	3.2(b)(i)	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent	\$300.00
		Recurrences	
Failure to Charge Reusable Bag Fee	3.2(b)(ii)	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent	\$300.00
		Recurrences	
Food in Foam Container	3.3	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent	\$300.00
		Recurrences	
Distribution of Plastic Drinking Straws or Plastic Stir Stick	3.4	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent	\$300.00
		Recurrences	

### 3. Severability

- 3.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

### 4. Effective Date

- 4.1 This Bylaw is to come into force and take effect on Earth Day, April 22, 2022.

**Read a first time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Read a second time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Read a third time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Adopted** this \_\_\_ day of \_\_\_\_, 20\_\_.

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R. Vagramov  
Mayor

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D. Shermer  
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3302 of the City of Port Moody.

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D. Shermer  
Corporate Officer

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## Consultation Summary

### Stakeholder Consultation on Single-Use Items



Lead Divisions: Operations, Economic Development



March–April 2019



[portmoody.ca/singleuse](http://portmoody.ca/singleuse)

#### Consultation methodology



Online survey

**Response period:** March–April 2019

**# of responses:** 38

**# of responses from restaurant, food, and beverage businesses:** 12

#### Scope of the consultation:

On June 26, 2018, Council asked staff to seek feedback from Port Moody business licence holders on their concerns about eliminating the use of single-use items through a survey, and to build a database of contact information for this purpose.

#### Key findings:

#### Communication tactics



Targeted direct mail to all Port Moody business owner/operators (2,310 pieces)



Individual outreach, particularly to food and beverage businesses



Project webpage

#### The top three single-use items used by respondents are:



**Shopping bags (21)**

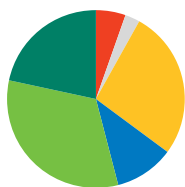


**Food containers (14)**



**Beverage cups (13)**

#### Who responded:



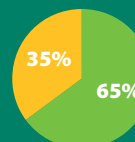
2 (5%)	Health care/medical
1 (3%)	Personal services
10 (27%)	Professional services
4 (11%)	Retail store
12 (32%)	Restaurant, food, and beverage
8 (22%)	Other
1 (3%)	No answer

#### Please note

While survey results may provide the City with valuable information, please note the views expressed do not necessarily reflect the views of all Port Moody business owner/operators.



**Food containers and utensils** were the top items deemed **"very difficult"** to eliminate.



**13** businesses had concerns about eliminating single-use items, and **24** had no concern.



Many respondents indicated moving toward **reducing single-use items** or to **choosing biodegradable items** despite the additional costs involved.



Concerns of eliminating single-use items include a **lack of alternative products**, **increasing costs** for businesses, and **loss of convenience** for customers.

Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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Considered at the April 27, 2021 Council meeting

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Considered at March 23, 2021 Council Meeting

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## Stakeholder Consultation on Single-Use Items – Comments

Survey respondents were asked **“Do you have any concerns about eliminating single-use items?”** Here are the responses received by the City. Comments are presented verbatim, including typos and grammatical errors. Specific addresses have been removed to protect the privacy of individuals.

- too expensive!
- My business uses mostly biodegradable items and for a restaurant we are pretty small and do not have storage space for reusable dishes.
- as a catering business, we have to use single use items. we only use the Biodegradable/compostable product , we do have our own real dishes for event ect...
- There needs to be an initiation phase to allow for all non single-use items to be utilized first.
- Cannot eliminate use of packaging that the business is dependent on. For example pizza boxes. If they are legislated out you are effectively telling all pizza businesses to close.
- I own a digital agency so I have almost no single use items in my business. And while I understand the motivation for this (I'm all for commitments to the environment). I feel like a bylaw is not the right approach. Currently, businesses in BC are under a lot of pressure. The costs of leases are increasing in the Lower Mainland. Payroll/healthcare tax is an additional expense that businesses are now budgeting for. Minimum wage has increased and will do so again by 2021. And worst of all, businesses that compete globally are being hampered by foreign policy issues (not to mention that US companies have had major tax cuts under Trump). I strongly recommend that this council think about how to implement a policy that incentivizes business owners to "go green" versus penalizing or burdening all businesses in Port Moody (many of whom would shut down or move their location to Coquitlam). If you treat this more like a "certification program" offered by the city, the businesses that choose to participate will. The City of Port Moody should recognize these champions but not penalize all businesses. Check out B Corp for a great example of a certification program that works. <https://bcorporation.net/>
- We sell take out beverages in a single use cup.
- Landfill excess. Harm to environment, etc.
- My busieness does not supply single use items, but I would like businessess that do think of ways to eliminate.
- All of our bags are compostable paper bags which are infrequently required by customers but an essential service for those that need one e.g. on a rainy day. We would tend to use around 10-15 per month. I don't think eliminating them from our store will make a large environmental impact. The same goes for the few situations per year when we need to use compostable paper plates to supplement the reusable china we regularly use. The plastic utensils would be the biggest environmental issue for our store. We use these 5-6 times per year so while it may be difficult for us to replace them with metal ones that need to be washed in the dishwasher it is not impossible.
- We are doing our utmost to move all our packaging to be either compostable or recyclable but our business is completely reliant on packaging. We have tried to use reusable items where ever possible (ie. our pie tins and mason jars). We offer a deposit for returning those however most people don't. The cost of packaging is already incredibly expensive and the costs of it continue to steadily increase. As I mentioned we do continue to challenge our suppliers to provide us with the "greenest" packaging options but there is a threshold of what we can afford to absorb without passing that cost on to consumers. While we are committed to doing our utmost to reduce our environmental impact I strongly believe this needs to be a gradual process that moves along with customer engagement & their adaptation of more environmentally friendly practices. While I can appreciate there may be concerns around how slow people are to change habits and we need to be part of that change I am weary of any government regulation that is put in to effect without effective and substantial consultation with businesses.

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- We have made many changes to ensure we are creating as little garbage as possible. We have moved to as many recyclable products as possible despite higher costs. We currently use recyclable cups, spoons, lids, and discounting customers that chose our cones over a cup.

- 
- It wouldn't be possible to operate as a business if single-use items were to be eliminated.

Survey respondents were asked to **share any new ideas, methods, technologies, or products that you are exploring or considering to help reduce or eliminate the use of single-use items**. Here are the responses received by the City. Comments are presented verbatim, including typos and grammatical errors. Specific addresses have been removed to protect the privacy of individuals.

- Elimination is the most effective. People will adapt. Do you really need a lid for your coffee? Just don't fill it as much. For food items, charging a deposit for returnable containers etc., or having a good old-fashioned dishwasher for stir spoons etc. can help. Discounts for bringing your own container, or fees for using disposable items may encourage people.

- 
- Some of this doesn't apply to me but answered as best I could. Also in some cases we are bound by what we are provided to use IE plastic bags, etc.

- 
- At Unipro, we do our best to reuse, reduce and recycle so that we can eliminate single-use items and other things affecting our environment and workspace. It is one of our priorities to try to improve our ways of getting rid of waste and we are open to new ideas, to create a greener world for our community. We make sure that all of the products we use are "ecofriendly" as a effort to help preserve our beautiful Port Moody.

- 
- Please move ahead and eliminate single use plastics. People will adjust.

- 
- We are not providing any of the following: single use cups, stir sticks, plastic bags, single use utensils or single packet sugar. We are thinking of ways to get customers in the habit of bringing their own cups and take out containers, bread bags and shopping bags. We are for a system where we can reduce our waste as best we can.

- 
- We are switching to plastic single-serve beverage containers in part to eliminate straw requests associated with canned beverages. We have had compostable plastic bags and cutlery for several years and our pizza boxes are compatible with composting facilities as the ink is vegetable-based. Our salad containers are also compostable. Basically anything that leaves the store as part a a customer's order is recyclable or compostable. One thing the City can do more is to enforce compost and recycling requirements as per GVRD regulations. Don't know if this is the jurisdiction of a given city though. A tour of many restaurants would reveal no composting in the kitchen and recyclables thrown out with solid waste.

- 
- I provide glass containers for clients to take extra food products away. Is costly, they bring them back to reuse , if returning for a stay. There is a cost incentive for them to do so . No longer give out single use soaps, etc. Use refillable glass decorative containers for such.

- 
- I am the Ceo of FoamOnly recycling Corp. I have a fabrication shop in Port Moody. 8-12 % of the volume of industrial waste is foam. Municipalities should provide guidance to business owner where this product can go or who can pick it up. And encourage networking with the cHamber of commerce to instigate a closed loop recycling model. We export 60 ton of Ps plastic which could be consumed

- 
- I am the CEo of FoamOnly recycling Corp. We have a research shop in port moody. First a awareness campaign with solutions on where to go with the materials for businesses owners. 8-212% Of the volume of industrial waste is foam. We export 60tons monthly. A networking opportunity with the chamber of comerce to create a closed loop for Recyclables. example. We sell our product extruded into a shape the municipality or a business currently purchases. Thus closing the loop.

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- I'm all for eliminating single-use items where possible, but plastic bags, straws and styrofoam containers should be banned outright. Compostable cups and take-out containers are ok in my mind; ideally better for customers to bring their own cups or containers. Maybe these items could be sold at the business as an option for take-out?

---

- My customers are very eco-friendly and often have their own bags or don't take a bag. If they need one, I only use paper.

---

- We bundle goods in fabric wraps or reusable containers like fabric bags. We teach classes to make your own reusable tote or gift bags and food wraps etc. We up-cycle nearly all our textile waste into textile art or stuffing for other projects. We use china cups and plates for our tea and cookies which are available for students during classes or events. We try to avoid plastic or disposable products.

---

- We are all for eliminating single use items!! Let's do it!!

---

- YAY!!!! Port Moody Refillery is all about reducing single use plastic!!! We are thrilled to see the direction the City is taking!

---

- I offer to my patients ceramic cups for hot drinks and glasses for cold drinks.

---

- We do offer totes for purchase in the brewery and do encourage customers to bring their own bags when purchasing to go product.

---

- We have had discussion around charging to "to-do" bags which are currently paper bags with handles but are not sure what the tolerance level would be for that as it would have be more like a \$0.25 charge and what does happen often is a customer has already paid and then asks for a bag. We have also looked at charging a "to-go" price for all our coffee beverages to maybe encourage customers to bring travel mugs with them but have just had to increase prices due to various other taxes etc. so are holding off on this. We're also trying to eliminate all of the packaged sugar etc. to go to refillable containers though some customers do have "health" concerns around that.

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## City of Port Moody

### Bylaw No. 3301

A Bylaw to Regulate Single-Use Plastic and Foam Items.

WHEREAS the *Community Charter* authorizes a council to regulate in relation to the protection of the natural environment with the approval from the minister responsible, and to regulate business;

AND WHEREAS Port Moody City Council wishes to establish a Bylaw to reduce the creation or waste from single-use items and the associated municipal costs to better steward municipal property, including sewers, streets, parks, beaches, and waterways;

AND WHEREAS Port Moody City Council wishes to promote responsible and sustainable environmental practices that are consistent with community values;

NOW THEREFORE, the Council of the City of Port Moody enacts as follows:

#### 1. Citation

- 1.1 This Bylaw may be cited as "City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301".

#### 2. Definitions

- 2.1 In this Bylaw:

"Business Operator" includes the owner of a business, a person having responsibility for its management and operation, and any person who is employed by or acts on behalf of the business in dealing with its customers and patrons;

"City" means the City of Port Moody;

"Foam Container" means any container for food service or food transporting including cups, plates, and bowls made from or containing expanded polystyrene foam;

"Paper Checkout Bag" means a bag made out of paper and contains at least 40% recycled paper content, that displays the words "recyclable" and "made of 40% recycled content" or "made of 40% post-consumer recycled content" or other applicable amount on the outside of the bag, and is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer from the business providing the bag.



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“Plastic Checkout Bag” means any bag that is produced from plastic, including biodegradable or compostable plastic, that is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer from the business providing the bag;

“Plastic Drinking Straw” means a tube made primarily of plastic, including biodegradable or compostable plastic, and used to transfer a beverage from a container to the mouth of the individual drinking a beverage by suction;

“Plastic Stir Stick” means a stick made primarily of plastic, including biodegradable or compostable plastic, primarily used to stir beverages;

“Prepared Food” means any food or beverage prepared for consumption by a business at that licensed premise or location, using any cooking or food preparation technique; and

“Reusable Checkout Bag” means any bag designed and manufactured to be capable of multiple uses, and primarily made of fabric and is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer.

### 3. Regulation

- 3.1 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide a Plastic Checkout Bag to a customer except in accordance with section 3.2.
- 3.2 A business may provide a Paper Checkout Bag or a Reusable Checkout Bag to a customer only if:
  - a) the customer is first asked whether they need a bag;
  - b) the bag provided is a Paper Checkout Bag or a Reusable Checkout Bag, for which the customer is charged a fee not less than:
    - i) \$0.15 per Paper Checkout Bag; and
    - ii) \$1 per Reusable Checkout Bag.
- 3.3 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide Prepared Food to a customer in a Foam Container.
- 3.4 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide a customer with a Plastic Drinking Straw or Plastic Stir Stick.
- 3.5 A Business Operator must not prohibit or discourage a customer from using their own Reusable or Plastic Checkout Bags or Plastic Drinking Straws.

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#### 4. Exemptions

##### 4.1 This Bylaw shall not apply to:

- a) a hospital or any facility licensed as a community care facility under the *Community Care and Assisted Living Act*;
- b) organizations in good standing under the *Societies Act*, or registered as a charitable society or organization under the *Income Tax Act* (Canada);
- c) Foam Containers that have been filled and sealed outside of the City prior to delivery at the premises or location where the holder of a Business Licence operates;
- d) providing a Plastic Drinking Straw to a person with a disability or other accessibility need who requests a Plastic Drinking Straw;
- e) the sale of Plastic Checkout Bags, Plastic Drinking Straws, or other single-use related items intended for use at the customer's home or business, provided that they are sold in packages of multiple units; and
- f) Plastic Checkout Bags used to:
  - i) package loose bulk items that are not prepackaged, such as fruit, vegetables, nuts, grains, and candy;
  - ii) contain small hardware items that are not prepackaged, such as nails, screws, nuts, and bolts;
  - iii) contain or wrap frozen foods, meat, poultry, or fish, which may be prepackaged;
  - iv) wrap flowers or potted plants;
  - v) protect Prepared Foods or baked goods that are not prepackaged;
  - vi) contain prescription drugs and over the counter medications; or
  - vii) protect clothes after professional laundering or dry cleaning.

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5. Offence and Penalty

5.1 Every person who:

- (a) contravenes this Bylaw;
  - (b) permits, suffers, or allows any act or thing to be done in contravention of this Bylaw; or
  - (c) neglects to do or refrains from doing anything required to be done under this Bylaw,
- commits an offence, and every day that the offence continues amounts to a new and separate offence.

5.2 A person found guilty of contravening this Bylaw shall be liable, upon summary conviction, to pay a fine of up to \$10,000, and the costs of prosecution, if proceedings are brought under the *Offence Act*.

5.3 Offences for which tickets can be issued and fines imposed are prescribed in the City of Port Moody Municipal Ticket Information Authorization Bylaw.

6. Severability

6.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

7. Effective Date

7.1 This Bylaw is to come into force and take effect on Earth Day, April 22, 2022.

**Read a first time** this 23<sup>rd</sup> day of March, 2021.

**Read a second time** this 23<sup>rd</sup> day of March, 2021.

**Read a third time** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**Approved by the Minister** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**Adopted** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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R. Vagramov  
Mayor

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D. Shermer  
Corporate Officer

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I hereby certify that the above is a true copy of Bylaw No. 3301 of the City of Port Moody.

---

D. Shermer  
Corporate Officer

Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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Considered at the April 27, 2021 Council meeting

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## City of Port Moody

### Bylaw No. 3302

A Bylaw to add fines for contravention of City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301 for the regulation of single-use plastic and foam items.

The Council of the City of Port Moody enacts as follows:

#### 1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 3, 2021, No. 3302”.

#### 2. Amendments

- 2.1 City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218 is amended by adding the following Designated Bylaw and corresponding Designated Bylaw Enforcement Officers in Schedule 1:

Designated Bylaws	Designated Bylaw Enforcement Officers
Single-Use Plastic Bylaw, 2021, No. 3301	<ul style="list-style-type: none"><li>• Bylaw Enforcement Officer</li><li>• General Manager of Engineering and Operations</li><li>• Manager, Solid Waste, Fleet, and Shared Services</li><li>• Director of Environment and Parks</li></ul>

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- 2.2 City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020,  
No. 3218 is further amended by adding the following fines in Schedule 2:

<b>Single Use Plastic Bylaw, No. 3301</b>	<b>Section(s)</b>	<b>Fine(s)</b>	
Distribution of Plastic Checkout Bag	3.1	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent Recurrences	\$300.00
Failure to Charge Paper Bag Fee	3.2(b)(i)	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent Recurrences	\$300.00
Failure to Charge Reusable Bag Fee	3.2(b)(ii)	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent Recurrences	\$300.00
Food in Foam Container	3.3	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent Recurrences	\$300.00
Distribution of Plastic Drinking Straws or Plastic Stir Stick	3.4	1 <sup>st</sup> Offence	\$100.00
		1 <sup>st</sup> Recurrence	\$200.00
		Subsequent Recurrences	\$300.00

### 3. Severability

- 3.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

### 4. Effective Date

- 4.1 This Bylaw is to come into force and take effect on Earth Day, April 22, 2022.

**Read a first time** this 23<sup>rd</sup> day of March, 2021.

**Read a second time** this 23<sup>rd</sup> day of March, 2021.

**Read a third time** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**Adopted** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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R. Vagramov  
Mayor

---

D. Shermer  
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3302 of the City of Port Moody.

---

D. Shermer  
Corporate Officer

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PROVINCE OF BRITISH COLUMBIA

**REGULATION OF THE MINISTER OF  
ENVIRONMENT AND CLIMATE CHANGE STRATEGY**

*Community Charter*

Ministerial Order No. M309

I, George Heyman, Minister of Environment and Climate Change Strategy, order that the Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation, B.C. Reg. 144/2004, is amended as set out in the attached Schedule.

July 26, 2021

Date

  
Minister of Environment and Climate Change Strategy

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: *Community Charter*, S.B.C. 2003, c. 26, s. 9 (4)

Other: M71/2004

R10476196



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## SCHEDULE

- 1** *The Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation, B.C. Reg. 144/2004, is amended by repealing section 1 and substituting the following:*

### PART 1 – INTERPRETATION

#### Definition

- 1** In this regulation, “Act” means the *Community Charter*.

### PART 2 – PEST MANAGEMENT

#### Definitions for Part 2

- 1.1** In this Part:

“alien invasive species” means the species listed in sections 1 and 2 of the Schedule;  
“dangerous wildlife” has the same meaning as in the *Wildlife Act*;  
“excluded pesticide” has the same meaning as in the Integrated Pest Management Regulation, B.C. Reg. 604/2004.

- 2** *The following Part is added:*

### PART 3 – PLASTIC WASTE REDUCTION

#### Definitions for Part 3 and interpretation

- 3** (1) In this Part:

“accessible straw” means a drinking straw made wholly of plastic that is not compostable or biodegradable, has a corrugated section that allows the straw to bend and maintain its position and is individually wrapped in paper;

“checkout bag” means a paper or plastic single-use supplementary bag;

“introductory period” means a period that may be set by a municipality during which there is a reduced minimum charge for the provision of a recycled paper bag or a reusable bag;

“item” means the applicable of the following:

- (a) a bag;
- (b) a service ware container;
- (c) a utensil;
- (d) a drinking straw;

“plastic” includes compostable and biodegradable plastic;

“polystyrene foam”, when used in reference to an item, means an item made primarily of polystyrene foam;

“recycled paper bag” means a paper checkout bag that meets the criteria described in subsection (2);

**“reusable bag”** means a bag that is designed and manufactured to be used and machine-washed at least 100 times;

**“service ware container”** means a container that is ordinarily provided for service of prepared food or beverages and includes a cup, plate, bowl, tray, carton or lidded container;

**“single-use”**, when used in reference to an item, means the item is provided for a single use or a short-term purpose;

**“small paper bag”** means a paper bag that is less than 15 cm by 20 cm when flat;

**“stir stick”** means an item that is designed and manufactured to stir beverages;

**“supplementary”**, when used in reference to an item, means an item that is provided to a customer by a business to facilitate the transport of a purchase from the business, or consumption of a product, including prepared food that is purchased for take-out or delivery;

**“used bag”** means a checkout bag or a reusable bag that has been previously used and is being reused;

**“utensil”** includes a spoon, fork, knife, chopstick or stir stick.

- (2) In order to be considered recycled for the purposes of this Part, a paper checkout bag must contain at least 40% recycled paper content, and have a reference printed on the outside of the bag to the applicable amount of recycled content with the word “recyclable”.

#### **Application of this Part**

- 4 The authority to make a bylaw under section 5 to regulate, prohibit and impose requirements in relation to the protection of the natural environment does not apply to the sale of single-use items that are sold as a product, ordinarily in sets of multiple items.

#### **Authority of municipality**

- 5 (1) For the purposes of section 9 (4) (a) (i) of the Act, a municipality may, by bylaw, regulate, prohibit and impose requirements in relation to the protection of the natural environment under section 8 (3) (j) of the Act as set out in this section and in accordance with this Part.
- (2) Subject to subsections (3), (4) and (5), a municipality may, by bylaw, do any of the following:
- (a) prohibit a business from providing any of the following single-use supplementary items:
    - (i) checkout bags other than
      - (A) recycled paper bags, or
      - (B) used bags;
    - (ii) polystyrene foam service ware containers;
    - (iii) plastic utensils;
    - (iv) plastic drinking straws;

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- (b) if the municipality has prohibited a business from providing checkout bags under paragraph (a) (i), require that a business provide a recycled paper bag or a reusable bag to a customer only on payment of a minimum charge for each bag, as follows:
    - (i) subject to subparagraph (ii), a charge of at least
      - (A) \$0.25 for each recycled paper bag, and
      - (B) \$2 for each reusable bag;
    - (ii) if the municipality sets an introductory period, a charge during the introductory period of at least
      - (A) \$0.15 for each recycled paper bag, and
      - (B) \$1 for each reusable bag;
  - (c) if paragraph (a) (iii) or (iv) does not apply, require that a business provide the following, as applicable, to a customer only on request by the customer:
    - (i) a single-use utensil;
    - (ii) subject to the exemption under subsection (4), a drinking straw made of a material other than plastic;
  - (d) set out exemptions to the bylaw, including the exemption under subsection (4), if applicable, to the prohibitions and requirements under this subsection;
  - (e) require that a business report to the municipality the distribution of items governed by a bylaw made under this section.
- (3) If a municipality makes a bylaw prohibiting a business from providing checkout bags other than recycled paper bags under subsection (2) (a) (i),
- (a) the bylaw must provide for the payment of a minimum charge for recycled paper bags or reusable bags under subsection (2) (b), and
  - (b) the bylaw must include an exemption from the payment of the minimum charge for the following:
    - (i) used bags;
    - (ii) small paper bags;
    - (iii) in the case of prescribed pharmaceutical drugs or devices, recycled paper bags.
- (4) If a municipality makes a bylaw prohibiting plastic drinking straws under subsection (2) (a) (iv), the bylaw must have an exemption so that businesses would not be prevented from providing an accessible straw on request by a person with disabilities or due to medical reasons.
- (5) The authority of a municipality to make a bylaw under this section does not include the authority to permit businesses to collect, use or disclose personal information for considering a person's entitlement to an exemption in respect of the bylaw.

## **Exemptions to be considered and plan for implementation and enforcement**

- 6 A municipality that intends to make a bylaw under section 5 must

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- (a) consider appropriate exemptions in respect of the bylaw, including exemptions for
  - (i) persons with disabilities,
  - (ii) medical reasons,
  - (iii) a hospital or any facility licensed as a community care facility under the *Community Care and Assisted Living Act*, and
  - (iv) in the case of a charge referred to in section 5 (2) (b), reasons of financial hardship,
- (b) establish a plan for
  - (i) implementation of the bylaw, which may include setting an introductory period of not more than 12 months for the charge referred to in section 5 (2) (b) (ii), and
  - (ii) enforcement of the bylaw, and
- (c) set a date for the bylaw to come into force that is at least 6 months after the date the bylaw is adopted by council.

**Charge not a fee payable to municipality**

- 7** An amount charged in accordance with the authority referred to in section 5 (2) (b) must not be collected by the municipality as a fee payable to the municipality.

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## City of Port Moody

### Bylaw No. 3301

A Bylaw to Regulate Single-Use Plastic and Foam Items.

WHEREAS the *Community Charter* authorizes a council to regulate in relation to the protection of the natural environment and to regulate business;

AND WHEREAS Port Moody City Council wishes to establish a Bylaw to reduce the creation or waste from single-use items and the associated municipal costs to better steward municipal property, including sewers, streets, parks, beaches, and waterways;

AND WHEREAS Port Moody City Council wishes to promote responsible and sustainable environmental practices that are consistent with community values;

NOW THEREFORE, the Council of the City of Port Moody enacts as follows:

#### 1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301”.

#### 2. Definitions

- 2.1 In this Bylaw:

“Business Operator” includes the owner of a business, a person having responsibility for its management and operation, and any person who is employed by or acts on behalf of the business in dealing with its customers and patrons;

“City” means the City of Port Moody;

“Foam Container” means any container for food service or food transporting including cups, plates, and bowls made primarily of polystyrene foam;

“Paper Checkout Bag” means a bag made out of paper and contains at least 40% recycled paper content, that displays the words “recyclable” and “made of 40% recycled content” or “made of 40% post-consumer recycled content” or other applicable amount on the outside of the bag, and is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer from the business providing the bag.

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“Plastic Checkout Bag” means any bag that is produced from plastic, including biodegradable or compostable plastic, that is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer from the business providing the bag;

“Plastic Drinking Straw” means a tube made primarily of plastic, including biodegradable or compostable plastic, and used to transfer a beverage from a container to the mouth of the individual drinking a beverage by suction;

“Plastic Stir Stick” means a stick made primarily of plastic, including biodegradable or compostable plastic, primarily used to stir beverages;

“Prepared Food” means any food or beverage prepared for consumption by a business at that licensed premise or location, using any cooking or food preparation technique;

“Reusable Checkout Bag” means a bag that is designed and manufactured to be used and machine-washed at least 100 times and is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer;

“Small Paper Bag” means a paper bag that is smaller than 15cm by 20cm when flat; and

“Used Bag” means a checkout bag or a reusable bag that has been previously used and is being reused.

## 3. Regulation

- 3.1 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide a Plastic Checkout Bag to a customer except in accordance with section 3.2.
- 3.2 A business may provide a Paper Checkout Bag or a Reusable Checkout Bag to a customer only if:
  - a) the customer is first asked whether they need a bag;
  - b) the bag provided is a Paper Checkout Bag or a Reusable Checkout Bag, for which the customer is charged a fee not less than:
    - i) \$0.25 per Paper Checkout Bag; and
    - ii) \$2 per Reusable Checkout Bag,with the fee to be collected by the Business Operator.
- 3.3 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide Prepared Food to a customer in a Foam Container.
- 3.4 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide a customer with a Plastic Drinking Straw or Plastic Stir Stick.

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- 3.5 A Business Operator must not prohibit or discourage a customer from using their own Reusable Checkout or Plastic Bags or Plastic Drinking Straws.

## 4. Exemptions

- 4.1 This Bylaw shall not apply to:

- a) a hospital or any facility licensed as a community care facility under the *Community Care and Assisted Living Act*;
- b) organizations in good standing under the *Societies Act*, or registered as a charitable society or organization under the *Income Tax Act* (Canada);
- c) Foam Containers that have been filled and sealed outside of the City prior to delivery at the premises or location where the holder of a Business Licence operates;
- d) providing a Plastic Drinking Straw to a person with a disability or other accessibility need who requests a Plastic Drinking Straw;
- e) the sale of Plastic Checkout Bags, Plastic Drinking Straws, or other single-use related items intended for use at the customer's home or business, provided that they are sold in packages of multiple units;
- f) Plastic Checkout Bags used to:
  - i) package loose bulk items that are not prepackaged, such as fruit, vegetables, nuts, grains, and candy;
  - ii) contain small hardware items that are not prepackaged, such as nails, screws, nuts, and bolts;
  - iii) contain or wrap frozen foods, meat, poultry, or fish, which may be prepackaged;
  - iv) wrap flowers or potted plants;
  - v) protect Prepared Foods or baked goods that are not prepackaged;
  - vi) contain prescription drugs and over the counter medications; or
  - vii) protect clothes after professional laundering or dry cleaning;
- g) Small Paper Bags;
- h) Paper Checkout Bags used in the case of prescribed pharmaceutical drugs or devices; and
- i) Used Bags.

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## 5. Offence and Penalty

### 5.1 Every person who:

- a) contravenes this Bylaw;
- b) permits, suffers, or allows any act or thing to be done in contravention of this Bylaw; or
- c) neglects to do or refrains from doing anything required to be done under this Bylaw,

commits an offence, and every day that the offence continues amounts to a new and separate offence.

### 5.2 A person found guilty of contravening this Bylaw shall be liable to pay:

- a) a fine of up to \$10,000, and the costs of prosecution, if proceedings are brought under the *Offence Act*; or
- b) a fine of up to \$1,000 if a ticket is issued under the City of Port Moody Municipal Ticket Information Authorization Bylaw.

## 6. Severability

- 6.1 If a portion of this Bylaw is found invalid by a court, it will be severed, and the remainder of the Bylaw will remain in effect.

## 7. Effective Date

- 7.1 This Bylaw is to come into force and take effect on Earth Day, April 22, 2022.

**Read a first time** this 23<sup>rd</sup> day of March, 2021.

**Read a second time** this 23<sup>rd</sup> day of March, 2021.

**Read a third time** this 27<sup>th</sup> day of April, 2021.

**Third reading rescinded** this \_\_\_ day of \_\_\_, 2021.

**Read a third time as amended** this \_\_\_ day of \_\_\_, 2021.

**Adopted** this \_\_\_ day of \_\_\_, 20\_\_.

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R. Vagramov  
Mayor

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D. Shermer  
Corporate Officer



Considered at the October 12, 2021 Council meeting

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Considered at the September 28, 2021 Council meeting

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I hereby certify that the above is a true copy of Bylaw No. 3301 of the City of Port Moody.

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D. Shermer  
Corporate Officer



## City of Port Moody

### Bylaw No. 3301

A Bylaw to Regulate Single-Use Plastic and Foam Items.

WHEREAS the *Community Charter* authorizes a council to regulate in relation to the protection of the natural environment and to regulate business;

AND WHEREAS Port Moody City Council wishes to establish a Bylaw to reduce the creation or waste from single-use items and the associated municipal costs to better steward municipal property, including sewers, streets, parks, beaches, and waterways;

AND WHEREAS Port Moody City Council wishes to promote responsible and sustainable environmental practices that are consistent with community values;

NOW THEREFORE, the Council of the City of Port Moody enacts as follows:

#### 1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Single-Use Plastic Bylaw, 2021, No. 3301”.

#### 2. Definitions

- 2.1 In this Bylaw:

“Business Operator” includes the owner of a business, a person having responsibility for its management and operation, and any person who is employed by or acts on behalf of the business in dealing with its customers and patrons;

“City” means the City of Port Moody;

“Foam Container” means any container for food service or food transporting including cups, plates, and bowls made primarily of polystyrene foam;

“Paper Checkout Bag” means a bag made out of paper and contains at least 40% recycled paper content, that displays the words “recyclable” and “made of 40% recycled content” or “made of 40% post-consumer recycled content” or other applicable amount on the outside of the bag, and is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer from the business providing the bag.

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“Plastic Checkout Bag” means any bag that is produced from plastic, including biodegradable or compostable plastic, that is intended to be used by a customer for the purpose of transporting items or Prepared Food purchased or received by the customer from the business providing the bag;

“Plastic Drinking Straw” means a tube made primarily of plastic, including biodegradable or compostable plastic, and used to transfer a beverage from a container to the mouth of the individual drinking a beverage by suction;

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## 3. Regulation

- 3.1 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide a Plastic Checkout Bag to a customer except in accordance with section 3.2.
- 3.2 A business may provide a Paper Checkout Bag or a Reusable Checkout Bag to a customer only if:
  - a) the customer is first asked whether they need a bag;
  - b) the bag provided is a Paper Checkout Bag or a Reusable Checkout Bag, for which the customer is charged a fee not less than:
    - i) \$0.25 per Paper Checkout Bag; and
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- 3.3 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide Prepared Food to a customer in a Foam Container.
- 3.4 Unless exempted under section 4.1, a Business Operator must not sell or otherwise provide a customer with a Plastic Drinking Straw or Plastic Stir Stick.

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- 3.5 A Business Operator must not prohibit or discourage a customer from using their own Reusable Checkout or Plastic Bags or Plastic Drinking Straws.

## 4. Exemptions

### 4.1 This Bylaw shall not apply to:

- a) a hospital or any facility licensed as a community care facility under the *Community Care and Assisted Living Act*;
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  - iv) wrap flowers or potted plants;
  - v) protect Prepared Foods or baked goods that are not prepackaged;
  - vi) contain prescription drugs and over the counter medications; or
  - vii) protect clothes after professional laundering or dry cleaning;
- g) Small Paper Bags;
- h) Paper Checkout Bags used in the case of prescribed pharmaceutical drugs or devices; and
- i) Used Bags.

# Considered at the October 12, 2021 Council meeting

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**Third reading rescinded** this 28<sup>th</sup> day of September, 2021.

**Read a third time as amended** this 28<sup>th</sup> day of September, 2021.

**Adopted** this \_\_\_ day of \_\_\_\_\_, 2021.

---

R. Vagramov  
Mayor

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D. Shermer  
Corporate Officer

# Considered at the October 12, 2021 Council meeting

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I hereby certify that the above is a true copy of Bylaw No. 3301 of the City of Port Moody.

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D. Shermer  
Corporate Officer