



City of Richmond

Report to Committee

To: General Purposes Committee **Date:** July 5, 2019
From: Tom Stewart, ASCT. **File:** 10-6370-01/2019-Vol
 Director, Public Works Operations 01
Re: **Single-Use Plastic and Other Items Bylaw and Implementation Plans**

Staff Recommendation

1. That the following bylaws to introduce a ban on single-use plastic and other items be introduced and given first, second and third readings with an effective date of January 1, 2020:
 - a. Single-Use Plastic and Other Items Bylaw No. 10000;
 - b. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10063, and
 - c. Municipal Ticket Information Bylaw No.7321, Amendment Bylaw No. 10064; and

2. That the implementation plans for plastic straws and plastic bags, as outlined in Attachments 1 and 2 of the staff report dated July 5, 2019 titled, "Single-Use Plastic and Other Items Bylaw Bans and Implementation Plans" from the Director, Public Works Operations, with funding in the amount of \$260,000, from the Sanitation and Recycling provision, be approved.

Tom Stewart, ASCT.
 Director, Public Works Operations
 (604-233-3301)

Att. 2

REPORT CONCURRENCE		
ROUTED TO: Law Community Bylaws Sustainability	CONCURRENCE <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

This report responds to the following resolutions from the May 21, 2019 Special Council Meeting where the staff report, “Single-Use Plastic Items – City of Vancouver Proposals” was considered. The resolutions are as follows:

- (1) *That:*
 - a. *staff be directed to bring forward appropriate bylaw amendments to the Business Regulation Bylaw No. 7360 to ban the commercial use or commercial distribution of foam cups, foam plates and foam take-out containers effective January 1, 2020, with exceptions provided for charitable organizations and hospital/care facilities;*
 - b. *staff be directed to bring forward appropriate bylaw amendments to the Municipal Ticket Information Bylaw No. 7321 to incorporate a ticketing provision for those businesses who violate Business Regulation Bylaw 7360 as amended per item (a) above, effective January 1, 2020; and*
 - c. *staff be directed to bring forward appropriate bylaw amendments to the Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122 to incorporate a fine of \$250 for each instance where a business violates Business Regulation Bylaw No. 7360 as amended per item (a) above, effective January 1, 2020;*
- (2) *That the implementation plan, as outlined in Attachment 2, with funding in the amount of \$300,000, from the Sanitation and Recycling provision, to support implementation of a foam cups, foam plates and foam take-out containers ban, be approved;*
- (3) *That funding for ongoing support, education and bylaw enforcement, for item (a) above, be included for Council’s consideration in the 2020 and future Sanitation and Recycling utility budget and rates;*
- (4) *That staff bring forward two resolutions for the 2019 Union of British Columbia Municipalities convention requesting the provincial government’s support to address single-use items by:*
 - a. *adopting a comprehensive provincial single-use item reduction strategy; and*
 - b. *developing provincial standards for compostable single-use items ensuring they are designed to fully biodegrade if littered in the natural environment, that any standards and certifications for compostability are aligned with provincial composting infrastructure, and that compostable single-use items are collected and managed through an extended producer responsibility program that covers the residential and commercial sectors as well as materials from the public realm;*
- (5) *That the Mayor write the Chair of the Greater Vancouver Sewerage and Drainage District Board and the Ministry of Environment and Climate Change Strategy to develop a provincial single-use item reduction strategy;*
- (6) *That staff be directed to bring forward appropriate bylaw amendments to ban straws, similar to the City of Vancouver’s approach, together with an implementation plan and budget effective January 1, 2020, and also report back on the City of Vancouver’s research being undertaken regarding the ban on straws;*
- (7) *That staff be directed to examine the issue of single-use food utensils, and report back;*
- (8) *That staff be directed to bring forward appropriate bylaw amendments to prohibit the commercial use or commercial distribution of plastic checkout bags and regulate paper*

- and reusable bags with incremental fees, effective January 1, 2020, with appropriate exemptions listed in Table 2, in the staff report titled “Single-Use Plastic Items – City of Vancouver Proposals”, dated May 12, 2019 from the Director, Public Works, with a six-month grace period to permit the use of existing plastic bag stock that was purchased by a business prior to the first reading of the bylaw; and*
- (9) *That staff be directed to bring forward an implementation plan and budget to prohibit plastic checkout bags, for item (8) above.*

This report presents the appropriate regulatory bylaws and additional information as directed by Council.

Analysis

Bylaws

A new Single-Use Plastic and Other Items Bylaw is presented to encompass the items to be banned. This bylaw will prohibit the distribution of the items as noted effective January 1, 2020. In addition, appropriate bylaw amendments to incorporate non-compliance enforcement and fines are included with this report.

A summary of each of the bylaws presented with this report is outlined below:

1. *Single-Use Plastic and Other Items Bylaw No. 10000:*

This Bylaw prohibits businesses from providing foam containers to customers for transporting prepared food or beverages, including but not limited to, plates, cups, bowls, trays, cartons and hinged or lidded containers. The provisions exempt hospitals and licensed community care facilities. Charitable societies or charitable organizations are exempt for a period of one year. Prepared food containers that are filled and sealed outside the City are exempt. With the exception of hospitals, licensed care facilities and charitable societies or organizations, businesses have a six month period, commencing January 1, 2020, from which to use up any existing supplies of foam containers.

Bylaw 10000 further prohibits food vendors from providing plastic straws, including those made from biodegradable plastic or compostable plastic. There is an exemption which allows businesses to provide a plastic straw to persons with a disability and/or other accessibility needs upon request. As with foam containers, businesses have a six month period, commencing January 1, 2020, from which to exhaust any existing supplies of plastic straws. The bylaw provisions do not restrict the sale of straws (including plastic straws) intended for use at a customer’s home or business provided they are sold in packages of multiple straws.

Businesses are further prohibited from providing plastic checkout bags to customers, including those made from biodegradable plastic or compostable plastic. A six month grace period, commencing January 1, 2020, for using up existing supplies is provided. Exemptions are provided in the bylaw for plastic checkout bags that are returned by customers for reuse (a common practise in thrift stores). A list of exemptions is also included for plastic checkout bags that are used to package loose items, such as fruit,

vegetables, hardware items, prepared foods that are not pre-packaged as well as other similar items. The bylaw provisions do not restrict the sale of plastic bags intended for use at a customer's home or business provided they are sold in packages of multiple bags. Initially, provisions to regulate the distribution of paper and reusable bags have not been included in the bylaw. Preliminary feedback has indicated that the imposition of fees requires further review and may have financial implications for both businesses and the public. These are provisions which may be considered at a later time when the effectiveness of the bylaw is able to be assessed.

Offences and penalties include a \$2,000 fine for providing false information as well as fines of a maximum \$10,000 per day on conviction.

This bylaw will be effective January 1, 2020.

2. *Municipal Ticket Information Bylaw No. 7321, Amendment Bylaw No. 10063:*

The amendments included for this bylaw will allow tickets to be issued for any business that provides foam containers, plastic straws and plastic checkout bags in violation of Bylaw 10000.

The ticketing provisions derived in this bylaw are appealed in Provincial court and carry fines of up to \$500 per occurrence. If the proposed bylaws are adopted, tickets could be issued as of July 1, 2020 (after the expiry of the six month grace period).

3. *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10064:*

The amendments included for this bylaw will allow tickets of \$250 to be issued per offense to any business that sells or provides prepared food in foam containers, provides straws to customers or provides a plastic checkout bag to a customer outside of the provisions of Bylaw 10000.

Fines under this bylaw are considered administrative penalties and are appealed through adjudication. Although fines for bylaw violation notices are lower than for municipal tickets the cost to administer these tickets is less and the tickets can be mailed rather than issued in person. As with the municipal tickets, these tickets could be applied as of July 1, 2020.

Retail Ban of Single-Use Plastic and Other Items

At the May 21, 2019 Special Council Meeting, it was asked if the sale of foam containers, plastic straws and other non-reusable single-use plastic and other items can be banned from all Richmond businesses, including banning large retailers from selling these items. If the City chooses to move forward with such a ban, the City's Law Department will provide Committee with further advice on this matter. For the purposes of this report, it is understood that municipal regulation of the conduct of business, including prohibiting certain types of transactions, is a well-established aspect of a valid business regulation in British Columbia. This understanding stems from recent court decisions such as the *International Bio Research dba Pet Habitat, et al.*

v. *Richmond* case which upheld the City's bylaw banning the sale of puppy retail sales and the *Canadian Plastic Bag Assn. v. Victoria* where the Court upheld a bylaw banning the sale of single-use plastic bags. It should be noted that the British Columbia Court of Appeal is scheduled to hear the latter case, meaning the ruling upholding the plastic bag ban may be overruled.

Implementation Plans

Projected implementation plans and budgets for plastic straws and plastic bags, as directed by Council, are included with this report (Attachments 1 and 2). (Staff note the implementation plan for single-use foam items was previously approved by Council.) The implementation plans contained in Attachments 1 and 2 identify key actions, timelines and steps required to implement and educate businesses and residents about the plastic straw and plastic bag bans, including resource tools and compliance efforts. The implementation plans include estimated costs for 2019 to prepare for the introduction of the bans as well as projected (2020) future/on-going estimated costs. The combined costs for ban implementation for plastic straws and plastic bags in 2019 are estimated at \$260,000. If approved, this amount could be funded from the Sanitation and Recycling provision.

Estimated costs in 2020 include amounts for on-going education, administration and enforcement, and are estimated at \$450,000 plus \$45,000 for capital expenditures (staffing resources, vehicle, workstations, etc.). These amounts will be further reviewed for inclusion in the appropriate 2020 operating and utility budgets, should the implementation plans be approved.

Other Referral Items

The following section provides an update on other actions taken to date to comply with the direction provided by Council.

UBCM Resolutions

Resolutions with respect to the development of a comprehensive provincial single-use item reduction strategy and compostable single-use items have been prepared and presented to Council separately in order to meet the June 30 UBCM submission deadline.

The resolution concerning single-use items mirrors that of the City of Vancouver and is intended to create a provincial standard to help achieve harmonization for businesses and residents relating to single-use items. The resolution pertaining to compostable packaging standards is intended to ensure standards and certifications for compostable packaging are aligned with composting infrastructure and are further managed through the extended producer responsibility program.

Provincial Single-Use Item Reduction Strategy Correspondence

On behalf of Council, letters have been sent to the Chair of the Greater Vancouver Sewerage and Drainage District Board and the Ministry of Environment and Climate Change Strategy to develop a provincial single-use item reduction strategy.

Single-Use Food Utensils

Single-use food utensils are typically considered to include knives, forks, spoons and chopsticks. They can be used for take-out, fast-food, street carts and for food delivery services.

Plastic utensils are predominately made from a mix of low-grade plastics, including polypropylene and polystyrene. Some of the challenges with recycling plastic utensils include:

- They are commonly contaminated with food residue.
- While polypropylene and polystyrene are recyclable, utensils can be made from mixed plastic materials, making it difficult to distinguish for sorting and making into new products.
- There are no processors locally that accept utensils for recycling.

The benefits of single-use plastic utensils are they are inexpensive, lightweight, convenient, sanitary, and do not consume water or generate wastewater to clean.

Current alternatives to single-use plastic utensils include:

- Reusable utensils, or
- Fibre based, uncoated or wooden cutlery (accepted by local composting facilities). Coatings on paper or wooden cutlery is an issue to be mindful of since some can be coated with a plastic lining. Only natural/cellulose type coatings would be acceptable for composting processes.

The availability of these products and cost discrepancy between alternatives and plastic cutlery has not been reviewed at this time.

Staff note that the City of Vancouver “Single-Use Item Reduction Strategy 2018-2025” discusses a by-request bylaw for single-use utensils. Such a bylaw would prohibit businesses from providing single-use utensils unless the customer is first asked if they are needed. Early findings show that some stakeholders have indicated they currently only provide single-use utensils only when requested by the customer. Other stakeholders have raised concerns about slowed service, safety risk, and inadvertently increasing waste. Consultation on single-use utensils is on-going and Vancouver staff will report back with additional details in November 2019. Staff will continue to monitor developments in this regard.

In the European Union, a Single-Use Plastics Directive was adopted on March 27, 2018 which included banning of plastic cutlery. The Directive has two years from formal adoption to transpose the legislation into national laws. It is unclear how the issue of plastic cutlery is to be addressed as part of this directive.

In their 2018 Waste Composition Study, Metro Vancouver identified approximately 330,000 utensils in the total regional waste stream, 50% of which were identified as wood (i.e. chopsticks or wooden utensils).

Financial Impact

The projected implementation cost in 2019 for plastic straws and plastic bags per the implementation plans provided with this report is \$260,000. If approved, these costs can be funded from the Sanitation and Recycling Provision.

The estimated annual operating budget impact commencing in 2020 is \$450,000, plus capital costs of \$45,000. This amount will be included in the appropriate 2020 budget submissions for Council's consideration should the implementation plans as presented with this report be approved.

Conclusion

This report presents the appropriate regulatory amendments to ban foam containers, plastic straws and plastic checkout bags effective January, 2020. Implementation plans to provide outreach, education, compliance and enforcement efforts are also provided for Council's consideration.



Suzanne Bycraft
Manager, Fleet and Environmental Programs
(604-233-3338)

SJB:kn

- Att. 1: City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Straws
- 2: City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Checkout Bags

City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Straws

B. Plastic Straws			
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost
<p>1</p> <p>Bylaw Development</p> <p>(a) In the new Single-Use Plastic and Other Items Bylaw, include a ban which prevents food vendors from providing an unnecessary plastic drinking straw to a customer.</p> <p>(b) Include an exemption which allows businesses to provide a plastic straw when requested by a customer for disability and/or other accessibility reasons.</p> <p>(c) Amend <i>Municipal Ticket Information Authorization Bylaw No. 7321</i> to add ticketing provisions for Plastic Drinking Straws.</p> <p>(d) Amend <i>Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122</i> to incorporate fines.</p> <p><i>Exemptions:</i></p> <p>(e) Persons with disability and/or other accessibility needs that request a plastic straw.</p> <p>(f) Plastic straws that were provided outside of the City limits.</p> <p>(g) Hospital or licensed community care facility.</p> <p>(h) Charitable society or organization.</p>	<p>Include in bylaws to July 22, 2019 Council meeting for approval.</p> <p>January 1, 2020 Exemptions to be reviewed in one year, i.e. January 1, 2021.</p>		

Attachment 1 (cont'd)
City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Straws (cont'd)

B. Plastic Straws			
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost
<p>2 Consultation</p> <p><i>Accessibility:</i> (a) Consult with Vancouver Coastal Health regarding health requirements and accessibility concerns. (b) Consult with Richmond Centre for Disability, Seniors Advisory Committee, Vancouver Coastal Health/Richmond Health Services Local Governance Liaison Group and the Richmond Family & Youth Court Committee.</p> <p><i>Straws for specialty beverages:</i> (c) Consult with food vendors for specialty beverages that require straws wider than a standard straw to identify suitable alternatives to plastic.</p>	<p>July 22, 2019 - December 31, 2019</p>		
		<p>Exemptions to be reviewed in one year, i.e. January 1, 2021.</p>	
<p>3 Resource Toolkit</p> <p>(a) Engage consulting support to develop an alternative/suitable materials options guide in English, Mandarin and Cantonese languages. (b) Develop a bylaw awareness toolkit for businesses with printed materials to be used in store to inform employees and customers about the City bylaw changes. (c) Plain language descriptions of the bylaw requirements and effective dates. (d) Frequently Asked Questions for business employees to answer public questions in store. (e) Roll out toolkit with affected businesses.</p>	<p>Commence development on Council approval.</p>	<p>Deliver/provide information through effective date of bylaw and beyond, as required.</p>	<p>\$40,000.00</p> <p>\$15,000.00</p>

City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Straws (cont'd)

B. Plastic Straws			
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost
<p>4 Education</p> <p>Engage consulting support to assist with development and delivery of an outreach program and related materials to raise awareness about new requirements and the need to reduce single-use plastic and other items:</p> <p><i>Business:</i></p> <ul style="list-style-type: none"> (a) Communication through the Chamber of Commerce and other business associations, including non-English speaking business owners. (b) City hosted workshops (English, Mandarin and Cantonese languages). (c) Direct mail to affected businesses. (d) Bill insert with business license renewal/tax notice to affected businesses. (e) Bylaw Bulletin (English, Mandarin and Cantonese languages). (f) Guide outlining alternative materials and answers to frequently asked questions. 	<p>Commence upon Council approval.</p> <p>Deliver through effective date of bylaw and ongoing throughout 2020.</p>	<p>\$65,000.00</p>	<p>\$20,000.00</p>

Attachment 1 (cont'd)
City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Straws (cont'd)

B. Plastic Straws				
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost	
<p><i>General Public (English, Mandarin and Cantonese languages):</i></p> <ul style="list-style-type: none"> (a) News Release (b) Media Event (c) Social Media (d) Website (e) Designated email and hotline (f) Information display highlighting alternative materials - use at events and in City facilities (g) Bill insert in utility notice 	<p>Commence upon Council approval.</p> <p>Deliver through effective date of bylaw and ongoing throughout 2020.</p>			
5 Enforcement				
<p><i>(a) Compliance Outreach:</i></p> <p>Environmental Programs Staff: Provide additional temporary staffing/resource support for community outreach and response to enquiries with the objective of obtaining voluntary compliance via education and provision of resource materials.</p> <p>Costs split with Checkout Bags implementation budget.</p>	<p>Commence upon Council approval.</p>	\$25,000.00	\$50,000.00	

Attachment 1 (cont'd)
City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Straws (cont'd)

B. Plastic Straws				
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost	
<p><i>(b) Bylaw Enforcement:</i> Bylaw Staff: Incorporate enforcement for plastic straw ban as a component of enforcement for Single-Use Plastic and Other Items Bylaw. One bylaw enforcement position. <i>General enforcement approach is outlined below:</i> (a) Distribute warning letter to business found in non-compliance. (b) If business remains in non-compliance - issue a fine of \$250.00 under the bylaw. (c) Referral to prosecution for non-compliant business. Costs split with Plastic Bag implementation budget.</p>	<p>January, 2020</p>		<p>\$60,000.00 (Operating) \$22,500.00 (Capital)</p>	
6 Advocacy				
<p>Included plastic drinking straws as a component of the Single-Use Item advocacy letters to the Chair of the Greater Vancouver Sewer and Drainage District Board and the Ministry of Environment and Climate Change Strategy requesting support for the development of a Provincial Single-Use Item Reduction Strategy.</p>	<p>Incorporated into July 22, 2019 report to Council.</p>	<p>UBCM Resolution: September 23-27, 2019</p>		
7 Administration			\$80,000.00	
<p>(a) Dedicated coordination for Single-Use Plastic and Other Items Bylaw (\$90,000 - split with Checkout Bags budget). (b) Outreach support; i.e. call/communications representative (\$70,000 split with Checkout Bags budget).</p>	<p>Commence upon Council approval.</p>			

Attachment 1 (cont'd)
City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Straws (cont'd)

B. Plastic Straws			
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost
Total 2019 Estimated Costs (on-going costs to be identified in 2020 and subsequent budgets)		\$130,000.00	\$247,500.00

City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Checkout Bags

C. Plastic Checkout Bags			
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost
<p>1 Bylaw Development</p> <p>(a) In the new Single-Use Plastic and Other Items Bylaw, include a ban which prevents businesses from providing a plastic bag for the purpose of transporting items purchased or received by a customer. (b) Amend <i>Municipal Ticket Information Authorization Bylaw No. 7321</i> to add ticketing provisions for Plastic Bags. (c) Amend <i>Notice of Bylaw Violation dispute Adjudication Bylaw No. 8122</i> to incorporate fines.</p>	<p>Include in bylaws to July 22, 2019 Council meeting for approval.</p> <p>January 1, 2020 During 2020, review Bylaw performance and evaluate whether the imposition of a fee structure to minimize single-use paper bags is to be recommended for Council consideration.</p>		
<p>2 Resource Toolkit</p> <p>(a) Engage consulting support to develop an alternative/suitable materials options guide in English, Mandarin and Cantonese languages. (b) Develop a bylaw awareness toolkit for businesses with printed materials to be used in store to inform employees and customers about the City bylaw changes. (c) Plain language descriptions of the bylaw requirements and effective dates. (d) Frequently Asked Questions for business employees to answer public questions in-store. (e) Roll out toolkit with affected businesses.</p>	<p>Commence development on Council approval.</p> <p>Deliver/provide information through effective date of bylaw and beyond, as required.</p>	\$40,000.00	\$15,000.00

Attachment 2 (cont'd)
City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Checkout Bags (cont'd)

C. Plastic Checkout Bags			
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost
<p>3 Education</p> <p>Engage consulting support to assist with development and delivery of an outreach program and related materials to raise awareness about new requirements and the need to reduce single-use plastic and other items:</p> <p><i>Business:</i></p> <ul style="list-style-type: none"> (a) Communication through the Chamber of Commerce and other business associations, including non-English speaking business owners. (b) City hosted workshops (English, Mandarin and Cantonese languages). (c) Direct mail to affected business. (d) Bill insert with business license renewal/tax notice to affected businesses. (e) Bylaw Bulletin (English, Mandarin and Cantonese languages) (f) Guide outlining alternative materials and answers to frequently asked questions. <p><i>General Public (English, Mandarin and Cantonese languages):</i></p> <ul style="list-style-type: none"> (a) News Release (b) Media Event (c) Social Media (d) Website (e) Designated email and hotline (f) Information display highlighting alternative materials - use at events and in City facilities (g) Bill insert in utility notice 	<p>Commence upon Council approval.</p> <p>Deliver through effective date of bylaw and on-going in 2020.</p>	<p>\$65,000.00</p>	<p>\$20,000.00</p>

Attachment 2 (cont'd)
City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Checkout Bags (cont'd)

C. Plastic Checkout Bags				
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost	
<p>4 Enforcement</p> <p>(a) <i>Compliance Outreach:</i> Environmental Programs Staff: Incorporate as part of additional temporary staffing/resource support identified for Single-Use Plastic and Other Items for community outreach and response to enquiries with the objective of obtaining voluntary compliance via education and provision of resource materials.</p> <p>Costs split with Plastic Straws implementation budget.</p> <p>(b) <i>Bylaw Enforcement:</i> Bylaws: Incorporate enforcement for plastic straw ban as a component of Single-Use Plastic and Other Items Bylaw.</p> <p>One bylaw enforcement position.</p> <p><i>General enforcement approach is outlined below:</i> (a) Distribute warning letter to business found in non-compliance. (b) If business remains in non-compliance - issue a fine of \$250.00 under the bylaw. (c) Referral to prosecution for non-compliant business.</p> <p>Costs split with Plastic Straws implementation budget.</p>	<p>Commence upon Council approval</p> <p>July, 2020</p>	<p>\$25,000.00</p>	<p>\$50,000.00</p> <p>\$60,000.00 (Operating) \$22,500.00 (Capital)</p>	

Attachment 2 (cont'd)
City of Richmond Single-Use Plastic and Other Items Implementation Plan: Plastic Checkout Bags (cont'd)

C. Plastic Checkout Bags				
Action	Timelines	Projected 2019 Implementation Cost	Projected 2020 Ongoing Cost	
5 Advocacy				
Included plastic bags as a component of the Single-Use Item advocacy letters to the Chair of the Greater Vancouver Sewer and Drainage District Board and the Ministry of Environment and Climate Change Strategy requesting support for the development of a Provincial Single-Use Item Reduction Strategy.	Incorporate into July 22, 2019 report to Council.		UBCM Resolution: September 23-27, 2019	
6 Administration				\$80,000.00
(a) Dedicated coordination for Single-Use Plastic and Other Items Bylaw (\$90,000 - split with Straw budget). (b) Outreach support; i.e. call/communications representative (\$70,000 split with Straw budget).				
Total 2019 Estimated Costs (ongoing costs to be identified in 2020 and subsequent budgets)		\$130,000.00		\$247,500.00



SINGLE-USE PLASTIC AND OTHER ITEMS BYLAW NO. 10000

WHEREAS Part 2, Division 1, Section 8(6) of the *Community Charter* confers upon the City authority to, by bylaw, regulate in relation to business;

AND WHEREAS Council deems it desirable to regulate the use of single-use plastic and other items;

NOW THEREFORE, the Council enacts as follows:

PART ONE: FOAM CONTAINERS

- 1.1 No Business shall sell or otherwise provide Prepared Food in any Food Service Ware that contains Polystyrene Foam.
- 1.2 Section 1.1 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) subject to Section 6.3 of this Bylaw, organizations incorporated and in good standing under the *Society Act*, or registered as a charitable society or organization under the federal *Income Tax Act*; or
 - c) prepared food containers that have been filled and sealed outside the City prior to arrival at the premises or location where the holder of a Licence operates.

PART TWO: PLASTIC STRAWS

- 2.1 No Business shall sell or otherwise provide any Plastic Straws.
- 2.2 Section 2.1 shall not apply in instances where a Business sells or otherwise provides a Plastic Straw to persons with a disability and/or other accessibility needs who request a Plastic Straw.
- 2.3 Part Two does not limit or restrict the sale of straws, including Plastic Straws, intended for use at the customer's home or business, provided that they are sold in packages of multiple straws.

PART THREE: PLASTIC CHECKOUT BAGS

- 3.1 Except as provided in this Bylaw, no Business shall sell or otherwise provide a Plastic Checkout Bag to a customer.
- 3.2 A Business may sell or otherwise provide a Plastic Checkout Bag to a customer only if:
- a) the Plastic Checkout Bag has been returned to the Business for the purpose of being reused by other customers;
 - b) the Plastic Checkout Bag is used for any of the following:
 - i. package loose bulk items such as fruit, vegetables, nuts, grains or candy;
 - ii. package loose small hardware items such as nails or bolts;
 - iii. contain or wrap frozen foods, meat, poultry or fish, whether pre-packaged or not;
 - iv. wrap flowers or potted plants;
 - v. protect prepared foods or bakery goods that are not pre-packaged;
 - vi. contain prescription drugs received from a pharmacy;
 - vii. transport live fish;
 - viii. protect linens, bedding or other similar large items;
 - ix. protect newspapers or other printed material intended to be left at the customer's residence or place of business; or
 - x. protect clothes after professional laundering or dry cleaning.
- 3.3 Part Three does not limit or restrict the sale of bags, including Plastic Bags, intended for use at the customer's home or business, provided that they are sold in packages of multiple bags.

PART FOUR: OFFENCES AND PENALTIES

- 4.1 Any person who:
- a) violates or contravenes any provision of this Bylaw, or who causes or allows any provision of this Bylaw to be violated or contravened;
 - b) fails to comply with any of the provisions of this Bylaw;

- c) neglects or refrains from doing anything required under the provisions of this Bylaw; or
- d) obstructs, or seeks or attempts to prevent or obstruct a person who is involved in the execution of duties under this Bylaw,

commits an offence and upon conviction shall be liable to a fine of not less than One Thousand Dollars (\$1,000.00) and not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

- 4.2 A violation of any of the provisions identified in this Bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended or replaced from time to time.
- 4.3 A violation of any of the provisions identified in this Bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60*, as they may be amended or replaced from time to time.
- 4.4 Any person who gives false information required under this Bylaw is deemed to have committed an infraction of, or an offence against, this Bylaw, and is liable on summary conviction to a penalty of not more than \$2,000 in addition to the costs of the prosecution, and each day that such violation is caused or allowed to continue constitutes a separate offence.

PART FIVE: INTERPRETATION

- 5.1 In this Bylaw, unless the context requires otherwise:

BUSINESS	means any person, organization, or group engaged in a trade, business, profession, occupation, calling, employment or purpose that is regulated under the City's Business Licence Bylaw No. 7360 and includes a person employed by, or operating on behalf of, a Business.
CITY	means the City of Richmond.
FOOD SERVICE WARE	means products used for serving or transporting prepared food or beverages including, but not limited to, plates, cups, bowls, trays, cartons and hinged or lidded containers.
LICENCE	means a business licence issued by the City pursuant to the City's Business Licence Bylaw No. 7360.

- PLASTIC CHECKOUT BAG** means any bag made with plastic, including biodegradable plastic or compostable plastic that is:
- (a) intended to be used by a customer for the purpose of transporting items purchased or received by the customer from the Business providing the bag; or
 - (b) intended to be used to package take-out or delivery food.
- PLASTIC STRAW** means any drinking straw made with plastic, including biodegradable plastic or compostable plastic.
- POLYSTYRENE FOAM** means blown polystyrene and expanded and extruded foams composed of thermoplastic petrochemical materials containing a styrene monomer and processed by any technique including, but not limited to, fusion of polymer spheres (expandable bead foam), injection molding, foam molding, and extrusion-blown molding (extruded foam polystyrene).
- PREPARED FOOD** means any food or beverage prepared for consumption by a Business at that person's licensed premises or location, using any cooking or food preparation technique. Prepared food does not include any raw uncooked food, including meat, poultry, fish, seafood, eggs or vegetables unless provided for consumption without further food preparation.

PART SIX: GENERAL

- 6.1 If any section, section, paragraph, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Bylaw.
- 6.2 This Bylaw is to come into force and effect January 1, 2020, except Part 4 which comes into force and effect on July 1, 2020.
- 6.3 Section 1.2(b) will cease to be of force and effect on January 1, 2021.



6.4 This Bylaw is cited as "Single-Use Plastic and Other Items Bylaw 10000".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.

APPROVED for legality by Solicitor


MAYOR

CORPORATE OFFICER



**Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122,
Amendment Bylaw No. 10063**

The Council of the City of Richmond enacts as follows:

1. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, as amended, is further amended at Part One – Application by adding the following in proper alphabetical order:



“Single-Use Plastic and Other Items Bylaw 10000;”
2. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, as amended, is further amended by adding to the end of the table in Schedule A of Bylaw No. 8122 the content of the table in Schedule A attached to and forming part of this bylaw.
3. This Bylaw is cited as “**Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10063**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating Division 
APPROVED for legality by Solicitor 

MAYOR

CORPORATE OFFICER

SCHEDULE A to BYLAW NO. 10063

SCHEDULE A to BYLAW NO. 10063

Designated Bylaw Contraventions and Corresponding Penalties

A1 Bylaw	A2 Description of Contravention	A3 Section	A4 Compliance Agreement Available	A5 Penalty	A6 Early Payment Option	A7 Late Payment Amount	A8 Compliance Agreement Discount
Single-Use Plastic and Other Items Bylaw No. 10000	Period of Time from Receipt (inclusive)		n/a	29 to 60 days	1 to 28 days	61 days or more	n/a
	Selling or otherwise providing Prepared Food in any Food Service Ware that contains Polystyrene Foam.	1.1	No	\$ 250.00	\$ 250.00	\$500.00	n/a
	Selling or otherwise providing any Plastic Straws.	2.1	No	\$ 250.00	\$ 250.00	\$ 500.00	n/a
	Selling or otherwise providing a Plastic Checkout Bag to a customer.	3.1	No	\$ 250.00	\$ 250.00	\$ 500.00	n/a



**Municipal Ticket Information Authorization Bylaw No. 7321,
Amendment Bylaw No. 10064**

The Council of the City of Richmond enacts as follows:

1. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended in Schedule A by adding in the proper alphabetical order “Single-Use Plastic and Other Items Bylaw No. 10000 ”.
2. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended by adding the following Schedule B 18:

SCHEDULE B 18

SINGLE-USE PLASTIC AND OTHER ITEMS BYLAW NO. 10000

Offence	Section	Fine
Selling or otherwise providing Prepared Food in any Food Service Ware that contains Polystyrene Foam	1.1	\$500.00
Selling or otherwise providing any Plastic Straws.	2.1	\$500.00
Selling or otherwise providing a Plastic Checkout Bag to a customer.	3.1	\$500.00

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3. This Bylaw is cited as “Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 10064”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating dept.

APPROVED for legality by Solicitor
