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**DATE:** October 9, 2019

**SUBJECT: PLASTIC BAG BANS IN OTHER JURISDICTIONS**

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Many municipalities and Provincial governments across the country have imposed regulations on plastic-bag use which include the City of Victoria, the Regional Municipality of Wood Buffalo, AB and the City of Thompson, MB. Other municipalities in BC that have commenced bylaws regulating plastic bags include Tofino, Ucluelet, Courtenay, Cumberland, Salmon Arm, Rossland, Saanich, Sooke and Vancouver. The City of Kamloops is also in the process of drafting a *Carry-Out Bag Regulation Bylaw*. A full list of the plastic bag bans in Canada can be found in Table 1 on page 4. Of the municipalities that have bylaws regulating plastic bags most have exemptions for single-use plastic bags use for hygienic and food preservation reasons such as those used for meat, fish, bread, dairy, and deli products. Bylaws also prevent businesses from disallowing a customer's use of reusable containers.

Regulation of single use plastic bags in other jurisdictions has seen a dramatic decrease in plastic bag usage. The City of Victoria reports that 17 million plastic bags have been kept "out of the community, village centres, parks and beaches" since the *Checkout Bag Regulation Bylaw* came into effect. The Regional Municipality of Wood Buffalo in Alberta implemented a bylaw banning plastic bags in 2010 and has reported that there was a reduction of 1.8 million plastic bags in the first year the ban was implemented (Halef, C., 2016). The City of Thompson has reported a "dramatic impact of the reduction of litter in around the community" since the implementation of a plastic bag ban (City of Thompson, 2019). In Boulder, Colorado the community achieved a 68% reduction in paper and plastic bag use in the first 6 months of introducing a 10¢ bag fee (City of Victoria, 2016). In the Republic of Ireland, a plastic bag tax of 15 euro cents was implemented in 2002 to address plastic pollution concerns which resulted in a 90% reduction in plastic bag usage within the first year (Convery, F., et al, 2006). This tax was initially met with strong opposition from Irish citizens, but has become very popular now having seen the results and is now "considered politically damaging to remove it" (Convery, F., et al, 2006). As of July, 2018 the United Nations counted 127 nations that have either banned or taxed single-use shopping bags (Parker, L., National Geographic, 2019).

The City of Thompson in Northern Manitoba introduced the *Single-Use Plastic Bag Ban By-law* on December 31, 2010. The goal of the bylaw was to reduce the amount of waste found in public areas and Thompson's wilderness. Prior to the implementation of the bylaw a Waste Management Working Group was established in 2008 to identify methods of reducing waste in Thompson, MB which included single-use plastic bags. Consultation prior to the implementation of the bylaw included meeting with all major retailers in the community to discuss their options for eliminating single-use plastic bags, which was met with resistance initially. However, the City of Thompson did not experience substantial opposition as "retailers quickly realized that the selling of reusable bags was a new revenue stream for them" (City of Thompson, MB, 2019). Following the implementation of the bylaw there has been minimal issues with non-compliance, which is quickly rectified following contact from the City (City of Thompson, MB, 2019). The bylaw states that:

- "No person shall sell or provide single-use plastic bags free of charge or allow single-use plastic bags to be sold or provided free of charge.

- No person employed by or acting on behalf of a person carrying on a retail business shall sell or provide single-use plastic bags free of charge or allow single-use plastic bags to be sold or provided free of charge.
- Nothing in this by-law shall preclude owners of retail businesses from making alternatives to single-use plastic bags, such as reusable containers and bags, available for sale or free of charge to customers.
- No retail business shall deny the use of any reusable container by a customer for the transport of purchased items.”

The Regional Municipality of Wood Buffalo (RMWB) approved the *Single Use Shopping Bag Bylaw* on December 8<sup>th</sup>, 2009, which included an eight-month grace period to allow the commercial sector to make the required arrangements (RMWB, n.d.). This period included an extensive promotional and awareness campaign which included open houses and working individually with vendors to address specific issues (RMWB, n.d.). Prior to the implementation of the bylaw, Council received 3000 signatures in support of a bylaw controlling the use of plastic bags in Wood Buffalo. The commercial sector initially demonstrated minimal resistance to the bylaw, however businesses including food services, liquor stores and pharmacies are exempt from the bylaw (RMWB, n.d.). The Bylaw came into effect on September 1, 2010 which eliminated the use of all single-use plastic checkout bags. If a business establishment continues to use single use shopping bags they are fined \$250 for their 1<sup>st</sup> offence, with a fine increase to \$500 for a 2<sup>nd</sup> offence and \$1000 for a 3<sup>rd</sup> offence. To assist residents with the additional cost of reusable shopping bags, the municipality distributes free reusable bags at multiple events throughout the year.

In 2011 and 2012, the municipality issued a survey to the residents of Wood Buffalo to determine if the bylaw should be updated to include additional exemptions. Strong negative feedback for the bylaw was demonstrated by survey takers, with 56% of respondents opposing the bylaw versus 40% of those who supported it. It was identified that the “key issue in discriminating between Bylaw supporters and those who oppose it is the frequency with which people find themselves without reusable bags when shopping” (RMWB, 2012). It was noted that 88% of those who support the bylaw remember their reusable bags “always/almost always or most of the time,” while 75% of those who opposed the bylaw have their reusable bags “sometimes, hardly ever or never” (RMWB, 2012). Since the introduction of the single-use plastic bag ban in 2009, 20 bylaw infractions have been issued to businesses that were selling or issuing single-use plastic shopping bags to customers or denying the use of a reusable bag or container by a customer.

Some other municipalities in Canada have worked towards a plastic bag ban or tax, but following feedback from the community decided to cancel or rescind the ban. This includes Greenstone and Sioux Lookout, two small communities in Northern Ontario, which rescinded plastic bag bans following feedback from the public. The City of Toronto has been investigating ways to eradicate single-use plastic checkout bags for several years, and mandated that a 5-cent charge be placed on each single-use plastic checkout bag by the consumer in 2009 (City of Toronto, 2013). The charge plus a public education campaign was effective in reducing single-use plastic checkout bag use by 53% in single-families between 2008 and 2012 (City of Toronto, 2013). The 5-cent charge was later rescinded in 2012, and a complete ban on plastic shopping carryout bags was proposed. However, the Ontario Convenience Stores Association and Canadian Plastics Industry Association brought legal action against the City to prevent the ban (City of Toronto, 2013). Since rescinding the 5-cent charge on single-use plastic bags, plastic bag use has increased by 26% (City of Toronto, 2013). In 2013, the City of Toronto opted for an extensive public education campaign over a ban or plastic bag fee due to the legal action imposed.

The City of Nelson also did not move forward with imposing a plastic bag ban and voted instead to establish a voluntary campaign in collaboration with the local Chamber of Commerce (Metcalf, B., July 15, 2019).

The City of Kamloops is in the process of drafting a bylaw to regulate the use of single use plastic checkout bags by businesses, following direction from Council in April 2019. Engagement with stakeholders included focus groups and a mailed out survey to business license holders. Additional public and stakeholder engagement was planned for the fall with the *Carry-Out Bag Regulation Bylaw* coming into effect in Spring 2020 (City of Kamloops, July 9, 2019). Following the recent BC Court of Appeal decision regarding Victoria's bylaw, the City of Kamloops has decided to monitor the Province's response to determine next steps and continue with stakeholder engagement. The draft bylaw closely follows the lead of the City of Victoria which addresses the following:

- Prohibits a business from selling or providing a customer with a plastic carry-out bag;
- Prohibits a business from providing a customer with a reusable or paper carry-out bag free of charge unless the bag has already been used and returned to the store for reuse;
- Requires a business to charge a minimum of \$0.15 for a paper carry-out bag and \$1 for a reusable bag during a one-year transitional period and \$0.25 and \$2, respectively, thereafter; and,
- Contains exemptions for specific types of goods (eg. A plastic bag used to wrap or package fruit, vegetables, meat, etc.).

The City of Nanaimo passed a motion in December 2017 to prepare a bylaw banning the use of single-use plastic checkout bags by retailers. Public consultation included online surveys for residents and business owners which closed on May 31, 2019. Nanaimo has drafted a *Checkout Bag Regulation Bylaw*, but implementation is currently on hold awaiting feedback from the Provincial government's CleanBC Plastic Action Plan.

**Table 1: List of Canadian Jurisdictions with Regulations Pertaining to Plastic Bag Use**

Province	Municipality	Ban
Alberta	Jasper	Any bag made with plastic, including biodegradable plastic or compostable plastic, except reusable bags  Paper bags containing less than 40% post-consumer recycled paper content
	Wetaskiwin	Single use plastic bags thinner than 2 mils or 50 microns thick
	Wood Buffalo	Polyethylene bags thinner than 57 microns or made of biodegradable plastic, oxo-biodegradable plastic, plastarch, polylactide, or any other plastic resin composite
British Columbia	Courtenay	Any bag used by a customer for transport of goods from a business, including take-out and delivery of food.  Plastic straws, including "biodegradable" and "compostable" plastic straws.
	Cumberland	Any single-use plastic bag used by a customer for transport of goods from a business, including take-out and delivery of food.  Plastic straws, including "biodegradable" and "compostable" plastic straws.
	Qualicum Beach	Any plastic bag or plastic straw.
	Roseland	Any bag used by a customer for transport of goods from a business, including take-out and delivery of food.
	Saanich (comes into effect on January 1, 2020)	Any bag used by a customer for transport of goods from a business, including take-out and delivery of food.
	Salmon Arm	Any bag made with plastic, including biodegradable plastic and compostable plastic.
	Sooke (comes into effect on January 1, 2020)	Any bag used by a customer for transport of goods from a business, including take-out and delivery of food.
	Tofino/Ucluelet	Any bag used by a customer for transport of items from a business.  Plastic straws, including "biodegradable" and "compostable" plastic straws
	Vancouver (comes into effect on January 1, 2020)	Polystyrene foam (blown, expanded and extruded foams composed of thermoplastic petrochemical materials] food service ware [plates, cups bowls, trays, cartons and hinged or lidded containers]
	Victoria	Any bag used by a customer for transport of goods from a business, including take-out and delivery of food.
Manitoba	Leaf Rapids	Single-use plastic bags
	Snow Lake	Single-use plastic bags  Any plastic bag not made of durable material suitable for reuse

	The Pas	Single-use plastic bags  Any plastic bag not made of durable material suitable for reuse
	Thompson	Single-use plastic bags  Any plastic bag not made of durable material suitable for reuse
New Brunswick	Moncton/Dieppe/Riverview (comes into effect on July 1, 2020)	Any single-use plastic bags made with plastic, including biodegradable plastic or compostable plastic, but not meant to be reusable  Reusable bags not meeting the definition set out in the bylaw  A fee must be charged for paper bags; retailers can determine the amount of the fee to be charged
Prince Edward Island	Province-wide	Any single-use plastic bags made with plastic, including biodegradable plastic or compostable plastic, but not meant to be reusable  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, and/or bags used to package take-out food or food to be delivered.  Reusable bags not meeting the definition set out in the bylaw
Quebec	Beauharnois	Plastic single-use shopping bags  Oxodegradable or oxo biodegradable plastic bags, regardless of thickness
	Beloeil	Plastic single-use shopping bags  Oxodegradable or oxo biodegradable plastic bags, regardless of thickness
	Bromont (comes into effect on November 1, 2019)	Any shopping bag made of oxodegradable or oxo biodegradable, compostable polyester and starch or conventional plastic, regardless of thickness.  Any plastic bags used to carry produce, nuts, bulk snacks, ready-to-eat foods, meat, fish, bread and dairy products to the check-out counter.
	Brossard	Plastic shopping bags thinner than 100 microns  Compostable polyester and starch shopping bags
	Candiac and area	Plastic shopping bags thinner than 50 microns  Oxodegradable or oxo biodegradable, compostable polyester and starch shopping bags, regardless of thickness
	Deux-Montagnes	Plastic single-use shopping bags
	Dunham	Any plastic bag not designed for multiple uses, regardless of thickness or type of plastic.

	Farnham	Checkout conventional plastic bags, including oxo degradable, oxo fragmentable or biodegradable, regardless of thickness.
	Huntingdon	Plastic shopping bags
	Longueuil	Plastic shopping bags thinner than 50 microns  Oxodegradable or oxo biodegradable
	Mascouche	Plastic shopping bags thinner than 100 microns  Compostable polyester and starch shopping bags
	Montreal and area	Plastic shopping bags thinner than 50 microns  Oxodegradable or oxo biodegradable
	Mont-Saint-Hilaire and area	Plastic shopping bags thinner than 50 microns  Oxodegradable or oxo biodegradable  Compostable polyester and starch shopping bags, regardless of thickness
	Pincourt	Plastic shopping bags thinner than 50 microns  Oxodegradable or oxo biodegradable, compostable polyester and starch shopping bags, regardless of thickness
	Prevost	Plastic shopping bags thinner than 50 microns  Oxodegradable or oxo biodegradable, compostable polyester and starch shopping bags, regardless of thickness  Phase 2: Bans all non-reusable plastic bags regardless of thickness
	Saint-Anselme	Plastic shopping bags
	Saint-Bruno-de-Montarville	Plastic shopping bags thinner than 100 microns  Compostable polyester and starch shopping bags
	Sainte-Martine	No bag made of whatever type of plastic
	Saint-Sauveur	Conventional polyethylene checkout bags, biodegradable bags, oxodegradable bags and paper bags, regardless of their thickness.