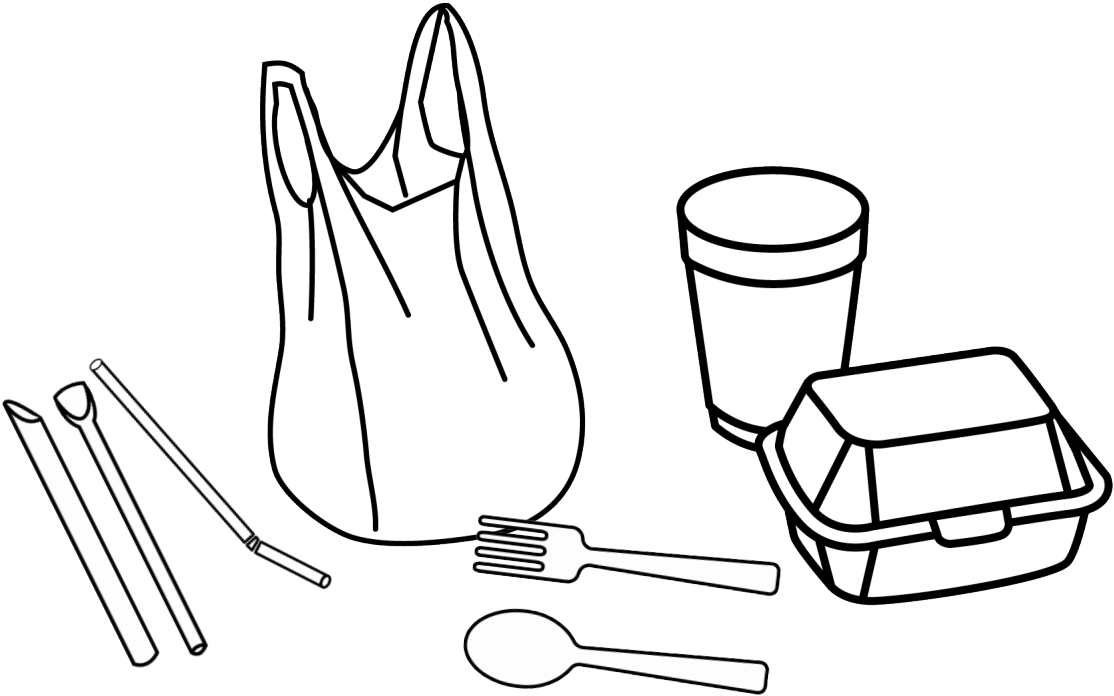


Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws



November 2021

Metro Vancouver Solid Waste Services

This Document is Not a Substitute for Legal Counsel

The regionally harmonized approach to municipal single-use item reduction bylaws outlined in this document does not, and is not intended to, constitute legal advice; instead, all information, content, and materials available in this document are for general informational purposes only. The regulation of single-use items is an evolving area. Information in this report may not constitute the most up-to-date legal or other information. Member jurisdictions should work with legal counsel to obtain advice with respect to the drafting and implementation of bylaws.

Introduction

A harmonized regulatory approach for single-use items across the region benefits both residents and businesses. Table 1 summarizes the regionally harmonized approach to municipal single-use item reduction bylaws. The overall goal of single-use item reduction bylaw approaches outlined in this document is to reduce single-use items overall. This means not just swapping single-use plastic items out for alternatives such as single-use paper and wood. The goal is to move up the waste hierarchy towards reusable, durable products. Therefore, where possible, approaches avoid swapping of one item for another.

Table 1 Summary of the Proposed Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws

Approach	Items
Ban	Plastic bags, plastic straws (not required for medical or accessibility needs), plastic stir sticks, and foam service ware containers
Minimum fees	\$0.25 for recycled paper bags, \$2.00 for reusable bags
Only on request by the customer	All utensils regardless of material, alternatives to plastic straws
Reporting	The number of recycled paper and reusable bags distributed in the past 12 months on an as-requested basis based on the fees collected

Definitions

“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;

“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 contains at least 40% recycled paper content, and has a reference printed on the outside of the bag to the applicable amount of recycled content with the word “recyclable”;

“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.

Checkout Bags

	Regionally Harmonized Approach to Reduce Single-Use Checkout Bags
	<ul style="list-style-type: none"> • Ban on plastic checkout bags • Prescribed fees (see Table 2) for recycled paper bags and reusable bags; • Reporting on the number of recycled paper and reusable bags distributed in the past 12 months on an as-requested basis based on the fees collected.

Minimum Fee Levels

The minimum fees set out in Table 2 are to be kept by the businesses.

Table 2 Fees for checkout bag bylaws

	Item	Minimum Fee
Regionally harmonized minimum fee levels	Recycled Paper Bag	\$0.25
	Reusable Bag	\$2.00

The following bags are exempt from fees:

- used bags;
- small paper bags;
- recycled paper bags for privacy of prescription drugs and medical devices; and
- paper and reusable bags used to distribute items such as food and clothing to those in need.

Exemptions and Clarifications on Scope


Exempt plastic checkout bags include:

- large bags used to protect linens, bedding or other similar large items.

The follow list of checkout-bag-like and plastic wrapping that are out of scope:

- package loose bulk items such as fruit, vegetables, nuts, grains, or candy;
- package loose small hardware items such as nails and bolts;
- contain or wrap frozen foods, meat, poultry, or fish, whether pre-packaged or not;
- wrap flowers or potted plants;
- protect prepared foods or bakery goods that are not pre-packaged;
- transport live fish;
- carry home belongings from a hospital or care facility;
- protect newspapers or other printed material intended to be left at the customer’s residence or place of business;
- protect clothes after professional laundering or dry cleaning;
- plastic garment bags used to protect new garments during shipping; and
- reusable garment bags used to protect items such as suits and dresses.

Foam Service Ware Containers

	<p>Regionally Harmonized Approach to Reduce Single-Use Service Ware Containers</p> <ul style="list-style-type: none">• Ban on foam service ware containers
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Exemptions and Clarifications on Scope

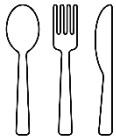
Foam service ware containers not included in the scope of food service ware containers include:

- Foam trays used for uncooked meat, poultry, seafood, or other food that requires further preparation are not part of the foam food service ware ban.
- Items packaged and sealed outside the jurisdiction of the bylaw.

Exemptions to banned foam service ware containers include:

- Hospital and care facilities under the Community Care and Assisted Living Act.
- The sale of single-use items that are sold as a product, ordinarily in sets of multiple item.

Utensils and Stir Sticks

	<p>Regionally Harmonized Approach to Reduce Single-Use Utensils and Stir Sticks</p> <ul style="list-style-type: none">• Ban on plastic stir sticks• Utensils (regardless of materials) available only on request by the customer.
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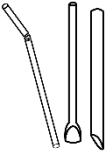
Exemptions and Clarifications on Scope

Self-serve stations are a form of only on request by the customer.

Exemptions to banned plastics stir sticks and utensils available only on request by the customer include:

- Hospital and care facilities under the Community Care and Assisted Living Act.
- The sale of single-use items that are sold as a product, ordinarily in sets of multiple item.

Drinking Straws

	Regionally Harmonized Approach to Reduce Single-Use Drinking Straws <ul style="list-style-type: none">• Ban on plastic drinking straws not required for accessibility and medical needs• Alternatives such as paper straws only provided by request
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Guidance Regarding Accessibility and Medical Needs

It is important that any restrictions on plastic drinking straws consider accessibility and medical needs by:

- clarifying in all communications that the plastic drinking straw ban does not apply to accessible straws required for accessibility or medical needs;
- explaining to stakeholders why these straws are needed and encouraging businesses to stock accessible straws for those that need them; and
- including persons with disabilities and medical needs in engagement activities.

Exemptions and Clarifications on Scope

Exemptions to banned plastic drinking straws not required for accessibility or medical needs include:

- Hospital and care facilities under the Community Care and Assisted Living Act.
- The sale of single-use items that are sold as a product, ordinarily in sets of multiple items.