

AGENDA ITEM NO: 7.1

MEETING DATE: December 6, 2022

STAFF REPORT – COVER SHEET

SUBJECT: Single-Use Item Reduction Bylaw Update DATE: November 28, 2022

DEPARTMENT: Engineering PREPARED BY: T. Friesen

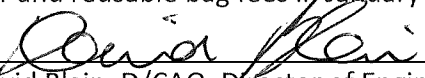
1. SUMMARY OF ISSUE:

The Single-Use Item Reduction Bylaw came into effect on April 1, 2022, which includes minimum fees on paper and reusable bags. Provincial regulations stipulate the minimum fees that municipalities can include in their single-use items bylaws, but allow reduced fees for an introductory period of no longer than 12 months. The introductory period in the City's Bylaw is set to expire on December 31, 2022.

A decision is required to amend to the Single-Use Item Reduction Bylaw either by updating the paper and reusable bag fees or extending the introductory period.

2. RECOMMENDATION:

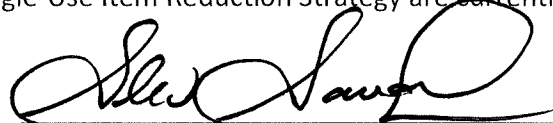
Recommendation that Council direct staff to continue with the plan to draft an amendment to the Single-Use Item Reduction Bylaw to update the paper and reusable bag fees in January 2023.



David Blain, D/CAO, Director of Engineering

3. FINANCE COMMENTS:

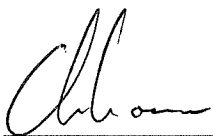
The related costs for implementing the City's Single-Use Item Reduction Strategy are currently allocated within the Financial Plan.



Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman, CAO

**STAFF REPORT ON
SINGLE-USE ITEM REDUCTION BYLAW UPDATE**

PREPARED BY:	<u>Tara Friesen</u>	DATE:	<u>November 28, 2022</u>
POSITION:	<u>Manager of Environmental Services</u>	DEPARTMENT:	<u>Engineering</u>

1. DEFINITION OF ISSUE:

The Single-Use Item Reduction Bylaw came into effect on April 1, 2022, which includes minimum fees on paper and reusable bags. Provincial regulations stipulate the minimum fees that municipalities can include in their single-use items bylaws, but allow reduced fees for an introductory period of no longer than 12 months. The introductory period in the City's Bylaw is set to expire on December 31, 2022.

A decision is required to amend to the Single-Use Item Reduction Bylaw either by updating the paper and reusable bag fees or extending the introductory period.

2. FACTORS:

- 2.1 In September 2021, Council adopted the Single-Use Item Reduction Bylaw 2021, No. 5062, which regulates shopping bags, foam cups and take-out containers, straws, and disposable utensils. The City's bylaw was adopted in compliance with amendments made to the *Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation* under the *Community Charter* that enabled municipalities to regulate these items, and the Bylaw came into effect on April 1, 2022.
- 2.2 Overall, public support for the Bylaw has been very strong, with the exception of concerns about the fee applied to paper bags at drive-thru establishments. Some residents have expressed concern about paying a paper bag fee at drive-thrus because these establishments were already using paper bags and/or because they don't feel there is an easy way to receive their order without a paper bag.
- 2.3 The provincial regulation stipulates minimum fees that must be applied to paper and reusable bags if a municipality chooses to ban plastic bags. The fees are intended to avoid having paper and reusable bags being used in excess since these bags take resources and create greenhouse gases to produce and transport. Ministry staff were contacted to determine if the City's Bylaw could be modified to address resident concerns, but they confirmed that the provincial regulation does not permit exemptions for drive-thru establishments.

2.4 The fees in the provincial regulation include:

- Minimum fees of \$0.25 for paper bags and \$2.00 for reusable bags
- If a municipality sets an introductory period with reduced fees, the minimum fees during that period are \$0.15 for paper bags and \$1.00 for reusable bags. The introductory period can be no longer than 12 months.

2.5 The City’s Bylaw includes an introductory period of April 1, 2022 to December 31, 2022, with fees of \$0.15 for paper bags and \$1.00 for reusable bags. The Bylaw requires an amendment to either update the bag fees to \$0.25 per paper bag and \$2.00 per reusable bag, or extend the introductory period.

Council has the option to extend the introductory period to March 31, 2023 and still be in compliance with the provincial regulation.

2.6 A proposed provincial waste prevention regulation would also require the fees on paper and reusable bags, including paper bags at drive-thrus. The provincewide regulation would apply to all persons, including businesses at the point of sale or distribution of items, and would include the sale of packs of multiple items.

Material	Regulatory Tool	Proposed Items
<i>To be phased out in 2023</i>		
Checkout/shopping bags	Plastic shopping bags: Ban	Plastic checkout bags include all plastic film, including compostable plastics.
	Paper shopping bags: Fee (min \$0.25)	Paper bags must include a minimum of 40% recycled content.
	Reusable shopping bags: Fee (min \$2.00)	Reusable bags must be designed and manufactured to be used and machine washed at least 100 times.
Disposable foodservice accessories	By request	All single-use straws, cutlery and stir sticks. Ketchup, soy sauce and other condiment sachets, napkins, cold cup lids, cup sleeves, food or beverage trays.
<i>To be phased out in 2024</i>		
Problematic plastic foodservice packaging	Ban	Containers, bowls, plates, trays, cartons, film wrap, and cups made from polystyrene foam, PVC or compostable plastic.
Oxo-degradable plastic	Ban	All packaging made from oxo-degradable plastic, including oxo-degradable bin liners, dog waste bags and clothing packaging.

2.7 The proposed provincial regulation is intended to work alongside single-use items bylaws already adopted by Chilliwack and other municipalities across B.C. The proposed regulations will supersede some municipal bylaws where they are more stringent, but municipal regulations that go beyond what the Province has planned will still remain enforceable.

- 2.8 In 2021, the federal government also announced its intention to ban six types of single-use items, specifically plastic checkout bags, cutlery, stir sticks, drinking straws, ring carriers and foodservice ware made from or containing problematic plastics. This regulation is expected to come into effect in phases between December 2022 and December 2025.
- 2.9 Staff's recommendation is to increase the fees on paper and reusable bags in January 2023. A bylaw amendment would be presented to Council on December 20, 2022 for the first three readings, with the fees coming into effect after the January 10, 2023 Council meeting. As with the initial implementation of the Bylaw, staff would take an education approach as a first step to gaining compliance with the fee increase.

3. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council direct staff to continue with the plan to draft an amendment to the Single-Use Item Reduction Bylaw to update the paper and reusable bag fees in January 2023.

Substantiation:

The Single-Use Item Reduction Bylaw is helping to reduce the use of unnecessary or problematic bags, cups, take-out containers, straws and utensils in Chilliwack. The fees for paper and reusable bags are intended to prevent excess use since these bags take resources and create greenhouse gases to produce and transport.