

City of Chilliwack

Bylaw No. 5062

A bylaw to regulate single-use items in Chilliwack

The Council of the City of Chilliwack in open meeting assembled, enacts as follows:

CITATION

1. This Bylaw shall be known and may be cited for all purposes as the “**Single-Use Item Reduction Bylaw 2021, No. 5062**”.
2. The purpose of this Bylaw is to regulate single-use items in Chilliwack.

DEFINITIONS

3. In this Bylaw:

“Accessible Beverage Straw” means a tube 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;

“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, as amended, and includes a person employed by, or operating on behalf of, a Business;

“Charitable Food Services” means the provision of food or prepared food for free or at low cost by an organization incorporated and in good standing under the British Columbia *Societies Act*, or registered as a charitable organization under the *Income Tax Act* (Canada);

“City” means the City of Chilliwack;

“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;

“Introductory Period” means the period of time from April 1, 2022 until ~~March~~December 31, 2022 31, 2023;

“Paper Shopping Bag” means a Shopping Bag made out of paper and containing 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, but does not include a Small Paper Bag;

“Single-Use Plastic Beverage Straw” means a tube made wholly or partially from plastic, including biodegradable plastic or compostable plastic, used to transfer a beverage from a container to the mouth of the person drinking the beverage and ordinarily or customarily used for its intended purpose only once before being disposed as Solid Waste;

“Single-Use Plastic Utensil” includes a spoon, fork, knife or chopstick made with plastic, including biodegradable plastic or compostable plastic and ordinarily or customarily used for its intended purpose only once before being disposed as Solid Waste;

“Single-Use Utensil” includes a spoon, fork, knife or chopstick made from any materials and ordinarily or customarily used for its intended purpose only once before being disposed as Solid Waste, but does not include Single-Use Plastic Utensils;

“Small Paper Bag” means any bag made out of paper that is less than 15 centimetres by 20 centimetres when flat;

“Solid Waste” means garbage, recyclables or compostable waste, as defined in the City’s Solid Waste Management Bylaw, as amended.

SHOPPING BAGS

4. No Business may sell or otherwise provide a Plastic Shopping Bag to a customer.
5. No Business may provide a Shopping Bag to a customer, except as provided by Section 6.
6. A Business may provide a Shopping Bag to a customer only if:
 - (1) the Business first asks a customer if they need a Shopping Bag and the customer responds that they do;
 - (2) the Shopping Bag is a Paper Shopping Bag or a Reusable Shopping Bag;
 - (3) the customer is charged a fee not less than 15 cents for every Paper Shopping Bag; during the Introductory Period and a fee not less than 25 cents for every Paper Shopping Bag after the Introductory Period;
 - (4) the customer is charged a fee not less than \$1 for every Reusable Shopping Bag during the Introductory Period and a fee not less than \$2 for every Reusable Shopping Bag after the Introductory Period; and,
 - (5) information about how much the Business charges for a Shopping Bag is displayed on media such as menus, internet-based ordering platforms and/or menu boards, and verbally provided to customers placing orders via telephone call.
7. Every Business must include the amount charged for any Shopping Bags provided to a customer as a separate line item on any receipt provided to the customer.