



Single-Use Plastic and Other Items Bylaw No. 10000

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Purpose

To inform all businesses operating in Richmond about the new *Single-Use Plastic and Other Items Bylaw No. 10000* including what is included in the ban, exemptions, enforcement and the implementation timeline.

More details about Bylaw 10000 as well as a Business Information Toolkit and other materials to support business in the transition can be found under Resources for Business at richmond.ca/singleuse.

Background

Single-use items result in huge amounts of unnecessary waste, creating negative environmental and economic impacts. The vast majority of these materials are never recycled and either end up in landfills or get dumped into the natural environment, including oceans and other waterways. These materials can take centuries to decompose and, in the meantime, cause significant damage to the ecology, pose a significant threat to wildlife and potentially contaminate the food chain. While some of these items may be labelled as reusable or recyclable, they are generally made from low quality materials, which can only be used a few times and have limited recyclable value.

To help reduce this unnecessary plastic waste and pollution, Richmond's new Bylaw 10000 comes into effect March 27, 2022 and bans:

- Plastic checkout bags (including biodegradable and compostable plastics).
- Plastic straws (including biodegradable and compostable plastics).
- Foam food service ware for prepared food (such as foam plates, clamshell containers, bowls and cups).

The new ban affects all businesses operating in Richmond. This bylaw is also consistent with bans in other communities, as well as regulations being developed by federal and provincial governments.

Single-Use Plastic and Other Items Bylaw Details

Single-Use Plastic and Other Items Bylaw No. 10000 outlines the specific items that are banned, exemptions for each category and City enforcement. It affects all businesses in Richmond.

This implementation schedule is designed to provide time for businesses to use up existing stock, work with vendors to identify accepted alternatives and transition to meet bylaw requirements.

- Implemented and effective: March 27, 2022.
- Enforcement: September 27, 2022.

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Part 1: Foam Food Service Ware

“No business shall sell or otherwise provide Prepared Food in any Food Service Ware that contains Polystyrene Foam.” – Bylaw 10000

Businesses in Richmond must not sell or provide prepared food in any foam food service ware, which includes but is not limited to plates, cups, bowls, trays, cartons, and hinged or lidded containers. Prepared food includes any food or beverage prepared for consumption by a customer. It does not include any raw, uncooked food, including meat, poultry, fish, seafood, eggs or vegetables unless provided for consumption without further food preparation. For example: using a foam tray for cut raw vegetables that are intended for a stir fry, or vegetables like spiralized zucchini or corn on the cob that still need to be cooked would be exempt. Using a foam tray for an orange that is peeled and sliced to be ready-to-eat, is not permitted as it is considered prepared food and banned under Bylaw 10000.

Exemptions:

- This ban does not apply to hospitals or any facility licensed as a community care facility under the *Community Care and Assisted Living Act* as these facilities have special health safety requirements.
- Organizations incorporated and in good standing under the *Society Act* or registered as a charitable society or organization under the federal *Income Tax Act* have 18 months to comply with Bylaw 10000 (compared to 12 months for businesses).
- Prepared food containers that have been filled and sealed outside of the City of Richmond prior to arrival at the business location are permitted under Bylaw 10000.

Part 2: Plastic Straws

“No business shall sell or otherwise provide any Plastic Straws.” – Bylaw 10000

Plastic straws are banned with some exemptions as noted below. This means businesses must not sell or provide any drinking straw made with plastic, including biodegradable plastic or compostable plastic.

Exemptions

- Businesses can provide plastic straws to people with accessibility needs when requested.
- The sale of plastic straws intended for use at a customer's home or business is permitted under Bylaw 10000 provided that they are sold in packages of multiple straws.

Part 3: Plastic Checkout Bags

“Except as provided in this Bylaw, no Business shall sell or otherwise provide a Plastic Checkout Bag to a customer.” – Bylaw 10000

Plastic checkout bags are banned with some exemptions as noted below. This includes any bag made of plastic, including biodegradable or compostable plastic, that is intended to be used by the customer for the purpose of transporting items purchased or received from the business, or intended to be used to package take-out or delivery food.

It's important to note that there are a number of accepted uses for plastic bags that are permitted under Bylaw 10000 as listed in the exemptions. As well, this bylaw relates to plastic checkout bags—not all types of plastic. For example, plastic shrink wrap is not part of this bylaw.

Exemptions:

- Businesses can provide a plastic checkout bag to a customer if the bag has been returned to the business for the purpose of being reused by other customers. This is intended to support charitable organizations and thrift stores who commonly use this practice to cut costs for their customers and reuse materials already in circulation.

See over →

- Plastic bags may be used as packaging for:
 - loose bulk food items such as fruit, vegetables, nuts, grains or candy;
 - loose small hardware items such as nails or bolts;
 - frozen food, meat, poultry or fish, whether pre-packaged or not;
 - flowers or potted plants;
 - prepared foods or bakery goods that are not pre-packaged; and
 - prescription drugs received from a pharmacy.
- Plastic checkout bags may also be used for
 - transporting live fish;
 - protecting linens, bedding or other similar large items;
 - protecting newspapers or other printed material intended to be left at the customer's residence or place of business; or
 - protecting clothes after professional laundering or dry cleaning.
- The sale of plastic bags intended for use at a customer's home or business is permitted under Bylaw 10000 provided that they are sold in packages of multiple bags.

Compostable/Biodegradable Plastic: Why It's Banned

The ban on plastic checkout bags and straws includes those that are labelled compostable/biodegradable as these items cannot be recycled and are currently not accepted at local composting facilities. Ironically, these products can only go in the garbage. This is because compostable/biodegradable plastics are not guaranteed to breakdown in industrial compost facilities. Also, these materials may further contribute to the issue of plastic pollution, as they are not designed to biodegrade if littered in the natural environment.

Required standards and certifications are needed to ensure plastic products labelled compostable/biodegradable meet the requirements needed to compost effectively at existing processing facilities, which are designed to compost food scraps and yard waste in the region.

Currently, because the products do not align with these standards, they don't break down completely, resulting in problems such as small flecks of plastic remaining in the end compost product, rendering the product contaminated.

Local governments like the City of Richmond do not have the authority to control compostable packaging design and certification requirements; however, the City is reaching out to senior levels of government to advocate for broader measures that will result in consistent standards and policies for compostable/biodegradable plastics.

Bylaw Enforcement

The City will begin the enforcement phase in September 2022 by continuing education and working with businesses to support their compliance efforts. This will be a staged approach to ensure that businesses have all the information and resources necessary to successfully comply.

After an initial grace period to focus on education, the City will be strictly enforcing Bylaw 10000. Penalties for non-compliance may include ticketing, starting at \$250 and increasing to \$1,000. In addition, non-compliance with the Bylaw can be prosecuted in Provincial Court with fines of up to \$10,000 per occurrence.

Contact Information

For additional information about the City's Bylaw 10000:

- **Email:** singleuse@richmond.ca
- **Phone:** 604-276-4010
- **Visit:** richmond.ca/singleuse