

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE  
MEETING OF WEDNESDAY, SEPTEMBER 13, 2017**

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**SUBJECT**     **Single Use Plastic Bag Ban – Draft Model Bylaw**

**ISSUE**

To present a draft model bylaw for the elimination of single use plastic bags.

**BACKGROUND**

At its May 10, 2017 meeting, the Capital Regional District (CRD) Board passed the following motion:

*That staff be directed to develop a model bylaw for the elimination of single use plastic bags using the draft Single Use Plastic Bag bylaw attached as a starting point.*

Staff have reviewed single use plastic bag ban bylaws from Canadian and American jurisdictions and found that they are all very similar. They prohibit the use or sale of a defined bag by businesses, provide a list of exemptions and define other “compliant” bags.

Appendix A provides the Single Use Plastic Bag Ban Draft Model Bylaw. The draft model bylaw provides options for a number of municipally-determined choices, including:

- municipal purpose for the bylaw
- types of businesses to be regulated (the model bylaw offers the option to either include or exclude food service establishments)
- a list of potential exemptions
- options for compliant bags that businesses may continue to distribute
- the option for approval of the bylaw by the Minister of Environment if it is for the protection of the environment

The CRD does not have authority in relation to business regulation. The Model Draft Bylaw is meant as a tool to aid municipalities in developing their own bylaw by exercising their municipal authority to regulate in relation to the use and sale of single use plastic bags under the provisions of the Community Charter.

Staff have been approached by Recycle BC and they have indicated that they are very interested in partnering with the CRD, local municipalities and retailers to conduct a single use plastic bag reduction campaign within the region. If successful, this type of campaign could be replicated throughout the province.

**ALTERNATIVES**

That the Environmental Services Committee recommend to the CRD Board:

*Alternative 1*

That the Single Use Plastic Bag Ban Draft Model Bylaw be received for information and distributed to municipalities in the Capital Region; or

*Alternative 2*

That the Single Use Plastic Bag Ban Draft Model Bylaw be referred back to staff for further review.

**INTERGOVERNMENTAL IMPLICATIONS**

The intent of the model bylaw is to help develop a coherent approach across the Capital Region for municipalities that may want to move in the direction of eliminating single use plastic bags. Municipalities may modify and tailor the draft model bylaw according to their needs and have to obtain independent legal advice on their own municipal bylaw.

Consultation with local residents and businesses should be considered to help identify potential unintended consequences to a municipally-adopted bylaw that bans single use plastic bags.

**CONCLUSION**

The Capital Regional District Board directed staff to develop a model bylaw for the elimination of single use plastic bags. Staff reviewed bylaws from various jurisdictions and prepared a Single Use Plastic Bag Draft Model Bylaw as a tool to aid municipalities in exercising their authority to regulate in relation to the use and sale of single use plastic bags under the provisions of the Community Charter.

**RECOMMENDATION**

That the Environmental Services Committee recommend to the Capital Regional District Board:

That the Single Use Plastic Bag Ban Draft Model Bylaw be received for information and distributed to municipalities in the Capital Region.

Submitted by:	Russ Smith, Senior Manager, Environmental Resource Management
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

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Attachment: Appendix A: Single Use Plastic Bag Ban Draft Model Bylaw