

## BYLAW 20117 - SINGLE-USE ITEMS

### RECOMMENDATION

That Bylaw 20117 be given second and third reading.

### Purpose

- To reduce the number of single-use items used and discarded in Edmonton, and begin to shift the habits of Edmontonians, visitors, businesses and other organizations to make reusable alternatives their default choice.
- To reduce waste and litter, increase recycling and responsible waste management, and encourage the use of reusable alternatives.

### Readings

Bylaw 20117 is a Charter Bylaw and is ready for second and third readings after the public hearing has been held.

### Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on Thursday, July 7, 2022, and Tuesday, July 12, 2022. These ads met the requirements of the *Municipal Government Act*.

### Position of Administration

Administration supports this Bylaw.

### Report Summary

The Single-use Item Reduction Bylaw (Attachment 1) addresses the growing number of single-use items in the waste stream and natural environment in Edmonton. Bylaw 20117 was given first reading by City Council on July 4, 2022.

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### REPORT

Each year Edmontonians discard an estimated 450 million single-use items such as shopping bags, takeout containers, cups, utensils and straws. The majority end up being discarded in the garbage system, while others end up littering streets, parks and other open spaces such as the River Valley.

The bylaw includes the following requirements:

Single-use Item	Regulatory Requirement
Shopping bags	<ul style="list-style-type: none"><li>• Plastic shopping bags banned</li><li>• Mandatory minimum fee charged on new paper shopping bags and new reusable shopping bags</li></ul>
Foodware accessories	<ul style="list-style-type: none"><li>• Customer request required for single-use accessories made of any material</li></ul>
Styrofoam (foam) serviceware	<ul style="list-style-type: none"><li>• Banned</li></ul>
Cups (non-foam)	<ul style="list-style-type: none"><li>• Restaurants must serve dine-in drink orders in reusable cups</li><li>• Restaurants and event organizers must develop a policy to permit customers to bring their own reusable drink cups and accept customers' reusable cups in accordance with the policy</li></ul>

The bylaw requirements are based on availability of alternatives, industry and customer readiness, and the ability to mitigate unintended consequences through bylaw exemptions and support programs. The applicability of reusable cup requirements are detailed in Attachment 2.

### Implementation

Businesses, event organizers and Edmontonians need time to prepare for the bylaw. Over nine months are scheduled between bylaw approval and its effective date of July 1, 2023.

The Single-use Item Reduction Bylaw is enforceable, however the City will use an education-first and escalating enforcement approach. A variety of communication and outreach tactics will be used to raise awareness of the bylaw. When complaints are received about non-compliance with the bylaw, the City will first respond using direct outreach and education, followed by warnings. Enforcement will be applied in cases of deliberate and ongoing non-compliance.

**RISK ASSESSMENT**

<b>Risk Element</b>	<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk Score (with current mitigations)</b>	<b>Current Mitigations</b>	<b>Potential Future Mitigations</b>
<b>If recommendation is not approved</b>						
Public Perception	Failure to implement the unanimously approved bylaw direction erodes public confidence in the City's commitment to reduce single-use items and waste reduction overall.	5 - almost certain	3 - major	15 - high	Continued implementation of other actions outlined in Edmonton's Plan to Reduce Single-use Items and the Waste Reduction Roadmap.	Analysis to understand ongoing challenges related to single-use items once federal regulations are implemented.

**COMMUNITY INSIGHT**

The Single-use Item Reduction Bylaw has been informed by research and input from Edmontonians, businesses, industry associations, event organizers and charitable organizations in Edmonton.

In response to input received from charitable organizations that serve Edmonton's vulnerable populations, the Single-use Item Reduction Bylaw currently exempts registered charities from all requirements. Administration will work with charitable organizations to build capacity and achieve voluntary compliance.

Although the bylaw exempts registered charities, upcoming federal regulations that prohibit single-use plastic bags, utensils, stir sticks, straws and certain types of serviceware (including Styrofoam) do not exempt charitable organizations. The federal ban on the sale of single-use plastic check-out bags, cutlery, food serviceware, stir sticks and straws will come into effect on December 20, 2023 (approximately six months after the City's bylaw comes into effect) at which point charitable organizations will need to have found alternatives. The bylaw will undergo amendments where necessary.

**Budget/Financial Implications**

Implementation of the Single-use Item Reduction Bylaw will be funded within the approved utility budget and the utility rate forecasts presented in the December 9, 2021, Utility Committee, City Operations report CO00823, Waste Services 2022 Rate Filing and Fall 2021 Supplemental Budget Adjustment. Non-utility funding may be leveraged where actions integrate with the strategic priorities, work plans and approved budgets of other City business areas funded by the tax-levy.

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### **Legal Implications**

The City of Edmonton Charter 2018 Regulation, AR 39/2018 (the “Charter”), and the *Municipal Government Act* RSA 2000, c M-26 (the “MGA”) authorize the City to pass Bylaw 20117 in order to support waste reduction and diversion for the purposes of the well-being of the environment. The Charter and the MGA requires the Single-use Item Reduction Bylaw to be advertised and that a petition period be allowed prior to a public hearing. These steps were taken by Waste Services, therefore, the public hearing can proceed. After the public hearing, City Council may proceed to a second and third reading.

The federal government recently enacted regulations prohibiting the manufacture, import and sale of specified single-use plastics. Prohibitions on manufacturing and importing will come into force by the end of December 2022 for most of the items addressed in the federal regulations. Prohibitions on selling those items will come into force by the end of December 2023. A review of the federal regulations indicated there is no need to amend the Single-use Item Reduction Bylaw at this time.

### **ATTACHMENT**

1. Bylaw 20117 - Single-use Item Reduction Bylaw
2. Applicability of Reusable Cup Requirements

### **OTHERS REVIEWING THIS REPORT**

- M. Plouffe, City Solicitor