



Single-Use Retail Carry-out Bag Ordinance

Draft 2 – 1/11/12

Single-Use Retail Carry-out Bags

Austin City Council Resolutions

➤ April 19, 2007

- Directs staff to evaluate and recommend strategies for limiting the use of plastic bags

➤ June 24, 2010

- Directs staff to determine the cost to Austin taxpayers of processing plastics bags

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Austin City Council Resolution

August 4, 2011

Directs staff to develop a city ordinance providing a “comprehensive phase-out of single-use plastic bags offered at retail checkouts”

- Requested by Council to expand the public discussion to include paper bags and market drivers such as fees

Single-Use Retail Carry-out Bags

Process

- City Council Resolution – 8/4/11
- Stakeholder Discussions – Sept-Jan
- SWAC - Public Comments – 10/5/11
- Public Forum – 10/24/11
- SWAC - Public Comments – 11/9/11
- SWAC - Draft Discussion – 12/14/11

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Process

- Stakeholder Discussions – Continuing
- SWAC – Draft Discussion – 1/11/12
- Public Focus Group – 1/30/12
- SWAC – Final Discussion – 2/8/12
- City Council Discussion – 3/1/12

Single-Use Retail Carry-out Bags

Bag Ban

- Prohibits **All** Retail Carry-out Single-Use Bags
Includes Plastic & Paper Single-Use Bags

Exempt from Ban

- Dry Cleaner Bags and Yard Waste Bags
- Produce, Meat, and Frozen Foods Bags
- Door-hanger Bags and Newspaper Bags

Exemptions Removed from Draft 1

- Prescription Drug Carry-out Bags
- Beer, Wine and Spirits Carry-out Bags
- Restaurant Carry-out Bags

Single-Use Retail Carry-out Bags

Permitted Reusable Bags

- Reusable Carry-out Bags
 - Cloth, Plastic and Paper retail checkout options
 - Required recycled content and minimum thickness

Implementation Timeline

- Phase 1: March 1, 2012 – May 31, 2012 – Prep Time
- Phase 2: June 1, 2012 – Dec 31, 2012 – Fee Period
 - Retail Checkout Single Use Bags only upon request
 - 10 cents per Single-Use Bag, if requested
 - Retailers and Customers Transition to Reusable Bags
- Phase 3: Jan 1, 2013 - No Retail Checkout Single-Use Bags

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Hardship Variance

- Customers with Lone Star Card exempt from fees
- Retailers may petition for Hardship Variance

Other Elements

- Retailer Signage Requirements
- Customer Education at Point of Purchase
- Fee Surcharge to fund reusable bag distribution
- Prohibits carryout bags at all City facilities
- Fines for Non-Compliance

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Options/Discussion

- 10 cent Bag Fee? or \$1.00 per Transaction Fee?
- Transition phases and Implementation Timeline
 - One Year for Retailer transition? (March 1, 2013)
 - Extend Phase 2? – Single-Use availability (March 1, 2014)
 - Permanent option of single use? – progressive increases in fees
- Exemptions / “carve-outs”
 - Reinstate exemption for Pharmacies and Restaurants?
 - Require exempted bags to be recyclable?
- Reusable bag definitions
 - Recyclable in Blue Cart
 - 50% Recycled content on plastic bags problematic
 - Reinstate Handle requirement?

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TRA Alternative Ordinance

- **Retailers - \$50-\$250 Plastic Bag Licensing Fee**
 - **Issue: License to permit continued distribution of single use bags – 1970's license to pollute approach – Problematic**
- **Fee level based on size of retailer**
 - **Issue: Very complicated variations in fees per retailer – hard to document and track - increases enforcement expenses**
- **Deductions from fee if services offered:**
 - **Bag Recycling Documentation (\$50-\$100 fee reduction)**
 - **Recycled content bags (\$25-\$50 fee reduction)**
 - **Annual increase in bag recycling rate (\$25-\$50 fee reduction)**
 - **Reduction in bag distribution (\$25-\$50 fee reduction)**
 - **Issue: Pay-off (no fees) to be a good environmental steward?**

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TRA Alternative Ordinance

➤ Plastic Bag Litter Abatement Fund

- Issue: Mitigate continued bag litter with clean-up funds – Pay to continue past practice – no abatement of litter waste

➤ Non-Compliance - Economic Fines

- Issue: Paying fines might be cheapest option to non-compliant retailers

➤ TRA Sustainability Foundation

- Issue: Good intent, but can be funded by retailers without city ordinance.

➤ **Bottom Line:** Entire proposal can be implemented with city ordinance – Why didn't the retailers implement this approach several years ago?