



# **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

# Single-Use Retail Carry-out Bags

## 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

# Single-Use Retail Carry-out Bags

## 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

# Single-Use Retail Carry-out Bags

## 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

# Single-Use Retail Carry-out Bags

## 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?

# Single-Use Retail Carry-out Bags

## 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?**

# Single-Use Retail Carry-out Bags

## 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?