



**To:** Mayor and City Council

**Cc:** Spencer Cronk, City Manager  
Robert Goode, PE, Assistant City Manager

**From:** Sam Angoori, PE, Interim Director, Austin Resource Recovery

**Subject:** Austin Resource Recovery – Single Use Carryout Bag Ordinance

**Date:** October 31, 2018

The purpose of this memo is to provide an update on Austin Resource Recovery’s efforts to encourage local retailers and other affected parties to continue to honor the intent of the Single-Use Carryout Bag Ordinance (SUBO).

On July 11, 2018 the City of Austin announced it would no longer enforce the SUBO after the Texas Supreme Court ruled that a similar ban in Laredo, Texas violated state law.

### **Findings and Analysis**

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Staff contacted local retailers, as well as municipalities across the state to gather more information about the response to the ruling. Many retailers were still considering next steps, and some were unaware that the bag ordinance was no longer enforceable. None of the retailers indicated an immediate return to the practice of distributing single-use plastic bags.

Staff contacted seventeen Texas municipalities with plastic bag prohibition policies or education campaigns. Since 2011, twelve municipalities (including Austin) have implemented plastic bag prohibition policies. Of the nine municipalities that still had a prohibition of plastic bags in place at the time of the Laredo ruling, all indicated they would no longer enforce their policies.

The following municipalities have developed a public response plan:

- Sunset Valley is sending letters to urge retailers to not offer single-use plastic bags and is currently developing a Green Business Recognition Program, which may include the prohibition of plastic bags;
- Brownsville has reached out to larger retailers to encourage the use of reusable bags; and
- Laredo has developed “Love Laredo BIG (Bag it Green),” a city-wide social media awareness campaign that urges retailers to not offer single-use plastic bags, and encourages individuals and families to keep using their reusable bags. Retailers and citizens take an online pledge to “avoid the use of single-use plastic bags at a point of purchase.” Retailers are identified on an online list ([lovelaredobig.org](http://lovelaredobig.org)) and window stickers are being developed for participating store windows.

## **Action Plan to Encourage Voluntary Prohibition of Single Use Plastic Products**

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Without the ability to enforce the SUBO, staff evaluated alternative methods to encourage continued elimination of single-use bag distribution from retailers. The City can educate retailers and residents on the positive impacts of the prohibition of single-use plastic products, such as plastic bags and straws. In addition to existing efforts, City staff will initiate the following actions:

Promotion of Retailer Case Studies - ARR will develop profiles of Austin retailers who have elected to prohibit single use plastic products at their business. These profiles will be highlighted on a City webpage, social media, and City newsletters.

Promotion of Consumer Case Studies - ARR will develop profiles of Austin customers who have elected to prohibit single use plastic products as part of their daily routine. These profiles will be highlighted on a City webpage, social media, and City newsletters.

Survey of Residents' Beliefs and Behaviors – ARR will distribute a public survey to gain a better understanding of residents' beliefs and behaviors after the Texas Supreme Court ruling. Where applicable, staff will utilize questions from the previous surveys conducted in 2013 for comparison.

Reusable Bag Distribution – ARR will distribute reusable shopping bags at City events to promote the continuation of customer habits to reinforce that reusable bags are consistent with Austin's Zero Waste goal and the environmental values of the City, and will remind consumers to bring reusable bags when shopping.

Education and Outreach - ARR launched an education campaign to encourage all Austinites to continue to use their re-usable bags and "Still Bring It." The goal of this campaign is to reduce the use of single-use plastic bags, the accompanying litter they cause, and reduce the amount of single-use plastic bags in the recycling stream. "I Still Bring It" will include a series of video and still photo testimonials from local celebrities and Austin citizens finishing the phrase, "I still bring it because..." They will be filmed at iconic, recognizable Austin landmarks to reinforce Austin pride.

Zero Waste Business Rebate - ARR staff will expand existing Zero Waste Business Rebate program to include a category for elimination of single-use plastic products, including bags.

### Ellen MacArthur Foundation New Plastics Economy Global Commitment

The City of Austin joined over 250 global packaging producers, brands, retailers, recyclers, governments and NGOs in signing the New Plastics Economy Global Commitment to eradicate plastic waste and pollution at the source. This is an initiative by the Ellen MacArthur Foundation in collaboration with UN Environment.

The Commitment aims to create a "new normal" for plastic packaging: eliminating unnecessary and problematic plastics, and keeping the remaining plastics in the economy and out of the environment. By signing, the City of Austin has pledged to support the Global Commitment in each of the following areas:

- Stimulating the elimination of problematic or unnecessary plastic packaging and/or products
- Encouraging reuse models to reduce the need for single-use plastic packaging and/or products
- Incentivizing the use of reusable, recyclable, or compostable plastic packaging
- Increasing collection, sorting, reuse, and recycling rates, and facilitating the establishment of the necessary infrastructure and related funding mechanisms
- Stimulating the demand for recycled plastics

Global Commitment signatories have pledged to realize tangible progress by 2025 and report progress annually.