Reusable Bag Ordinance: Ordinance Expansion Language

City Council Meetings
Overview

• Successful countywide bag ordinance currently in place;

• Potential expansion of ordinance to a larger set of stores;

• StopWaste staff providing background and overview of amended ordinance language to council/sustainability committees;
• **StopWaste is a public agency governed by:**
  - Alameda County Waste Management Authority
  - Alameda County Source Reduction and Recycling Board
  - Energy Council

• **StopWaste helps Alameda County’s businesses, residents and schools:**
  - Waste less and recycle more
  - Use energy, water and other resources more efficiently
The Alameda County Waste Management Authority

• **WMA is a joint powers agency formed in 1976 by an agreement among:**
  - the County of Alameda
  - each of the fourteen cities in the county,
  - two sanitary districts that provide refuse & recycling collection services.

• **Funding is provided by**
  - per-ton disposal
  - waste import mitigation fees

• **17-member board composed of elected officials appointed by each member agency.**

• **Authority to adopt ordinances, including the Reusable Bag Ordinance 2012-2.**
Stores Currently Affected by the Ordinance

- 1288 affected stores, primarily including:
  - Grocery Stores
  - Drug Stores
  - Liquor stores

- Also includes:
  - Stores that sell milk, bread, soda AND snack foods (all four items)
  - AND/OR alcohol (Type 20 or 21 license) in Alameda County.
ORDINANCE 2012-2 Adopted by WMA - January 2012

Effective Jan 1, 2013,
affected stores were to:

- Stop providing single use carryout bags.
- Stock compliant reusable and paper bags at checkout.
- Charge a minimum of 10 cents for compliant bags.
- Itemize 10 cent charge on receipts.
Outreach Campaign to Stores & General Public

BEGINNING JANUARY 1, 2013

- **NO SINGLE-USE plastic bags allowed.**
- **PAY for paper and reusable bags.**
- **Or BRING YOUR OWN reusable bags to the store.**

**DON’T FORGET ME.** ReusableBagsAC.org
Reasons for the Bag Ordinance

• Reduce litter in our local waterways;
• Promote use of reusable bags to prevent waste;
• Save cities money on litter and storm drain cleanup;
• Decrease the number of bags going to landfill.
Ordinance Effectiveness

- Bag Purchasing survey of 70 stores shows decline by 85%
- Number of shoppers bringing reusable bags, or not using a bag at all, has more than doubled
Ordinance Effectiveness

- 44% decrease in plastic bags found in County storm drains
- Stores are participating with a compliance rate of 90%
Rationale for Expansion

• Ordinance successful at reducing the number of bags distributed at point of sale

• Neighboring cities/Counties have implemented ordinances that affect all retail and restaurants

• Approximately 764 million bags distributed every year, estimate capturing 62% with currently affected stores
# Potentially Affected Stores

<table>
<thead>
<tr>
<th>STORE TYPE</th>
<th>EST # OF STORES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Currently Affected</td>
<td>1,300</td>
</tr>
<tr>
<td>All other Retail</td>
<td>9,000</td>
</tr>
<tr>
<td>Restaurants</td>
<td>4,000</td>
</tr>
<tr>
<td><strong>Total – Alameda County</strong></td>
<td><strong>14,300</strong></td>
</tr>
</tbody>
</table>

![Pie chart showing proportions of affected stores]
WMA Directives

- Draft Ordinance Expansion Language with the following parameters:
  - Expansion to affect all retail stores and restaurants.
  - Retail stores same requirements:
    - Charge a minimum of 10 cents per compliant bag
    - Itemize receipt of bag charge
  - Restaurants to be phased in 6 months after retail stores with different requirements:
    - Compliant paper bags can be distributed at no charge
    - Minimum 10 cents charge for compliant reusable bags
    - Itemize receipt of bag charge
Synopsis of Ordinance Amendments

• **Revised Definition of Eating Establishment and Store** (Pages 3 and 4)
  - Captures all types of retail stores
  - Affects food trucks and vendors who distribute food in bags

• **New exemptions**
  - Eating Establishments do not charge for paper bags (Page 6)
  - Farmers’ markets (page 7)

• **Complaint based**
  - Switch from inspection based to complaint based
Proposed Timeframe for Adoption

• April-July 2016  Presentations to city councils
• September 2016  First Reading by WMA, approve EIR
• October 2016   Second Reading by WMA, all member agencies automatically opted in
• December 2016  Any member agency opting out must do so by resolution by 12.9.16
• May 2017      Ordinance effective for new retail stores
• November 2017  Ordinance effective for all restaurants/eating establishments
A note about SB 270

- Governor signed into law September 30, 2014
- American Progressive Bag Alliance successfully suspended via referendum
- General Election Ballot - November 6, 2016
- Alliance working on second ballot measure which would direct bag charges for environmental uses and not to stores.
- No impact on our ordinance
Questions?

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