



BACKGROUND

Reusable Bag Ordinance 2012-2 went into effect January 2013 and applies to 1,300 grocery, drug and liquor stores in Alameda County that traditionally distribute a high volume of single-use bags. The ordinance promotes the use of reusable bags to prevent waste from happening in the first place, as well as reducing litter and keeping plastic bags out of local waterways.

Ordinance Requirements

As of January 1, 2013, affected stores can only distribute compliant reusable bags or bags made of recycled content paper and only if the store charges a minimum price of 10 cents per bag, itemized on the receipt.

Ordinance Effectiveness

Since implementation, the reusable bag ordinance has had dramatic results:

- Overall bag purchases by affected Alameda County retail stores have **declined by 85 percent**.
- The number of shoppers bringing a reusable bag, or not using a bag at all, has more than **doubled**.
- A 44% decrease in plastic bags found in Alameda County Storm drains.
- Stores are participating with a compliance rate of 90%.

Ordinance Expansion

Given the effectiveness of the current ordinance, the Waste Management Authority (WMA) Board has directed staff to plan for an expansion of the reusable bag ordinance to include all retail stores and restaurants. The WMA is expected to vote on an amended ordinance at the first reading in September, 2016. If approved, an additional 13,000 stores and restaurants would be affected by the ordinance.

TIMELINE

<u>January 2012</u>	Reusable Bag Ordinance 2012-2 adopted by WMA Board. The ordinance covers approximately 1300 stores that sell packaged food and liquor. Board stated it would consider possible expansion of the ordinance at a later time, once effectiveness of original ordinance was determined.
<u>January 2013</u>	Ordinance became effective in all Alameda County jurisdictions. Single-use plastic bags no longer available at stores that sell milk, bread, soda, and snack foods as well and/or liquor. A minimum of 10 cents must be charged for each paper bag or reusable bag distributed at point of sale, itemized on receipt.
<u>September 2014</u>	WMA Board finds that ordinance has achieved its goal to substantially reduce environmental impacts.
<u>October 2014</u>	WMA Board approved process for expansion activities; directed staff to further develop budget and scope for potential expansion of the ordinance. WMA supported the need for buy in from <i>all</i> member agencies that participate in the current ordinance.
<u>March 2015</u>	Alameda County Clean Water Program committed \$180,000 in funding support for expansion of ordinance to a larger set of stores.
<u>July 2015</u>	WMA committed additional funding and staff hours to conduct research and stakeholder outreach relating to ordinance expansion activities.

<u>December 2015</u>	WMA Board directed staff to develop budget and draft ordinance language to expand to all retail stores (9,000 additional stores) and restaurants (4,000 public eating establishments), with a phase-in approach for restaurants.
<u>March 2016</u>	WMA approved the proposed reusable bag ordinance expansion language.

ORDINANCE AMENDMENTS

Revised definitions:

Store: Any commercial establishment operating from a permanent enclosed structure that sells perishable or nonperishable goods including, but not limited to, clothing, food and personal items directly to a customer. (Intent: to capture all types of retail stores. Any place where you can walk into a “brick and mortar” store and purchase a tangible item is covered by the ordinance).

Public Eating Establishment: Any restaurant, take-out food establishment or other business (including but not limited to food sales from vehicles or temporary facilities open to the public) that receive 90% or more of its revenue from the sale of prepared and ready-to-consume foods and/or drinks to the public. (Intent: to cover food trucks and vendors who distribute food in bags)

Exemptions:

Produce/Product Bags: bags that are integral to the packaging of the product, or bags without handles provided to the Customer (i) to transport produce, bulk food or meat from a produce, bulk food or meat department within a Store to the point of sale, (ii) to hold prescription medication dispensed from a pharmacy, or (iii) to segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a Reusable Bag or Recycled Content Paper Bag.

Stores operating in a certified farmers’ market registered in accordance with Section 47020 of the California Food and Agricultural Code. (Only 20 CA certified markets operate in the county, and many use the produce bags without handles, which are already exempt)

Public Eating Establishments are not required to charge customers if distributing recycled content *paper* bags, but must charge a minimum of 10 cents for a compliant reusable bag.

Other Changes:

Recordkeeping requirements for bag sales and purchasing are removed.

Switch routine inspections to complaint-based inspection only.

NEXT STEPS

<u>April - July 2016</u>	Staff available to attend or present (upon request) to member agency governing boards to provide overview of ordinance revisions.
<u>September 2016</u>	Ordinance introduced and first reading by WMA Board, approval of EIR Addendum
<u>October 2016</u>	Ordinance second reading and adoption by WMA Board. All member agencies automatically opted in.
<u>December 2016</u>	Any member agency choosing to opt out must do so by a resolution of its governing body by December 9, 2016.
<u>May 2017</u>	Ordinance effective for expanded retail stores.
<u>November 2017</u>	Ordinance effective for all restaurants.

Please contact Meri Soll at 510/891-6500 or msoll@stopwaste to schedule a presentation or for more information.