



BY-LAW 700-75

A BY-LAW RELATING TO THE REDUCTION OF SINGLE-USE PLASTIC BAGS IN THE TOWN OF RIVERVIEW

BE IT ENACTED by the Town Council of the Town of Riverview, under the authority vested in it by the Local Governance Act 2017, c 18, as follows:

I. TITLE

This by-law may be cited as the “Plastic Bag Reduction By-law”.

II. DEFINITIONS

In this by-law:

“**business**” means any corporation, individual, partnership or co-operative association engaged in a retail operation and, for the purposes of Section 3, includes a person employed by, or acting on behalf of, a business;

“**checkout bag**” means

- (a) Any bag intended to be used by a customer for the purpose of transporting items purchased or received by the customer from the business providing the bag, or
 - (b) A bag used to package take-out food or food to be delivered,
- and includes a paper bag or plastic bag, but does not include a reusable bag.

“**Council**” means Riverview Town Council;

“**paper bag**” means a bag made out of paper that is recyclable;

“**plastic bag**” means any bag made with plastic, including biodegradable plastic or compostable plastic, but does not include a reusable bag;

“**reusable bag**” means a bag with handles that is

- (a) Designed and manufactured to be capable of at least 100 uses, and
- (b) Primarily made of cloth or other durable material suitable for reuse;

“**small paper bag**” means any bag made out of paper that is less than 15 centimetres by 20 centimetres when flat.

III. CHECKOUT BAG PROHIBITION

1. Except as provided in this by-law, no business shall provide a checkout bag to a customer.
2. A business may provide a checkout bag to a customer only if
 - (a) The customer is first asked whether, and confirms that, the customer needs a bag;
 - (b) The bag provided is a paper bag; and
 - (c) The bag is not provided free of charge to the customer;
3. No business shall deny or discourage the use by a customer of the customer's own reusable bag for the purpose of transporting items purchased or received by the customer.

IV. EXEMPTIONS

1. Section 3 does not apply to
 - (a) small paper bags; or
 - (b) bags used to
 - (i) package loose bulk items such as fruit, vegetables, nuts, grains or candy;
 - (ii) package loose small hardware items such as nails and bolts;
 - (iii) contain or wrap frozen foods, meat, poultry or fish, whether pre-packaged or not;
 - (iv) wrap flowers or potted plants;
 - (v) protect prepared foods or bakery goods that are not –re-packaged,
 - (vi) contain prescription drugs received from a pharmacy;
 - (vii) transport live fish;
 - (viii) protect linens, bedding or other similar large items that cannot easily fit in a reusable bag;
 - (ix) protect newspapers or other printed material intended to be left at the customer's residence or place of business;
 - (x) protect clothes after professional laundering or dry cleaning;
 - (xi) protect tires that cannot easily fit in a reusable bag; or
 - (xii) collect and dispose of animal waste.
2. Section 3 does not limit or restrict the sale of bags, including plastic bags, intended for use at the customer's home or business, that are sold in packages of multiple bags.

V. ENFORCEMENT

1. Every person duly appointed by Council as a by-law enforcement officer is hereby authorized to carry out any inspection that is necessary for the administration or enforcement of this by-law.
2. Any peace officer or by-law enforcement officer is hereby authorized to take such actions, exercise such powers and perform such duties, as may be set out in this by-law or in the

Local Governance Act and as they may deem to be necessary to enforce any provisions of this by-law.

VI. OFFENCES

1. Any person who violates any provision of this by-law is guilty of an offence and is liable on conviction to a fine.
2. The minimum fine for an offence committed under this by-law is one hundred and forty dollars (\$140) and the maximum fine for an offence committed under this by-law is two thousand one hundred dollars (\$2,100).
3. If an offence committed under this by-law continues for more than one (1) day:
 - (a) The minimum fine that may be imposed is the minimum fine established in this by-law multiplied by the number of days during which the offence continues; and,
 - (b) The maximum fine that may be imposed is the maximum fine established in this by-law multiplied by the number of days during which the offence continues.

VII. SEVERABILITY

Where a Court of competent jurisdiction declares any section or part of a section of this by-law invalid, the remainder of this by-law shall continue in force unless the Court makes an order to the contrary.

VIII. COMMENCEMENT

This by-law comes into force on ~~July 1, 2020~~ October 1, 2020 (**Amended-June 8, 2020**)

First Reading: June 10, 2019

Second Reading: July 8, 2019

Third Reading: July 8, 2019

Amendment No. 700-75-01 enacted: June 8, 2020

Original by-laws and amendments thereto are on file in the Office of the Town Clerk. This document is for convenient reference purposes only. Any questions should be forwarded to the Office of the Town Clerk.