



## **CITY OF AMERICAN CANYON SINGLE-USE PLASTIC BAG REDUCTION ORDINANCE**

### **FREQUENTLY ASKED QUESTIONS**

Below are some frequently asked questions (FAQ) and answers about single-use plastic bags and why reducing or eliminating their use is beneficial to our community.

#### **Why is it so important for the City of American Canyon to institute this Single-Use Plastic Bag Reduction Ordinance?**

Despite a 15-year statewide effort in California, recycling plastic bags has failed. In fact, the California Integrated Waste Management Board estimates that less than 5% of all single-use plastic bags in the state are actually recycled. Most of the time, these bags end up in landfills, litter the landscape, pollute our river and creeks, and jam recycling equipment.

According to Californians Against Waste, cities and counties that instituted a single-use plastic bag ban (including a fee for paper bags) have seen single-use plastic bag use decrease by 95%, paper bag use decrease by 30%, and plastic litter in waterways decrease by 60%.

#### **When does the ordinance go into effect?**

The Single-Use Plastic Bag Reduction Ordinance goes into effect on January 1, 2016.

#### **What is the purpose of the ordinance?**

The intent of the Single-Use Plastic Bag Reduction Ordinance is to significantly reduce the use of single-use plastic bags so there is less plastic waste in the environment and our landfills.

#### **What does the ordinance cover?**

Under this ordinance, the use of single-use plastic bags will no longer be permitted at retail stores. There are some exceptions outlined in these FAQs. Paper bags and reusable plastic bags will be allowed. However, retailers will be required to charge customers no less than 10 cents per bag to encourage customers to use reusable bags. The 10 cents fee is not taxable. Retailers will retain the revenue to offset the costs of providing paper bags or reusable plastic bags.

#### **What is the City of American Canyon's definition of a single-use plastic bag?**

Single-use, plastic carryout bag means any bag less than 2.25 millimeters thick that is made predominately of plastic derived from petroleum or bio-based sources (such as corn or other plant source). These bags include compostable, non-compostable, and biodegradable plastic bags. These bags are typically made with handles, and can be found at most retail stores.

Bags used within stores where health, safety and moisture may be a concern will not be affected (including bags for produce, bulk foods, meat, seafood, flowers and other similar uses). In addition, home delivery bags for newspapers, dry cleaning and plastic bags sold in packages (for garbage or pet waste) are allowed. Plastic bags for take-out orders from restaurants are permitted.





### What bags are affected?

All single-use plastic bags provided at the point of checkout for retail sales are covered by the ordinance and as noted in the definition above.

### Who is affected by the ordinance?

All retail establishments of all sizes located in the city limits of the City of American Canyon. This includes any retailer that provides carryout bags, such as supermarkets, grocery stores, department stores, clothing stores, convenience stores, wineries, tasting rooms, drug stores, and pharmacies.

### Are there any exceptions to this ban?

Yes. The following uses are exempt from the requirements of the Single-Use Plastic Bag Reduction.

#### **ORDINANCE:**

- Plastic produce bags used for vegetables, fruits and meats or loose bulk items such as nuts, grains, beans and pasta, distributed at grocery stores and farmers' markets
- Bags used to protect breakable glass items
- Newspaper, laundry or dry cleaning bags
- Pharmacy bags used to contain prescription drugs
- Bags used for the transportation of prepared take-out foods and liquids from restaurants and other food providers

### Isn't there a law that requires me to put alcoholic beverages into a carryout bag?

Since 2011, there has been no [California law](#) mandating a retailer to provide a bag for purchased alcoholic beverages. If a paper bag with handles is provided, the 10 cent fee must be applied.

### What other communities regulate plastic bags?

Our neighbors in Marin County have regulations for all supermarkets, drug stores, and convenience stores. In Sonoma County, several cities including the County itself recently passed an ordinance that affects all retail establishments. In addition, numerous other communities throughout the Bay Area have already adopted ordinances similar to ours. There are currently more than 75 ordinances covering more than 100 cities and counties in California, including many throughout the surrounding area.

#### **CALIFORNIA CITIES WITH BAG ORDINANCES:**

Alameda County, Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Napa, Newark, Oakland, Piedmont, Pleasanton, San Leandro, Union City, Arcata, Belmont, Brisbane, Burlingame, Calabasas, Campbell, Capitola, Carmel-by-the-Sea, Carpentaria, Chico, Colma, Culver City, Cupertino, Daly City, Dana Point, Davis, Desert Hot Springs, East Palo Alto, El Cerrito, Fairfax, Fort Bragg, Foster City, Glendale, Half Moon Bay, Huntington Beach, Laguna Beach, Long Beach, Los Altos, Los Gatos, City of Los Angeles, Los Angeles County, Malibu, Manhattan Beach, Marin County, Mendocino County, Menlo Park, Millbrae, Mill Valley, Monterey, Morgan Hill, Mountain View, Novato, Ojai, Pacifica, Palm Desert, Palm Springs, Palo Alto, Pasadena, Portola Valley, Pittsburg, Redwood City, Richmond, San Bruno, San Carlos, San Francisco, San Jose, San Mateo, San Mateo County, San Luis Obispo County, San Luis Obispo, Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, San Pablo, San Rafael, Santa Barbara, Santa Clara County, Santa Cruz, Santa Cruz County, Santa Monica, Sausalito, Solana Beach, Sonoma County, Sonoma,





Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Sebastopol, Windsor, South Lake Tahoe, South Pasadena, South San Francisco, Sunnyvale, Truckee, Ukiah, Walnut Creek, Watsonville, West Hollywood

**STATES WITH BAG ORDINANCES:**

Alaska, Arizona, California, Chicago, Colorado, Connecticut, District of Columbia, Florida, Hawaii, Iowa, Maryland, Massachusetts, New Mexico, New York, North Carolina, Oregon, Rhode Island, Texas, Washington

**COUNTRIES WITH BAG ORDINANCES:**

Argentina, Australia, Bangladesh, Bhutan, Botswana, Brazil, Cameroon, Canada, Chile, China, Egypt, England, Eritrea, France, Haiti, India, Ireland, Italy, Ivory Coast, Kenya, Macedonia, Mali, Mauritania, Mongolia, Mexico, New South Wales, Pakistan, Philippines, Rwanda, Somaliland, Scotland, South Africa, Spain, Taiwan, Tasmania, Tanzania, Uganda, Ulaanbaatar, United Arab Emirates, Wales

**Why is the City Council concerned about single use plastic bags?**

Single-use plastic bags are used in extremely high volumes, and only the smallest fraction of them are ever recycled. They are produced from nonrenewable resources, and are designed to be disposable (rather than reusable).

While some single-use plastic bags are reused, many of them are simply used once and discarded. Once discarded, single-use plastic bags often remain in the environment for decades or even longer. These bags can end up in landfills or may be swept away by the wind and get caught in trees, fences, and storm drains. If they are disposed of at all, many end up in the wrong waste bin. If sent to the wrong recycling facility, they jam the recycling equipment which results in work stoppages and loss of efficiency at the waste collection facility.

**Why not switch to paper bags?**

Although they are recyclable and biodegradable, and do not create the same problems associated with litter and damage to marine life, paper bags also have their own environmental impact. Manufacturing paper bags requires trees and large amounts of water. It is estimated that 14 million trees are cut down every year to make paper bags for shoppers in the United States alone. Moreover, it takes a significant amount of energy to produce, distribute, and dispose of paper bags.

**What is the City of American Canyon’s definition of a recycled paper bag?**

Recycled paper bag means a paper carryout bag provided by a store to a customer at point of sale. The bag contains no old-growth fiber, a minimum of 40% post-consumer recycled material, and is 100% recyclable. The word *recyclable* must be printed in some manner on the outside of the bag, along with the name and location of the manufacturer and the percentage of post-consumer recycled content.

**What is the City of American Canyon’s definition of a reusable bag?**

Reusable bag means either a bag made of cloth or other machine-washable fabric that has handles. It can also be a durable plastic bag with handles that is at least 2.25 mil thick, and is specifically designed and manufactured for multiple reuse.





### **Where can I get reusable bags?**

Reusable bags are widely available for purchase at select retail stores, markets, and many organizations and businesses that offer such bags for free through promotions and events. Don't overlook the bags you already have in your home or office, including tote bags made of canvas or nylon. A limited number of free reusable bags are available at the American Canyon City Hall.

### **What if I forget my reusable bags?**

Getting used to new habits takes a little time and practice. If you forget your bag, most stores will offer reusable paper bags for a minimal charge (generally 10 cents). To avoid the need to purchase bags, keep reusable bags in your car, tuck a small, collapsible bag into your purse or glove box, or attach one to your keychain for quick shopping trips. Over time, bringing your own reusable bags into stores will become second nature, much like fastening your seatbelt.

### **What if I can't afford to purchase a reusable bag?**

Stores are required to provide customers participating in the California Special Supplemental Food program for Women, Infants, and Children (WIC) and customers participating in the Supplemental Food (SNAP) program with a reusable bag or recycled paper bag at no cost at the point of sale.

### **Why is there a 10 cent fee on recycled paper or plastic carryout bags? Is it a tax?**

The 10 cent fee on recycled paper or plastic carryout bags is intended to encourage customers to bring reusable bags and reduce their dependence on single-use bags of all types, both paper and plastic. All of the revenue from the cost remains with the retailer. The fee is not a tax as none of it goes to the city.

### **What types of retail establishments are required to charge the 10 cent fee for each recycled paper or plastic bag?**

All retail businesses included in the ordinance are prohibited from distributing free single-use plastic and paper carryout bags. If businesses decide to make recycled paper carryout bags available for their customers, they are required to sell them for no less than 10 cents per bag. The charge must be listed as a single line item on the customer's receipt, and is not taxable to the consumer according to the State Board of Equalization.

### **How can I avoid the 10 cent fee?**

You can avoid the charge by bringing your own bag or carry your item(s) without a bag when you make a small purchase. Just say no to disposable bags.

### **I use plastic bags to pick up my pet's waste. What will I use instead?**

Local pet stores sell bags specifically for this purpose. The sale of these bags will not be affected by this ordinance in any way. Existing pet waste stations on trails and in parks will continue to provide plastic bags for discarding pet waste. There will still be many plastic bags in circulation. You may also consider using bread, chip, produce, bulk, cereal, or newspaper bags.

### **How will the ordinance be enforced?**

The Code Enforcement Division of the Community Development Department of the City of American Canyon is responsible for enforcing the City's [Municipal Code](#).





### **Do bag ordinances really reduce the amount of bag waste and litter?**

Yes. Jurisdictions that have instituted similar bans have seen significant changes in the amount of bags used. One year after LA County implemented its bag ban, there was a 95% reduction in the distribution of all single-use bags, including a 30% reduction in paper bags. San Jose has seen an 89% reduction of plastic bag litter in storm drains, a 60% reduction in creeks, and a 59% reduction in city streets.

### **What about the proposed statewide plastic bag law?**

Senate Bill 270, a bill to make California the first in the nation to impose a statewide ban on plastic bags is on hold pending a state-wide vote at the November 2016 election. The purpose of a local plastic bag reduction ordinance is to tailor the requirements to suit our needs. If the Senate Bill ultimately becomes law, the City's ordinance will take precedence over the state law.

### **Why isn't this going on the ballot for a vote?**

The California Constitution authorizes the City to "make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws." There is nothing under either state or federal law that constrains the City's ability to regulate the sale of bags or to prohibit the sale of disposable bags of a certain manufacture type. Some local measures that impose special taxes must be placed on the ballot; however, the proposed ordinance does not create any special tax, nor does it generate any revenue or general fund money for the city. Thus, it is not subject to this requirement.

To help create the ordinance and obtain community feedback, the City held four community meetings to discuss the proposed city ordinance. Public comment was also available during each City Council Meeting. Residents of American Canyon and business owners who may not reside in American Canyon had and took advantage of the opportunity to have their voices heard, providing important and necessary input directly to elected officials.

### **What happens to businesses that do not comply?**

The City of American Canyon will focus primarily on education and helping businesses comply. For those who are persistently out of compliance, a warning may be issued and fines may be imposed. Fines will range from \$100 to \$500, based on provisions relating to enforcement of violations of code set forth under Chapter 19.12 of the [American Canyon Municipal Code](#).

### **What is being done to educate the public?**

Information about new options for residents and customers will be shared online, in newsletters and local media, through point-of-purchase information, in training sessions for retailer staff, and through outreach at community events. A reusable bag promotion is also being developed in order to support local retailers in transition.

### **Where can I get more information?**

There are many sources of available information. Our local NRWS (Recology American Canyon) has great information on what we can do with items that can be recycled. Visit them at [www.RecologyAmericanCanyon.com](http://www.RecologyAmericanCanyon.com).





Other resources include:

- Californians Against Waste
- Clean Seas Coalition
- Green Cities California
- [igotmybag.org](http://igotmybag.org) — local cities working together to promote use of reusable bags
- *Bag It — The Movie* ([bagitmovie.com](http://bagitmovie.com)) – This movie is an eye-opening, yet entertaining feature on plastic bag use and pollution here in our country and in others.

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