



REQUEST FOR DECISION

Subject: Proposed Single-Use Item Reduction Bylaw 468

Presented to: Council

Date: 2023 January 09

Submitted by: Carla Bitz,
Environmental Coordinator,
Environment & Sustainability

Item #: 8.1

ADMINISTRATIVE RECOMMENDATION

That Council give second and third readings to proposed Bylaw 468, the Single-Use Item Reduction Bylaw (Attachment).

BACKGROUND

Reason for Report

The purpose of this report is to present a new Single-Use Items Reduction Bylaw for consideration by Council, as a key step towards achieving Council's 2018 commitment to waste diversion targets of 70% by 2028 and zero waste to landfill by 2050.

In 2019, following a presentation to Council on plastic waste by the grassroots group The Bear Minimum, Council directed Administration to conduct a waste characterization study to better understand the state of single-use items in Banff.

7.2 Request for Decision – Mayor Sorensen – Notice of Motion Given 2019.04.08

Motion:

That council direct administration to conduct a characterization study of an average bail of mixed plastic waste.

Speaking broadly, the results of this waste characterization demonstrated that single-use items are problematic for several reasons including:

- Being a primary source of waste in the contaminants bin on the sort line
- Appearing in large quantities in pedestrian bins, and as litter throughout the town
- In addition to disposal costs, the Town of Banff uses employee resources to manage single-use items, the majority of which ultimately end up in the landfill

Following the presentation of the waste characterization report on August 12th, 2019, Council directed administration to conduct stakeholder consultation on a Single-Use Item Reduction Strategy for the Town of Banff.

8.7 **Plastic Waste in Banff: Current State and Options for Single-Use Item Reduction**

Moved by Councillor Olver that council accept this report as information and direct administration to conduct stakeholder consultation on a Single-use Items Reduction Strategy for the Town of Banff.

CARRIED

Christensen opposed

In December 2021, Council unanimously approved the Single-Use Item Reduction strategy and directed administration to implement the six actions outlined in the Report. \$10,000 was allocated from the Environmental Reserve for public consultation on a Single-Use Items Bylaw.

8.0 BYLAWS AND STAFF REPORTS

8.1 Request for Decision: Single-Use Item Reduction Strategy for the Town of Banff

COU21-456 **Moved by Mayor DiManno**

That with respect to Item 8.1, Request for Decision: Single-Use Item Reduction Strategy for the Town of Banff, the following be adopted:

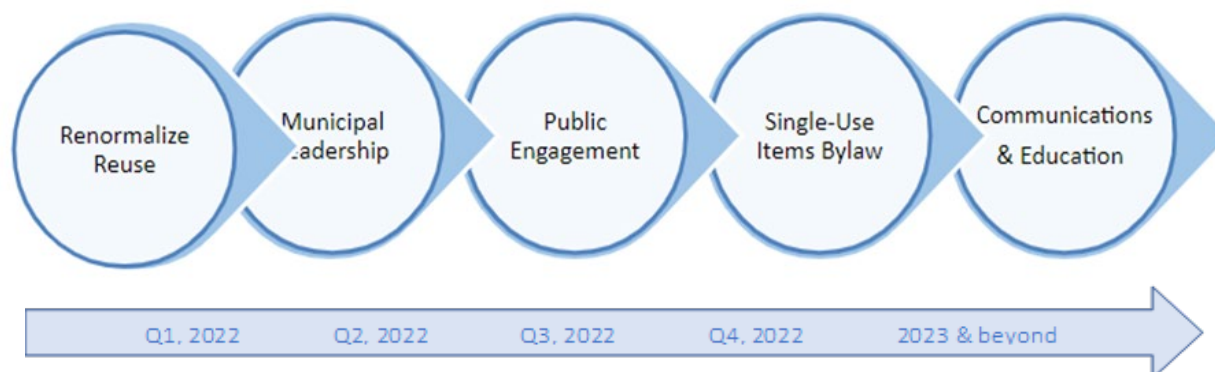
That Council:

1. Allocate \$10,000 from the Environmental Reserve and adopt the Single-Use Item Reduction Strategy as outlined in the Report; and
2. Direct Administration to implement the six actions outlined in the Report.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Public consultations have now been completed, and a draft version of the proposed Single-Use Items Reduction Bylaw is ready for review.



Summary of Issue

Single-use items are a highly visible type of waste that is seen and experienced by residents, businesses, and visitors alike. The visible nature of single-use items presents both challenges and opportunities with respect to public education and moving toward zero waste. Banff is in a unique position to showcase environmental leadership to its widespread visitor base. Adopting the Single-Use Item Reduction Bylaw is one of many ways that the Town can send the message: ‘this is how we do things in Banff’.

Single-use items are convenience items intended to be used only once before they are thrown away. These include, among other items, grocery bags, straws, containers, cups and cutlery. Many single-use items are plastic or contain some form of plastic; however, it is important to note that the word *item* is used intentionally throughout this report as an umbrella term that refers to disposable convenience items, which may be made of materials other than plastic but are still single-use such as compostable plastics.

Many jurisdictions including municipalities have implemented single-use item reduction strategies that include regulatory measures such as bans on specific materials such as non-recyclable plastic or

polystyrene. Most of these strategies follow the waste hierarchy, promoting reusable options first and then other alternatives such as recyclable or compostable disposable products. A wide range of waste management systems exist in places that have implemented such measures, some of which are well equipped to properly recover recyclable and compostable items.

However oftentimes despite efforts to provide ‘sustainable’ alternatives and educate the public on how to dispose of them for proper recovery, these products end up buried in the landfill. Despite common belief, recyclable and compostable products do not break down in the landfill. Additionally, they are usually more expensive than the item they were replacing. As such, it is important to consider life-cycle assessment (LCAs) style analysis with any alternative products, most of which recommend robust reuse programs as the preferred option.

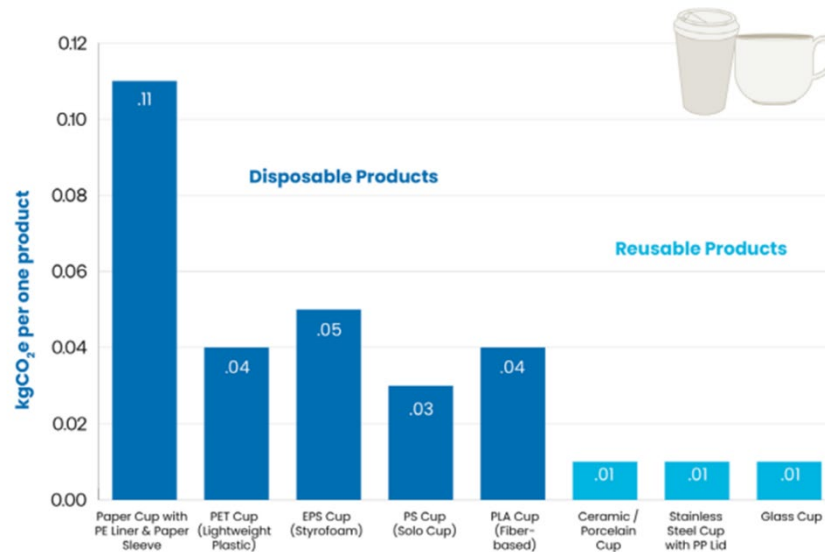


Image Source: Upstream Reuse

Reliance on single-use items for convenience has become prolific locally and around the globe. This presents concerns for numerous reasons, including:

- The impact of litter and plastic pollution on natural ecosystems;
- The fact that many single-use items are not recyclable or compostable;
- Single-use items that are compostable or recyclable often lack proper processing facilities;
- Significant resources are required to produce, transport, and dispose of those products;
- There are embodied emissions associated with the production of single-use items, specifically those that are made using fossil fuels (i.e., plastics);
- The proliferation of single-use items sends a strong message about social norms and condones a culture of disposability.

Public Consultation Process & What We Heard

Marcomm Works was hired to conduct proactive public consultation in preparation of the Single-Use Item Reduction Bylaw as per Council direction. Feedback gathered through the public consultation process indicated high-level support for action on single-use items, including the Single-Use Item Reduction Bylaw.

The consultation process included:

- Launching the Environmental Leadership Working Group, comprised of 16 diverse business leaders representing retail, grocery, and hospitality.

- An online survey which (503 respondents)
- An online informational webinar (13 attendees)
- An in-person workshop which was cancelled due to low registration (5 registrants)

High-level key themes that came out of the public consultation process included:

- Support for a single-use item bylaw if implemented through a staged and methodical process
- A clear and simple bylaw that is enforced consistently
- Education and promotion should be comprehensive and happen first
- Reusable alternatives are in place
- Reward and incentivize reuse rather than implementing fees and penalties
- Banning plastic bags, reducing and banning single-use items for dine-in services, and reducing accessory items supported
- Implementing single-use item reduction and bans for takeout much more challenging

A complete “What We Heard” report is attached to this RFD.

Community Buy-In

Previous engagement activities conducted by the Town of Banff also showed strong support for actions to reduce single-use items, for example engagement that was done in the development of the Environmental Master Plan (EMP) in 2018 and a Viewpoints Survey on Garbage & Recycling in summer of 2021.

Community organizations, grassroots groups, and private-sector organizations have indicated interest in collective action to tackle the issue of single-use items in Banff, for example:

- Banff Lake Louise Hospitality Association’s “Let’s Start With Single-Use Items” stakeholder engagement workshop (2019)
- Advocacy efforts from grassroots environmental groups in 2018 and 2019, which called on the Town of Banff to implement a plastic bag ban or consider other municipal policy instruments to address single-use items
- The launch of Banff Isn’t Disposable (BID) container reuse program, which is currently volunteer led and organized
- Individual businesses demonstrating leadership on reducing single-use items

Single-Use Item Reduction Bylaw

The Town of Banff Single-Use Item Reduction Bylaw focuses heavily on the overall reduction of single-use items rather than banning one specific material like plastic. The bylaw has several focus areas with regulatory measures to ensure that solutions are appropriately tailored to achieve the desired outcome of reduction in each context.

Banff’s unique context as a tourism destination has also been considered in the strategy and bylaw. For example, even with extremely strong messaging and communications, it would be very difficult to ensure that visitors to Banff participate in “bring-your-own (BYO)” initiatives. As such, an emphasis on convenient to-stay and reuse programs is critical.

The following guiding principles informed Banff’s strategy, as adopted by Council in December of 2021. In the context of the Single-Use Item Reduction Bylaw, all regulatory measures were vetted through the lens of these guiding principles.

- i. Intentional use of the word *items* rather than only *plastic*;
- ii. Move away from disposable rather than shifting the problem elsewhere
- iii. Focus on to-stay, BYO, & reusables NOT disposable items made of alternative materials
- iv. Focus on unnecessary convenience items & what we can control as a municipality
- v. Integrated approach & “Made in Banff” solution, informed by best practice research

Focus Area	Proposed Regulatory Measure	Details
1. Dine-in services/ consumption on premises	Require reusable products	<ul style="list-style-type: none"> • Businesses must provide reusable products must be provided for dine-in services, including any food or beverages that are consumed on the premises of a business • Includes plates, bowls, cups, and accessory items • This will usually look like regular “dine-in” style ceramic food ware • The business can rely on customers stated intention as to whether they are staying or going • Does not depend on customers bringing their own reusable products, which is more realistic in a visitor context • Existing businesses are eligible for an exemption if they <ul style="list-style-type: none"> ▪ demonstrate they do not have adequate dishwashing capacity that meets AHS requirements ▪ provide a reusable option for Takeout Food ▪ Are a non-profit or charitable organization • Applies to food ware provided at events • Applies to food ware provided in hotel rooms
2. Accessory items	By request only mandate	<ul style="list-style-type: none"> • Includes single-use spoons, forks, knives, chopsticks, utensils, straws, stir sticks, splash sticks, cocktail sticks, toothpicks, pre-packaged condiments and napkins • Customer must ask for accessory items • Self-serve stations are not permitted • Applies to food ware provided at events
3. Checkout Bags	Ban on plastic Minimum fee on <ul style="list-style-type: none"> • paper (\$0.25) • reusable (\$2.00) 	<ul style="list-style-type: none"> • Single-use plastic shopping bags will be banned • Businesses must charge a minimum fee of \$0.25 on paper bags and \$2.00 on reusable bags; fee to be retained by the business • Comparable with other Canadian jurisdictions • Higher fee for reusable bags helps avoid unintended consequences of over purchasing • Applies to food ware provided at events

4. Takeaway services	Require businesses to create a written policy on accepting reusable customer foodware	<ul style="list-style-type: none"> • Supports customers who choose to BYO • Ensures consistency to promote use of customer cups and containers • Ensures businesses are accommodating customers while following AHS guidelines • Applies to food ware provided at events
	Require that all disposable food ware is compostable or recyclable within Banff's streams	<ul style="list-style-type: none"> • Ensures that any disposable food ware used is accepted in Banff's streams if sorted properly • Applies to food ware provided at events

Table 1: Bylaw Focus Areas & Regulatory Measures

In addition to the above bylaw requirements, administration is exploring options to make an amendment to the business license bylaw that would require new businesses to provide infrastructure to enable guests to eat on site with reusable food ware. This would ensure consistency going forward and help to set new businesses up for success in complying with the Single-Use Item Reduction Bylaw.

Supporting Tools

Throughout the public consultation process, in addition to commenting on regulatory measures being proposed, stakeholders brought forward ideas for supporting tools that complement the bylaw. As such, the following tools have been identified as priority areas as regulatory measures are introduced. Administration will work with potential partners, primarily those in the Working Group, to collaborate on implementation of these tools.

Tool	Type
Dish kits (events)	Program
Rebate program for food ware purchases/dishwasher installs	Program
“Good, better, best” guidelines for businesses	Communications
Create hotel zero waste "kits"	Program
“Till topper” signage for businesses	Communications
Bag share programs at hotels, retail and/or grocery stores	Program
Collaborate with access program + frontline services to mitigate equity concerns	Collaborate
Support expansion of cup/container share programs	Collaborate
Strategy & open-source communication tools w. visitor focus	Communications
Template for accepting customer foodware	Communications

Table 2: Supporting Tools

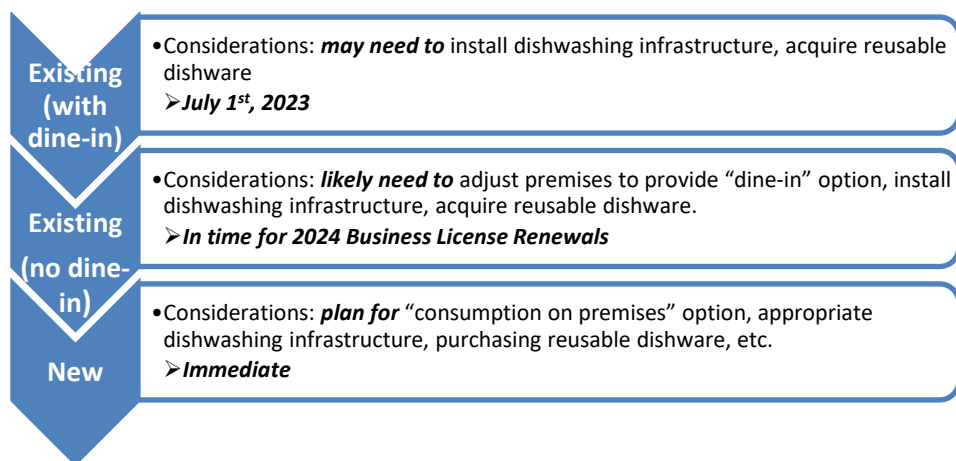
Future Bylaw Options

Administration will return to Council in Q4 of 2023 with information and feedback on the initial implementation of the Single-Use Item Reduction Bylaw along with progress with respect to development of supporting tools. At that time, Council may consider looking at additional measures where appropriate, such as the following regulatory options:

- **Require that businesses provide a reusable option for takeaway services**
 - businesses must provide a reusable option for take-away services
- **Require that businesses charge a minimum fee on disposable cups, containers, or takeaway services**
 - Targets customers who do not bring their own mug
 - Encourages to-stay and/or cup share programs
 - Research shows that fees are more effective than discounts in changing behavior
 - Applies to food ware provided at events
 - Fee to be retained by the business

Timeline

The Single-Use Item Reduction Bylaw would come into effect for all businesses by July 1st, 2023, in time for the summer season. With respect to the requirement to provide reusables for on-site dining, existing businesses that do not offer “consumption on premises” would be granted extra time to make necessary changes for compliance in time for their 2024 business license renewal.



Enforcement would be conducted on a complaint-based, education-first approach. Administration would consider the possibility of audits in collaboration with Municipal Enforcement if deemed appropriate.

Other Jurisdictions

Leading jurisdictions have approached their single-use item reduction programs comprehensively, in order to make solutions context-appropriate for each type of material in their jurisdiction, as opposed to a blanket ‘one size fits all’ approach.

Administration researched and examined single-use item strategies in numerous jurisdictions in developing the Single-Use Item Reduction Strategy; however, in the context of the Single-Use Item Reduction Bylaw in particular, administration looked most closely at the following jurisdictions who focus their policies on reduction and reuse.

Jurisdiction	Bylaw Approach
City of Victoria, BC	Most similar approach to Banff with a strong focus on reduction and reuse. Intending to require reusables for consumption on premises along with mandatory fees for takeaway cups and containers.

City of Edmonton, Alberta	Bylaw passed October 2022 which will require reusables for cups for consumption on premises, require businesses to accept customer cups, allow accessory items by request only, and ban certain polystyrene products.
City of Vancouver, BC	Developed a ‘made in Vancouver’ approach to reduce single-use items, identifying unique regulatory measures for the most problematic single-use items within Vancouver’s jurisdiction. Amendments were made to the Business Licence by-law, and educational tools and outreach are being conducted to support businesses and residents in adapting to the new requirements.
City of Berkeley, California	The Single-Use Foodware and other Litter Reduction ordinance came into effect July 1, 2021, and includes a requirement for reusable food ware for on-site dining, a minimum fee on disposable cups, and by request only requirements on disposable accessory items such as straws, stirrers, etc.

Table 3: Other Jurisdictions

Government of Canada

The Government of Canada has adopted Single-use Plastics Prohibition Regulations (SUPPR) to address pollution, meet the target of zero plastic waste by 2030, and help reduce greenhouse gas emissions. SUPPR prohibits the manufacture, import and sale of single-use plastic:

- Checkout bags
- Cutlery
- Food serviceware made from or containing “problematic plastics”
- Ring carriers
- Stir sticks
- Straws

The Town of Banff Single-Use Item Reduction Bylaw will complement the Federal SUPPR by reducing the number of single-use items overall. Municipalities are often better positioned to implement policies that focus on reduction and reuse which works to augment the focus on plastic at a federal level.

Response Options

Council may:

1. Give second and third readings to the Single-Use Item Reduction Bylaw.
2. Direct that Administration return with changes to the Single-Use Item Reduction Bylaw.

IMPLICATIONS OF DECISION

Budget

Effective implementation of the Single-Use Item Reduction Bylaw will present budget impacts in three main areas:

1. Communications & Stakeholder Engagement
2. Municipal Leadership
3. Addressing Equity

It is critical that the municipality leads by example with respect to single-use item reduction, as the Town considers adopting a bylaw that will require businesses and residents to make significant changes in their daily operations and habits. Opportunities to demonstrate municipal leadership on single-use item reduction will include following the proposed bylaw direction which focuses on providing reusable food ware and supporting container share/BYO systems. It is critical that Town of Banff facilities, programs, and events are an accurate reflection of the goals of the bylaw.

It will also be important to ensure that equity-deserving groups are not disproportionately impacted by the bylaw requirements. While the bylaw includes exemptions for non-profit/charitable organizations, other considerations with respect to equity may include:

- Collaborating with the Banff access program
- Providing reusable ‘toolkits’ to folks experiencing affordability challenges at specific access points
- Adding a reusable dishware rebate for non-profit and charitable organizations

Banff Community Plan

Local Economy

- Respond to the feedback, perceptions, and recommendations of our visitors.
- Showcase Banff as a leader in environmental practices and hospitality.

Environmental

- Be an environmental role model for communities around the world.
- Reduce Banff’s ecological footprint.
- Reduce the Town’s impact on the surrounding national park.

Council Strategic Priorities

Leading Conservation (Nurturing a Model Environmental Community)

Initiate new strategies in 2018 to 2022 focused on:

- Waste: Implement municipal actions, policies and public education to prevent the creation of waste, whenever possible, and ensure waste that is produced is primarily diverted from landfill through recycling, composting, and other value-add uses.

Environmental Master Plan:

- 13. Engage with the commercial sector to better understand the “state of” single-use items in Banff (i.e., straws, coffee cups)
 - a. Pilot a single-use items ban
 - b. Based on the learnings from the pilot, develop a strategy to eliminate specific single-use items from Banff’s commercial waste stream

Waste Targets:

- 70% community-wide waste diversion by 2020
- Zero waste to landfill by 2050

LINKS

[Banff Environmental Master Plan](#)

[Plastic Waste in Banff: Current State and Options for Single-Use Item Reduction \(Council August 12th, 2019\)](#)

[Single-Use Item Reduction Strategy \(Council December 6th, 2021\)](#)

ATTACHMENTS

Attachment: Proposed Bylaw 468: Single-Use Item Reduction Bylaw

Circulation date: 12 December 2022



Submitted By: _____

Reviewed By: On Original
Kelly Gibson, Town Manager