



# Plastic Bag Ban ORDINANCE

EFFECTIVE FOR RETAILERS AUGUST 1, 2012



## Frequently Asked Questions

### When will retailers be required to stop providing plastic single-use carry-out bags to customers?

August 1, 2012

### What plastic bags are prohibited?

Those considered "single-use" and "carry out" are prohibited. This includes all plastic bags less than 2.25 mils thick provided at check out or point of sale. Those not allowed are the typical plastic bags with handles constructed of thin plastic (less than 2.25 mils thick). Bags constructed of durable plastic (thicker than 2.25 mils) are considered reusable and are allowed.

### Can retailers provide paper bags?

Retailers may provide customers, upon their request, **large paper bags made of at least 40% recycled paper**, and must charge a minimum of five cents per bag. The proceeds of the paper bag charges are kept by the store, not collected by the City. Qualified low-income customers can be provided paper bags upon request at no charge.

### What stores are affected?

**Most retail establishments** are subject to the new requirements, including grocery stores, department stores, hardware stores, pharmacies, liquor stores, restaurants, convenience stores and other retail stores or vendors.

### Are small retail businesses exempt?

**No.** Most Bellingham retail businesses, with very few exceptions, must meet the requirements of the ordinance.

### Can retailers provide "reusable" plastic bags?

**Yes.** Reusable bags are made out of durable materials specifically designed and manufactured for multiple re-use. Reusable plastic bags are at least 2.25 mils thick. They may be provided free or charged for at the store's discretion.

### Can retailers provide plastic bags for meat, produce, bulk foods and other items?

**Yes**, plastic bags that are used inside stores for bulk foods and other items, for meats and produce, unwrapped bakery goods, flowers and other similar items will still be allowed. Only "single-use" bags used for "carry-out" are prohibited.

### Are retailers required to provide reusable plastic or single use paper bags?

**No.** Retailers may choose to provide either or both. If they provide paper bags, they must charge at least 5 cents for them. If they provide plastic bags, they must be at least 2.25 mils thick to be considered "reusable."

**CONTINUED ON BACK**

### At a Glance

#### Plastic



#### Large Paper



#### Small Paper



#### Still Allowed

- Produce/Meat
- Bulk Foods
- Newspaper
- Dry Cleaning
- Door Hanger
- Take-out Food
- Paper Bags



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## Frequently Asked Questions CONTINUED

### Are low-income customers exempt from paying the 5-cent fee for a single-use paper bag?

**Yes.** if they demonstrate eligibility by presenting checks, vouchers or electronic benefits cards issued by state or federal food assistance programs.

### Are non-profit agencies and stores exempt?

**Some are,** if they meet the definition of “non-profit charitable reuser” noted in the ordinance. A “non-profit charitable reuser” is charitable organization with 501c3 status that reuses and recycles donated goods and receives more than 50% of its revenues from those sales. To qualify for the exemption, they must meet the definition as well as sell and promote the use of reusable bags and offer a discount when customers bring their own bags. 5.47.20 (a) (4)

### Can restaurants provide single-use plastic bags?

**Yes,** for takeout food. There is an exemption in the ordinance that allows food providers to help safeguard public health by providing customers with single-use plastic carry-out bags for prepared take-out foods and liquids.

### Do the requirements prohibit retailers from selling plastic bags such as garbage bags and pet waste bags?

**No.** The requirements only apply to bags provided to customers at check out to carry away purchased items. Bags sold in packages containing multiple bags are not prohibited.

### Is there an exemption for clothing stores?

#### Clothing stores must follow the same requirements as other retailers.

Clothing stores cannot provide plastic bags at check out that are less than 2.25 mils thick. Plastic bags constructed of thicker plastic can be provided. They may be provided free or charged for at the store's discretion.

### Can retailers provide plastic bags made of compostable materials?

**No,** not if they are less than 2.25 mils thick. The science on compostable plastic bags is not consistent. Allowing their use at this time does not ensure that our goals to reduce the many impacts of plastic bags would be met. Compostable bags also are unlikely to be an attractive option to retailers, as at this time they are more expensive than regular plastic or paper bags.

### Can retailers provide small paper bags at check out for easily damaged items, such as birthday cards or small paint brushes or glass items?

**Yes.** Retailers may provide small paper bags for small items such as gifts, books, nails, for the examples noted above, and more. They may be provided free or charged for at the store's discretion.

### Will there be a “grace period” for retailers to comply?

The ordinance was approved Aug. 1, 2011, allowing one full year for affected retailers to plan for the transition.

### What are the penalties for not complying with these new requirements?

The ordinance describes enforcement options, including fines, for violations of the Single-Use Carry Out Bag Ordinance. First-year efforts to introduce the new requirements, however, will focus on business and customer education and incentives to promote the use of reusable bags.

### Where can retailers find more information?

Stay informed at  
[www.cob.org/plasticbags](http://www.cob.org/plasticbags)

Questions about the requirements can be directed to: Email: [pw@cob.org](mailto:pw@cob.org)



24-hour message line:  
360-778-7905