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**City Council**

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**Notice of Motion**

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| MM41.4 | ACTION |  |  | Ward: All |
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**Reopen Item PW20.1 on Proposed Measures to Reduce In-Store Packaging Waste and Litter, Municipal Hazardous and Special Waste and Plastic Water Bottles to clarify the intent of Bylaw 356-2009/Municipal Code Chapter 604, Article 1 “Plastic Bags”, by Councillor Walker, seconded by Councillor Thompson**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to a re-opening of Item PW20.1. A two-thirds vote is required to re-open that Item.*

**Recommendations**

Councillor Walker, seconded by Councillor Thompson, recommends that:

1. City Council direct the City Manager and appropriate staff to report to the February 2, 2010 meeting of the Public Works and Infrastructure Committee regarding the intent and effect of Bylaw 356-2009 and Municipal Code Chapter 604, Packaging, Article 1, with particular attention to clarifying Sections 604-3C, 604-3D, and 604-3E, and to amend the bylaw so it is clear that all retailers must provide a free alternative to the plastic bag such as done by the LCBO (i.e. paper bag or cardboard box) and if the retailer does not comply with the provisions of the bylaw that retailer is penalized – not the consumer.

**Summary**

In December 2008, City Council adopted PW20.1, headed “Proposed Measures to Reduce In-Store Packaging Waste and Litter, Municipal Hazardous and Special Waste and Plastic Water Bottles”. By adopting PW20.1, City Council placed controls on the use of plastic bags in the City of Toronto with the aim of reducing the amount of plastic bags discarded in our landfill and recycling program. With PW20.1, City Council now requires all retail establishments in Toronto to charge 5 cents per plastic bag given to any consumer who requires one.

Plastic bags harm our environment in many ways since they are made from non-renewable resources; they are not easily recycled (especially if soiled) and do not biodegrade effectively; they contaminate our soil and water when they break into smaller pieces; and, they kill wildlife, particularly in our water systems.

While this City Council initiative to reduce or eliminate plastic bag use in Toronto is a good initiative, it is unclear whether the enacted bylaw (No. 356-2009) and Municipal Code Chapter (604) are operating as many Councillors thought it should. In particular, it is unclear whether or not a retail establishment is required to offer the consumer a free alternative to a plastic bag; as discussed by City Council, the intent was to require all retail establishments to offer a free alternative, whether the establishment offered plastic bags or not.

City Council needs to re-open this item to clarify this issue for the public in order to ensure this bylaw is operating as it was intended to have the maximum impact upon the problem it was designed to remedy – weaning both retailers and consumers off using plastic bags.

**Requires Re-opening:**

Public Works and Infrastructure Committee Item PW20.1, headed "Proposed Measures to Reduce In-Store Packaging Waste and Litter, Municipal Hazardous and Special Waste and Plastic Water Bottles", adopted by City Council at its meeting of December 1, 2 and 3, 2008, as it pertains to Recommendation 2 only.

(Submitted to City Council on October 26 and 27, 2009 as MM41.4)