

TORONTO MUNICIPAL CODE
CHAPTER 604, PACKAGING

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PACKAGING

ARTICLE I
Plastic Bags

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[HISTORY: Adopted by the Council of the City of Toronto as indicated in article histories. Amendments noted where applicable.]

ARTICLE I
Plastic Bags
[Adopted 2009-03-31 by By-law No. 356-2009¹]

§ 604-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BIODEGRADABLE PLASTIC BAG or COMPOSTABLE PLASTIC BAG - Any bag which is composed of, in whole or part, biodegradable plastic, Oxo-biodegradable plastics, Plastarch material, polylactide or any other plastic resin composite that is intended to degrade at a faster rate than non-biodegradable plastic film.

DOOR-HANGER BAG - A bag designed to hold flyers, coupons or other advertisements and intended to be left on the door of homes.

LAUNDRY-DRY CLEANING BAG - A bag used by dry-cleaners to cover and protect clothing after the laundering or dry-cleaning process.

NON-COMPATIBLE PLASTIC BAGS - Bags that are not compatible with the City's blue bin recycling program and includes:

- A. Biodegradable plastic bags or compostable plastic bags; and
- B. Plastic retail shopping bags which contain metal grommets, string, cord, cloth or other non-plastic material.

¹ Editor's Note: This by-law was passed under the authority of the *City of Toronto Act, 2006*, S.O. 2006, c. 11. This by-law also provided that it shall come into force June 1, 2009, with the exception of § 604-4, which comes into force June 1, 2010.

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PLASTIC RETAIL SHOPPING BAG - A bag made of plastic film, designed to carry customer purchases from a retail business establishment but does not include:

- A. Bags used by customers inside retail business establishments to package bulk items such as fruit, vegetables, nuts, grains, candy or small hardware items such as nails and bolts;
- B. Bags used to contain or wrap frozen foods, meat or fish, flowers or potted plants, whether pre-packaged or not;
- C. Bags used to protect prepared foods or bakery goods; [**Amended 2009-04-30 by By-law No. 478-2009²**]
- D. Bags provided by pharmacists to contain prescription drugs;
- E. Newspaper bags;
- F. Door-hanger bags;
- G. Laundry-dry cleaning bags; or
- H. Bags sold in packages containing multiple bags intended for such uses as garbage bags, pet waste bags, yard waste bags, or recycling bags.

RETAIL BUSINESS - The selling or offering for sale of goods or services by retail.

RETAIL BUSINESS ESTABLISHMENT - The premises where a retail business is carried on.

§§ 604-2. and 604-3. Reserved.³

§ 604-4. Prohibition on non-compatible plastic bags.⁴

Persons carrying on a retail business in a retail business establishment are prohibited from offering or providing to customers non-compatible plastic bags, designed to carry customer purchases from the retail business establishment.

§ 604-5. Offences.

[Amended 2009-05-27 by By-law No. 560-2009]

Every person who contravenes any of the provisions of this article is guilty of an offence and, upon conviction, is liable to a fine or penalty as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33.

² Editor's Note: This by-law comes into force June 1, 2009.

³ Editor's Note: Definition for Reusable Container and Sections 604-2 and 604-3 were repealed June 8, 2012 by By-law No. 802-2012. By-law No. 802-2012 came into force July 1, 2012.

⁴ Editor's Note: This section shall come into force June 1, 2010.