

WEST CHESTER BOROUGH'S SINGLE USE PLASTIC ORDINANCE

IN JULY 2019 BOROUGH COUNCIL APPROVED AN ORDINANCE BANNING SINGLE USE PLASTIC BAGS AND STRAWS IN THE WEST CHESTER BOROUGH. BELOW IS A LIST OF FREQUENTLY ASKED QUESTIONS ABOUT THE ORDINANCE:

WHERE CAN I READ THE ORDINANCE?

The ordinance is available at www.west-chester.com/singleuse. Important definitions can be found on pages 4-5, and the key language on pages 5-6.

WHY WAS THIS ORDINANCE PASSED?

Single use waste, like plastic bags and straws, are harmful to the environment and costly to taxpayers. Regulation minimizes litter, environmental impacts, and waste management costs. The ordinance, championed by students, was required to curb unnecessary distribution of these materials in our community.

In a momentous effort to curb these wasteful practices nine states and over 500 U.S. municipalities have adopted similar laws. Almost a third of Americans live in areas with single-use laws, a number sure to grow as more attention is drawn to global waste issues, and the ease of compliance is better understood.

WHEN DOES THIS ORDINANCE GO INTO EFFECT?

The ordinance was passed in August 2019, went into effect July 2nd 2020, but enforcement was delayed due to the COVID-19 pandemic. Enforcement will begin January 1st 2022.

I HAVE A STOCK OF PLASTIC SUPPLIES. CAN I USE THESE BEFORE MAKING THE SWITCH?

Existing stocks of supplies can be used up to the enforcement date of January 1st 2022 without repercussions.

ARE OTHER PRODUCTS, ASIDE FROM SINGLE USE PLASTIC BAGS AND STRAWS, ADDRESSED IN THIS ORDINANCE?

No, the ordinance applies only to straws and bags, which are the two of the most wasteful items that present waste management and litter issues. Businesses should examine and refine practices around all single-use items to eliminate waste, litter, and other waste-management issues to avoid the need for future ordinances.

HOW DO I KNOW IF THE PAPER BAGS I AM USING ARE ACCEPTABLE?

Bags distributed to customers must consist of 40% recycled content and be either recyclable in curbside programs or compostable. Most product descriptions include the percentage of recycled content, but if not your supplier will be able to provide the recycled content for any product they provide.

WHO IS GETTING THE 10-CENT FEE PER PAPER BAG? DO I HAVE TO CHARGE CUSTOMERS FOR THIS?

Businesses keep the 10 cent fee. The purpose of the fee is two-fold: first, to offset any added costs from switching to a more sustainable bag; and second to encourage customers to bring their own bag or skip an unnecessary one. The intent of the ordinance is not to transition to paper bags, but to eliminate wasteful distribution of unnecessary bags of all materials.

DOES THE FEE NEED TO BE CHARGED FOR TAKEOUT AND DELIVERY?

The fee for a compliant, paper bag does not apply to delivery orders, as customers do not have an opportunity to BYO bag. Similarly, because of the difficulty in anticipating bag usage, the fee will not be enforced for take-out orders ordered and/or paid outside the physical location of the establishment (e.g. phone, third party app, etc.)

IF I OFFER AN E-RECEIPT DOES THE FEE STILL NEED TO BE DISPLAYED?

YES.

WHAT IS THE FINE FOR VIOLATING THIS ORDINANCE?

Businesses violating the terms of the ordinance will first be warned in writing, then fined \$100 for the first violation, \$200 for the second violation, then \$500 for the third and successive violations.

ARE ANY TYPES OF BAGS EXEMPTED BY ORDINANCE?

Plastic bags without handles may be provided to wrap raw meat and fish products that, if not wrapped, may contaminate other products.

THIS ORDINANCE REPRESENTS A UNIQUE CHALLENGE TO MY BUSINESS. CAN I BE EXEMPTED?

Businesses with unique challenges can petition the Borough's Sustainability Advisory Committee for a one-year exemption. More information can be found at www.west-chester.com/singleuse.

MY BUSINESS NOT ONLY COMPLIES WITH THE ORDINANCE, BUT GOES ABOVE AND BEYOND TO REDUCE WASTE. CAN I BE RECOGNIZED FOR THESE EFFORTS?

Yes! The Borough's Sustainable Storefronts programs recognizes leadership on waste minimization and sustainability. Over 20 businesses have already signed up. Visit www.west-chester.com/singleuse for more information and to join.

WHO DO I CONTACT IF I HAVE MORE QUESTIONS?

More information can be found at www.west-chester.com/singleuse and you can e-mail sustainability@west-chester.com.

