

The Corporation of the City of Guelph

By-law Number (2024) - 20938

A by-law to amend By-law Number (2022)-20701, being a By-law of single-use plastic shopping bags and certain other harmful single-use items within the City of Guelph so as to further the environmental well-being of the City of Guelph.

Whereas the City of Guelph ("City") has adopted By-Law Number (2022) - 20701, respect of single-use plastic shopping bags and certain other harmful single-use items within the City of Guelph;

And whereas the City intends to amend By-law Number (2022) - 20701 by adding new definitions, adding sections and amendments, as set out below;

The Council of the Corporation of the City of Guelph enacts as follows:

Part 1: Interpretations

Insert the following new definitions in correct alphabetical order:

"Accessory Foodware Item" means a single-use item including but not limited to, forks, knives, spoons, chopsticks, utensils, stir sticks, splash sticks, cocktail sticks, toothpicks, drink cup trays and sleeves, non-edible garnish, and condiment cups and packets;

"Ordering Platform" means any platform that allows customers to order food or items for pickup or delivery from a business, and includes orders made by phone, on the business website, or on a third-party site, any of which may also include delivery by a third-party.

"Reusable Drink Cup" means a cup that is made from durable materials that is able to withstand repeated washing, sanitizing, rinsing, and use.

"Self-Serve Station" means an area in a Business where customers may obtain accessory foodware items for themselves.

Edit the following definition:

"Paper Shopping Bag" means a shopping bag made out of paper, equal or greater than 20 cm x 20 cm when flat, and contains at least 40 per cent recycled content as indicated in print on the bag;

Insert the following new sections:

Part 4: Accessory Foodware Item (comes into effect March 1, 2025)

4.1 A business must not provide or permit to be provided an Accessory Foodware Item to a customer unless the customer requests the Accessory Foodware Item.

4.2 A customer must request an Accessory Foodware Item, as required by section 4.1, and is deemed to be valid if:

- a) The customer initiates the request;
- b) The business prompts the customer for a response and the customer responds that they do;
- c) The customer takes the Accessory Foodware Item themselves from a Self-Serve Station; and/ or
- d) The customer answers a prompt on an Ordering Platform.

4.3 A business is required to post for awareness that Accessory Foodware Items will not be automatically provided and must be requested.

4.4 Exemptions from sections 4.1, 4.2, 4.3 and 4.4 apply to the following:

- a) charitable or non-profit organization,
- b) a hospital and community care facility, and
- c) single-use straws.

Part 5: Reusable Drink Cup (comes into effect March 1, 2025)

5.1 A Business must accept a customer's Reusable Drink Cup for beverage orders made **in-store** for beverages consumed on or off a business' premises.

5.2 A Business must not use a Single-Use Item to make the beverage and then pour the beverage into the customer's Reusable Drink Cup.

5.3 A Business is required to post for awareness that they accept a customer's clean Reusable Drink Cup.

5.4 Businesses shall not accept a Reusable Drink Cup that is not: of sound construction, in good repair, of a shape and of material that permits it to be readily cleaned and sanitized, and visibly clean, or otherwise suitable to be used as a Reusable Drink Cup.

5.5 Exemptions from sections 5.1, 5.2, 5.3 and 5.4 apply to the following:

- A charitable or non-profit organization,
- A hospital and community care facility,
- Alcoholic beverages, and
- Special events.

Passed this twenty-fifth day of June, 2024.

Cam Guthrie, Mayor

Dylan McMahon, Deputy City Clerk