



THE RURAL MUNICIPALITY OF VICTORIA BEACH

BY-LAW #1634

A By-Law to Regulate and Reduce the Use of Single-Use Plastic Items

WHEREAS under Section 232(1) Spheres of jurisdiction of the Municipal act a council may pass by-laws for municipal purposes respecting the following matters:

- (b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation;
- (c) subject to section 233, activities or things in or on private property;
- (n) businesses, business activities and persons engaged in business;
- (o) the enforcement of by-laws

AND WHEREAS Content of by-laws under clause 232(1)(c), 233 a by-law under clause 232(1)(c) (activities or things in or on private property) may contain provisions only in respect of:

- (d) activities or things that in the opinion of the council are or could become a nuisance;

AND WHEREAS in the opinion of Council, single-use plastic bags are a nuisance to the environment;

AND WHEREAS single-use plastics add unnecessary costs to the recycling program in Victoria Beach;

AND WHEREAS in Canada, only 9% of plastic waste is recycled;

THEREFORE, BE IT RESOLVED that the Council of the Rural Municipality of Victoria Beach in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title & Purpose

By-Law #1634 shall be cited as **“Regulation and Reduction of Single-Use Plastic Items”**.

2. Definitions

“Biodegradable” means a material that is capable of decomposition by native bacteria, fungi, or other living organisms, without leaving behind any synthetic elements, not requiring human or industrial intervention to degrade and in a time period not exceeding 5 years.

“Business” means any person, organization, or group engaged in a trade, business, profession, occupation, calling, employment or purpose that is regulated under the Business Licence Bylaw and, for the purposes of section 3, includes a person employed by, or operating on behalf of, a Business;

“Checkout Bag” means:

- a) any bag intended to be used by a customer for the purpose of transporting items purchased or received by the customer from the Business providing the bag; or



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- b) bags used to package take-out or delivery of food; and
- c) includes Paper Bags, Plastic Bags, or Reusable Bags

“Paper Bag” means a bag made out of paper and containing at least 40% of post-consumer recycled paper content, and displays the words “Recyclable” and “made from 40% post-consumer recycled content” or other applicable amount on the outside of the bag, but does not include a Small Paper Bag;

“Plastic Bag” means any bag made with plastic, but does not include a Reusable Bag;

“Reusable Bag” means a bag with handles that is for the purpose of transporting items purchased by the customer from a Business and is

- a) designed and manufactured for multiple uses; and
- b) primarily made of cloth or other washable fabric;

“Single-Use” means a product that is designed to be used once and then disposed of or destroyed.

“Small Paper Bag” means any bag made out of paper that is less than 15 centimetres by 20 centimetres when flat.

“Takeaway container” single-use disposable products for serving or transporting prepared, ready-to-consume food or beverages

3. Checkout Bag Regulation

3.1 A Business may provide or sell a Checkout Bag to a customer only if:

- a) the bag provided is a Paper Bag or a Reusable Bag; and

3.2 For certainty:

- a) No business may sell or provide to a customer a Plastic Bag;
- b) No Business shall deny or discourage the use by a customer of his or her own Reusable Bag for the purpose of transporting items purchased or received by the customer from the Business.

Section 3 does not apply to a Checkout Bag that was purchased by a Business prior to adoption of this Bylaw.

4. Exemptions

4.1 Section 3 does not apply to Small Paper Bags or bags used to:

- a) contain or wrap frozen foods, meat, poultry, or fish, whether pre-packaged or not;
- b) wrap flowers or potted plants;
- c) protect prepared foods or bakery goods that are not pre-packaged;
- d) contain prescription drugs received from a pharmacy;
- e) transport live fish;



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- f) protect linens, bedding, or other similar large items that cannot easily fit in a Reusable Bag;
- g) protect newspapers or other printed material intended to be left at the customer's residence or place of Business; or plastic bag to transport live fish.
- h) protect clothes after professional laundering or dry cleaning.

5. Other Single-Use Items

- a) The following items will not be sold or given to customers at any business in the municipality: Single-use plastic takeaway (takeout) containers, cups, straws, and cutlery.

A business may sell or provide the items from those listed in section 5a) to a customer only if they are: a) Reusable, or b) Fully biodegradable.

6. Offence

- 6.1 Any Person who causes, permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence against this Bylaw and is liable to pay a fine of not more than \$500.00.
- 6.2 Where an offence under this bylaw is of a continuing nature, each day that an offence continues, or is permitted to exist, constitutes a separate offence.

7. Effective Date: This BYLAW will come into effect October 30, 2022.

DONE AND PASSED in Council duly assembled in the Rural Municipality of Victoria Beach in the Province of Manitoba, this 05th day of July, 2022.

(signed 05 July 2022)

Penny McMorris – Mayor

(signed 05 July 2022)

Lon Turner – CAO

Read a FIRST time this 07th day of June, 2022

Read a SECOND time this 05th day of July, 2022

Read a THIRD time this 05th day of July, 2022 (Res. 2022-151)