

Reusable Bag Ordinance

FREQUENTLY ASKED QUESTIONS



OVERVIEW

■ What is the Reusable Bag Ordinance?

The Reusable Bag Ordinance (3643-18) prohibits retail establishments from providing thin, single-use plastic carryout bags (less than 2.25 mils in thickness) to consumers and requires that retailers charge a minimum of 5 cents for each carryout bag provided. The ordinance was approved by the Everett City Council on December 5, 2018 in an effort to reduce waste and protect the environment.

■ When does the ordinance go into effect?

The ordinance becomes effective on **September 30, 2019**, to allow retailers time to prepare for the new regulations.

■ Who is affected by the ordinance?

Any retail establishment that sells a product and provides carryout bags to consumers is subject to the ordinance. This includes retail stores, restaurants, businesses and vendors.

BAGS

■ What carryout bags are allowed by the ordinance?

Under the ordinance, retail establishments may provide consumers large paper bags and durable “reusable” plastic bags as carryout bags. To qualify, paper carryout bags (1/8 barrel or 882 cubic inches or greater in size) must contain at least 40% recycled paper. Plastic carryout bags must be at least 2.25 mils thick.

■ What about small paper bags?

Small paper bags (less than 1/8 barrel or 882 cubic inches in size) are not subject to the ordinance and may be provided to consumers to hold or protect items.

■ Can restaurants and food vendors use single-use plastic bags for takeout food?

Yes, single-use plastic bags may be used to protect food, provided it is placed in a qualifying carryout bag (large paper bag or durable plastic bag). This is to protect public health and safety.

■ Can retailers still provide thin, single-use plastic bags in-store?

Yes, bags provided in-store for such items as bulk foods, meats, produce, bakery goods and flowers are still allowed. Only thin, single-use bags used for “carryout” are prohibited.

■ What can retailers do with excess single-use plastic bags?

Retailers can continue to use thin, single-use bags that were on site before September 30, 2019. Another alternative is to donate excess bags to an organization exempt from the ordinance, such as a food bank.

FEES

■ **What is the required carryout bag fee?**

Retailers are required to charge a minimum of 5 cents for each carryout bag provided to a consumer. This fee is kept by the retailer and intended to defray the cost of implementing the ordinance.

■ **Can retailers charge carryout bag fees for other bags?**

Yes, retailers can choose to charge carryout bag fees for other bags provided to consumers.

■ **What about other reusable bags that are available for purchase?**

The carryout bag fee does not apply to bags available for purchase.

■ **Is the carryout bag fee subject to retail sales tax?**

Yes, the carryout bag fee is subject to sales tax and must be shown on the customer's sales receipt.

EXEMPTIONS

■ **Are there any exemptions to the carryout bag regulations?**

Yes, the following carryout bags are exempt from the ordinance: newspaper bags, door-hanger bags, tire bags, laundry/dry cleaning bags and bags sold in packages containing multiple bags for uses such as food storage, garbage, pet waste or yard waste.

■ **Are there any exemptions to the carryout bag fee?**

Yes, to ease the impact on low-income customers, retailers must waive the carryout bag fee for customers paying with a voucher or electronic benefits card issued under:

- The Women, Infants and Children (WIC)
- Temporary Assistance to Needy Families (TANF) support programs
- Federal Supplemental Nutrition Assistance Program (SNAP)
- Washington State Food Assistance Program (FAP)

■ **Are any retailers exempt from charging carryout bag fees?**

Yes, food banks may provide any type of bag without charging carryout bag fees.

■ **What about food trucks, farmers markets, street fairs, festivals and events?**

These activities are considered retail establishments under the ordinance and are subject to the same requirements.

IMPLEMENTATION

■ **What are the penalties for not complying with the new requirements?**

The ordinance describes enforcement options, including fines, for violations of the ordinance. However, the initial focus will be on helping businesses and consumers transition.

■ **Will the City provide assistance to retailers?**

Yes, the City will provide information and downloadable signage for retailers online at everettwa.gov/BringYourBag. The City will also conduct outreach to the community.

