

**SINGLE-USE PLASTIC REGULATION BYLAW**

**A BYLAW TO REGULATE DISTRIBUTION OF SINGLE-USE PLASTIC ITEMS BY BUSINESSES**

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**WHEREAS** the *Community Charter* authorizes a Council to regulate in relation to business;

**AND WHEREAS** the District of Ucluelet Council wishes to promote responsible and sustainable business practices that are consistent with the values of the community;

**NOW THEREFORE** the Council of the District of Ucluelet, in open meeting assembled, hereby enacts as follows:

1. **TITLE:**

This bylaw may be cited for all purposes as “*Single-Use Plastic Regulation Bylaw No. 2015, 2026*”.

2. **DEFINITIONS:**

<b>“Checkout Bag”</b>	means: (a) Any bag that is intended for the purpose of transporting items received by a customer from a Business; (b) And includes Paper Bags, Plastic Bags, or Reusable Bags.
<b>“Business”</b>	means any person, organization, or group engaged in a trade, business, profession, occupation, calling, employment or purpose that is regulated under the Business Licence Regulation Bylaw and, for the purposes of section 3, includes a person employed by, or operating on behalf of, a Business.
<b>“Drinking Straw”</b>	means a tube used to transfer a beverage from a container to the mouth of the individual drinking the beverage by suction.
<b>“Paper Bag”</b>	means a bag made out of paper but does not include a Small Paper Bag.

<b>“Plastic Bag”</b>	means any bag made with plastic, including biodegradable plastic or compostable plastic, but does not include a Reusable Bag.
<b>“Plastic Drinking Straw”</b>	means a straw made primarily of plastic, including biodegradable or compostable plastic.
<b>“Reusable Bag”</b>	means a bag with handles that is for the purpose of transporting items purchased by the customer from a Business and is designed and manufactured to be capable of at least of one hundred (100) uses.
<b>“Small Paper Bag”</b>	means any bag made out of paper that is less than 15 centimetres by 20 centimetres when flat.

3. **REGULATIONS:**

- 3.1 Except as provided in this Bylaw, no Business may provide a customer with any of the following items:
- (a) Checkout Bag;
  - (b) Plastic Drinking Straw.
- 3.2 A Business may provide a Checkout Bag to a customer only if:
- (a) the customer is first asked whether they need a bag;
  - (b) the bag provided is a Paper Bag or a Reusable Bag; and
  - (c) the customer is charged a fee not less than:
    - (i) \$0.25 per Paper Bag; and
    - (ii) \$2.00 per Reusable Bag.
- 3.3 For certainty, no Business may:
- (a) sell or provide to a customer any of the items listed in section (1) except as provided by this Bylaw; or
  - (b) provide a Checkout Bag to a customer free of charge.
- 3.4 No Business shall deny or discourage a customer from using their own Checkout Bag or drinking straw.

4. **EXEMPTIONS:**

- 4.1 Section 3 does not apply to Small Paper Bags or Plastic Bags used to:
- (a) package loose bulk items such as fruit, vegetables, nuts, grains, and candy;
  - (b) package loose small hardware items such as nails and bolts;

- (c) contain or wrap frozen foods, meat, poultry, or fish, whether pre-packaged or not;
  - (d) wrap flowers or potted plants;
  - (e) protect prepared foods or bakery goods that are not pre-packaged;
  - (f) contain prescription drugs received from a pharmacy; or
  - (g) protect linens.
- 4.2 This bylaw does not apply to the sale of Plastic Bags intended for use at the customer's home or business, provided that they are prepackaged and sold in packages of multiple bags.
- 4.3 This bylaw does not apply to the sale of Plastic Drinking Straws intended for use in the customer's home, provided they are sold in packages of multiple straws.
- 4.4 Notwithstanding section 3.2 and 3.3, a Business may provide a Checkout Bag without asking and free of charge if the bag has been donated to the Business for the purpose of being reused by other customers, and:
- (a) The bag has already been used by a customer, or
  - (b) In the case of a Reusable Bag, the bag is made from 100% recycled materials.

5. **BYLAW ENFORCEMENT OFFICER**

- 5.1 Bylaw Enforcement Officers of the District of Ucluelet are responsible for the enforcement and administration of this Bylaw.
- 5.2 For the purposes of this bylaw, the designated Bylaw Enforcement Officer means any of the following:
- (a) Chief Administrative Officer
  - (b) Bylaw Enforcement Officer
  - (c) Director of Planning and Strategic Initiatives
  - (d) RCMP or RCMP Auxiliary Members
- 5.3 No person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out his or her duties as prescribed in this bylaw. The Bylaw Enforcement Officer is authorized and empowered to inspect, compel and require that all the regulations and provisions in this bylaw are carried out.
- 5.4 The intent of this Bylaw is to set standards of general public interest, and not to impose a duty on the District of Ucluelet or its employees to enforce its provisions and:

- (a) A failure to administer or enforce its provisions or the incomplete or inadequate administration or enforcement of its provisions is not to give rise to a cause of action in favour of any person; and
- (b) The grant of any approval or permission or issuance of any permit is not a representation, warranty or statement of compliance with the Bylaw and the issuance thereof in error is not to give rise to a cause of action.

6. **VIOLATION AND PENALTY:**

- 6.1 No person shall prevent or obstruct, or attempt to prevent or obstruct, a Bylaw Enforcement Officer in the enforcement of the provisions of this bylaw.
- 6.2 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 upon summary conviction to pay a fine of not more than \$50,000, plus the costs of prosecution, and any other penalty or remedy available under the *Community Charter and Offence Act*.
- 6.3 This Bylaw may be enforced by bylaw notice pursuant to the “*Bylaw Notice Enforcement Bylaw No. 2000, 2026*” as amended or replaced.
- 6.4 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. **SEVERABILITY:**

If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

8. **ADMINISTRATIVE PROVISIONS:**

This bylaw hereby repeals “*District of Ucluelet Single-Use Plastic Regulation Bylaw No. 1266, 2020*”, and any amendments thereto.

READ A FIRST TIME this \_\_\_ day of

READ A SECOND TIME this \_\_\_ day of

READ A THIRD TIME this \_\_\_\_\_ day of

Notice of intention to proceed was posted on the District of Ucluelet’s website, electronically by distributing the notice through the District of Ucluelet email subscription service UKEE MAIL, and posting on the public notice posting places on the \_\_\_ day of \_\_\_\_\_, 2026 pursuant to section 59(2) of the *Community Charter* and “*District of Ucluelet Public Notice Bylaw No. 1377, 2025*”.

OPPORTUNITY TO MAKE REPRESENTATION TO COUNCIL PROVIDED this \_\_\_\_ day of \_\_\_\_  
ADOPTED this \_\_\_\_ day of

\_\_\_\_\_  
Marilyn McEwen  
Mayor

\_\_\_\_\_  
Ed Chow  
Corporate Officer

**THE CORPORATE SEAL** of the District  
of Ucluelet was hereto affixed in the  
presence of:

\_\_\_\_\_  
Ed Chow, Corporate Officer