THE CITY OF ASHEVILLE
STAFF REPORT

Council Meeting Date: October 11, 2022

Subject: Single Use Plastic Reduction Ordinances

Staff Resource(s): Bridget Herring, Sustainability Director
Jes Foster, Sanitation Division Manager

Action Requested: (1) Direction to work with staff to revise Chapter 15 of the City Code to prohibit plastic bags for curbside leaf litter collection (Phase I); and (2) for staff to commence external stakeholder engagement process and preparation of an analysis report regarding potential regulation of plastic bags at point of sale and disposable foodware products.

Background:

- In March 2022, staff received a request from the Mayor and members of Council to have the Sustainability Advisory Committee on Energy and the Environment (SACEE) review and make recommendations on a plastic reduction policy followed by a presentation to the Council Governance Committee.
- On May 18, 2022 MountainTrue, a local non-profit agency, presented their draft plastic reduction ordinance to SACEE.
- After hearing the presentation from MountainTrue, SACEE assigned its Waste Reduction Working Group to collaborate with MountainTrue to review and consider revisions to the ordinance.
- At the July 20, 2022 SACEE meeting the committee voted unanimously to support a revision to Chapter 15 of the City Code prohibiting the use of plastic bags for curbside leaf collection.
- Also at the July 20, 2022 SACEE meeting the committee voted 5-2 to support a new ordinance prohibiting the use of single-use plastic bags at point of sale with 10 cent paper bag fee as optional and prohibiting the use of expanded polystyrene (Styrofoam™) disposable foodware products.
- At the beginning of the year Plastic Free WNC, a coalition composed of MountainTrue, Sierra Club and NC Public Interest Research Group, performed preliminary outreach by conducting a business survey and interviews with agencies that serve vulnerable and low income populations.

Council Goal(s):

- Thriving Local Economy
- A Clean and Healthy Environment

Committees(s):

- Sustainability Advisory Committee on Energy and the Environment July 20, 2022 - 5-2 to recommend ban on plastic bags at point of sale, 7-0 to recommend the elimination of plastic bags from curbside leaf litter collection
- Governance September 13, 2022 - 3-0 supported phased approach

Pro(s):

- Supports Resolution 14-27 to reduce waste by 50% by 2035
- Phase one will eliminate approximately 120,000 single use plastic bags from the landfill annually.
- Phase one will address one of Council's strategic priorities to improve core service delivery.
- Additionally, this will improve staff safety, and enhance community cleanliness by eliminating a source of litter that impacts communities and clogs stormwater drains.
- Phase one will build on previous outreach and education initiatives that will be supported through existing resources already planned and budgeted with the Communications and Public Engagement Department, Sustainability Department and Sanitation Division.
- Directing City Manager to have staff explore a Second Phase will ensure that staff capacity and resources are dedicated to conducting a more extensive public input campaign and equity

analysis in order to gather more data on the size of the impacted business community and concerns/support from residents.
- A phased approach will allow staff to develop an implementation plan for enforcement and education and outreach.
- A phased approach will allow staff to explore the lack of precedent and remaining questions regarding legal authority of imposing a $0.10 fee that is not collected by the City.

Con(s):
- The phased approach will result in continued waste of point of sale single use plastic bags and disposable foodware products in the landfill and polluting the French Broad River.
- There may be an increased cost to residents currently utilizing plastic bags for curbside leaf collection of approximately $0.10/bag.
- Paper bags can be purchased in bulk, particularly during non-peak leaf season, for the same price or less as plastic lawn bags.
- Alternatively, residents may choose to make a one time purchase of reusable containers of $20-$30 for infinite use.
- Staff capacity utilized for this project may result in limiting outreach and engagement of the Climate Justice Initiative to the Community Engagement Academy.

Fiscal Impact:
- Phase one is estimated to cost $20,000, to include the one-time purchase and distribution of 30,000 leaf bags to residents.
- Funding for this work has been identified within the Public Works Department operating budget.
- Education and outreach materials have already been created and are scheduled to be deployed through the Communications and Public Engagement Department.
- No cost has been estimated for phase two.
- Staff capacity can be utilized to design and conduct an initial public engagement campaign, although additional resources may be required to reach communities who did not participate in initial engagement efforts.
- If Phase II results in the approval of a plastic reduction ordinance, an education and outreach campaign (contracts with nonprofit partners, advertising and supplies) and additional enforcement staff will be required.
- These items would be considered as part of future budget development processes.

Suggested Motion:
- Motion to revise Chapter 15 of the City Code to prohibit plastic bags for curbside leaf litter collection (Phase I).
- Motion to direct staff to work to further address public input on regulation of plastic bags at point of sale and expanded polystyrene disposable foodware products (Phase II).