



City of Huntington Beach Reusable Bag Ordinance



Studies have shown that the prohibition of the distribution of single-use plastic carryout bags will reduce the likelihood that plastic bags will enter the environment.

The Reusable Bag Ordinance initiates a community-wide shift from the use of plastic and paper carryout bags and promotes the use of reusable bags for retail customers in Huntington Beach therefore protecting our beaches and oceans



Huntington Beach Municipal Code Chapter 5.95

Frequently Asked Questions

Reusable Bag Ordinance Overview

In March 2013, the City Council approved the Reusable Bag Ordinance, which seeks to reduce the likelihood that single-use plastic carryout bags will enter the environment and thereby improve the aesthetics of the City's beaches, parks, and other public spaces. The Ordinance prohibits the distribution of plastic carryout bags in commercial point of sale purchases within the City of Huntington Beach and establishes a 10 cent charge on the issuance of recyclable paper carryout bags at all grocery stores, supermarkets, drug stores, pharmacies, convenience stores, food marts and farmer's markets. Please see below for answers to the most common questions regarding the Reusable Bag Ordinance.

When does the Reusable Bag Ordinance take effect?

Implementation of the Ordinance becomes official on Friday, November 1, 2013, and affected retail stores as described below are required to comply with the provisions of the Ordinance prohibiting the distribution of single-use plastic carryout bags.

What stores must comply with the Reusable Bag Ordinance?

The following retail establishments located within the boundaries of the City of Huntington Beach that fall into any of the following categories:

- **Full-line, self-service retail:** A store with gross annual sales of two million dollars (\$2,000,000), or more, that sells a line of dry grocery, canned goods, or nonfood items and some perishable items (i.e. Wal-Mart, Home Depot, Target);
- **Large Retail Store:** A store of at least ten thousand (10,000) square feet of retail space that generates sales or use tax pursuant to the Reusable Bag Ordinance and has a licensed pharmacy; or
- **Drug stores, pharmacies, supermarkets, grocery stores, convenience food stores, food marts,** or other entities engaged in the retail sale of a limited line of goods that includes milk, bread, soda and snack foods, including those stores with a Type 20 or 21 license issued by the Department of Alcoholic Beverage Control (i.e. CVS, Walgreens, Rite Aid, Albertsons, Ralphs, Vons, 7-11 and other convenience or liquor stores).



Did you know?

- Reusable bags can replace over 6 plastic bags every shopping trip
- That can add up to over 1,200 bags every year
- Replacing plastic bags helps to reduce landfill waste and litter

How does a store comply with the Reusable Bag Ordinance?

1. Stop distribution of all plastic carryout bags at the point of sale on or before Friday, November 1, 2013.

Exception: Lightweight plastic produce or product bags without handles used exclusively to carry produce, meats or other food items to the point of sale inside a store or to prevent such food items from coming into direct contact with other purchased items are exempt.

2. Make recyclable paper carryout bags or reusable carryout bags available to customers.
3. Charge ten (10) cents for each recyclable paper carryout bag provided to customers for the purpose of carrying purchased goods away from the store. No store shall rebate or otherwise reimburse a customer any portion of the ten (10) cent charge required.

Exception: All stores must provide at the point of sale, free of charge, either reusable bags or recyclable paper carryout bags or both, at the store's option, to any customer participating in either the California Special Supplemental Food Program for the Women, Infants, and Children or the Supplemental Food Program.

4. Indicate on the customer receipt the number of recyclable paper carryout bags provided and the total amount charged for the bags.
5. Maintain complete and accurate records for a minimum period of three years on the following information: Total number of recyclable paper carryout bags provided (including those provided free to qualified customers) *and* the total amount of monies collected for providing recyclable paper carryout bags. All records shall be available for inspection at no cost to the City during regular business hours by any City employee authorized to enforce the Ordinance. Unless an alternative location or method of review is mutually agreed upon, the records or documents shall be available at the store's address. A responsible agent or officer of the store shall confirm that the information provided is accurate and complete.

Are biodegradable bags allowed?

No. Any bag made predominantly of plastic derived from either petroleum or biologically-based source, such as corn or other plant sources, which is provided to a customer at the point of sale is prohibited. The term plastic carryout bag includes compostable and biodegradable bags, but does not include reusable bags, produce bags or product bags.

How does the Reusable Bag Ordinance affect retail customers?

Customers that do not want to buy or bring a reusable bag or recyclable paper bag are allowed to utilize any type of bags they bring to the store themselves or are allowed to carry away goods not placed in a bag in lieu of using bags provided by the store.

Why is there a \$0.10 fee on recyclable paper bags?

The fee of \$0.10 on recyclable paper bags encourages the use of reusable bags. This cost pass-through reimburses retailers for the costs of providing recycled paper bags to their customers.

Who can I contact for further information about the Reusable Bag Ordinance?

You can review the Ordinance and read the City Council staff report for the Reusable Bag Ordinance online by visiting <http://www.huntingtonbeachca.gov/bagban>

Interested parties can contact Laurie Frymire, Community Relations Officer, at 714-536-5577 or by email at lfrymire@surfcity-hb.org