

January 8, 2020

Report To: Mayor and Council

From: Travis Rob, Manager of Operations and Facilities

**RE: Letter Dated November 20, 2019 RE Single Use Plastics**

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At the December 2<sup>nd</sup> and 4<sup>th</sup> PDEC and OFEC meetings and again at the January 6<sup>th</sup> PDEC meeting the proposed Single Use Plastics By-Law was discussed including additional information brought forward from Ms. Nicole Pentney.

Since those meetings, Myself and Patrick Briere, By-Law Enforcement Officer have had a chance to speak to each other on the proposed by-law as well as Ms. Pentney and other Town Staff regarding the proposed by-law. In doing so we feel that there are still more unknowns that need to be addressed or reviewed before a by-law of this type should be considered.

The impacts of a ban of this type raises some very important questions surrounding accessibility and human rights which have to be very carefully considered, for example, if a person requires a plastic straw to assist them in drinking due to a disability, that person is forced to ask for that straw in a restaurant, which results in that person having to identify as having a disability, which is against the Human Rights Code.

Some other questions that have been brought up are:

- What will happen to the plastic bag recycle drop off stations at places like Safeway or Walmart? The Town's program does not accept plastic bags so what will residents do with the bags brought into the community from other neighboring communities?
- What about take out sauce containers in plastic pouches?
- What about local retailers who stock and sell single use plastics or foam containers to neighbouring communities?
- What about the large chain restaurants, who do not have corporate alternatives to their plastic straws?

In addition to that, a by-law of this type that affects so many residents in widely varying ways, should be given more opportunities for community wide comment and input should the Town move forward. Given the provincial and federal outlooks on single use plastics, and their commitments to have legislation in place in the coming years, it may be more advantageous for the Town of Fort Frances to adopt a program similar to that of Thunder Bay, focused on reducing the use of single use plastics through programs targeting human and retailer behaviours. Once legislation has been brought forward at the Provincial or Federal level, the Town should develop its own by-law to complement those regulations.

The matter was discussed at the Planning and Development Executive Committee on January 6, 2020 and the report from Mr. Patrick Briere is attached. In addition, an updated draft by-law is attached extending the enforcement provision of the proposed By-Law out two years to allow those with stock remaining at the end of 1 year, more time to deplete their stock prior to being subject to enforcement actions. In addition, the definition of an officer was revised to remove Police Officer from this particular By-Law. An updated copy is included with these changes highlighted.

It is the recommendation of the Operations and Facilities Executive Committee that, the updated draft Single Use Plastics By-Law be approved as amended and further that an official by-law be brought forward to a subsequent Council meeting for passing.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'Travis Rob', with a stylized flourish at the end.

Travis Rob, P.Eng  
Manager of Operations and Facilities

**Council approval of this report will agree with the recommendation of the Operations and Facilities Executive Committee that, the updated draft Single Use Plastics By-Law be approved as amended and further that an official by-law be brought forward to a subsequent Council meeting for passing.**