

CITY OF GIG HARBOR

Bring Your Own Bag

EFFECTIVE June 18, 2019



The Gig Harbor City Council passed the Bring Your Own Bag (BYOB) ordinance on December 10, 2018. This law goes into effect **June 18, 2019**. At that time all retail establishments in Gig Harbor will be required to comply.

The purpose of the BYOB law is to encourage shoppers to choose reusable bags which will help reduce waste and litter from disposable carryout bags.

The Main Elements of the Law Are:

- Thin plastic carryout bags may no longer be distributed at any Gig Harbor retail establishments.
- Retail establishments may collect a pass-through charge, up to the cost of the bag for each recycled paper bag requested by customers.
- Those with EBT/WIC/TANF benefits do not pay any pass-through charge on paper bags.

The Bring Your Own Bag ordinance applies to retail establishments including:

- grocery stores
- department stores
- hardware stores
- pharmacies
- liquor stores
- restaurants
- catering trucks
- convenience stores
- any other retail store or vendor, including temporary ones at farmers markets, street fairs, and festivals



Retailers may charge for paper bags

Bags other than carryout bags, such as produce bags, dry cleaning bags, newspaper bags and pet waste bags are not restricted by this law.

The law follows the same check out bag restriction model that 24 other communities in Washington State have implemented.

FREQUENTLY ASKED QUESTIONS

What is the Bring Your Own Bag (BYOB) law?

The BYOB law is a ban on film plastic carryout bags less than 2.25 mils thick. The law is meant to encourage shoppers to bring their own bag.

Why BYOB?

Most disposable plastic bags end up in the landfill or as litter. When customers bring their own bag, they will help reduce waste, prevent litter, beautify our community, and protect marine wildlife.

What carryout bags can retailers provide to customers?

Retailers can provide 40% post-consumer recycled paper or reusable carryout bags. For paper bags, the retailer may charge up to the cost of the bag as a pass-through fee to help defray the cost of the bag. Reusable carryout bags must be designed for long-term multiple reuse, have handles, and must be at least 2.25 mils thick if made of film plastic.

Can retailers provide other non-carryout bags?

Other non-carryout bags are not impacted by the law. These include produce bags used to package meat and bulk items inside the store before purchasing, dry-cleaning bags, pet waste bags, carry out prepared food bags, tire bags, etc.

Are all customers required to pay the pass-through fee?

Customers who have EBT, WIC, TANF, or other benefits do not have to pay any pass-through fee when they receive a recycled content paper bag during checkout. These exempt customers must show proof of benefits at the time of checkout.

Can restaurants provide disposable plastic bags for takeout food?

Retailers and restaurants can provide disposable plastic bags for prepared take-out foods and liquids intended for consumption away from the establishment. This is to safeguard public health and safety during transportation of take-out foods. Other items purchased from food establishments, such as cookbooks or collectibles, cannot be carried out in disposable plastic bags.

If retailers have leftover disposable plastic bags after June 18th, can they still give them out?

No. As of June 18, 2019 retailers can no longer give out disposable plastic carryout bags. Gig Harbor City Council passed the BYOB law in December 2018, giving retailers 6 months to use existing supplies of disposable plastic carryout bags.

How is BYOB enforced?

Enforcement of BYOB is mainly complaint based. Complaints will be responded to by the city's code enforcement officer. Residents can register complaints at 253-851-6170. During the first 365 days and upon complaint of a first violation, the code enforcement officer may issue a written notice of violation to the offending business. During the second year and upon complaint of a violation, the code enforcement officer may issue in person notice of violation to the offending business. During the third and successive years, and after the issuance of a written notice of violation, if the code enforcement officer becomes aware of subsequent noncompliance, he or she has the authority to issue a Class 1 civil infraction with a fine not exceeding \$250.

Are any bag fees collected subject to retail sales tax?

Yes. The pass-through fee charged to customers for paper carryout bags is a retail sale, subject to retail sales tax and the retailing B&O tax.

More Questions?

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