City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

Legislation Details (With Text)

File #:	190610-A	**Version:**	2	**Name:**	
Type:	Bill			**Status:**	ENACTED
File created:	6/20/2019			**In control:**	Committee on Licenses and Inspections
On agenda:				**Final action:**	12/12/2019

Title: Amending Title 9 of The Philadelphia Code, entitled “Regulation of Businesses, Trades and Professions,” by adding a new Chapter 9-4500, entitled “Prohibition on Use of Certain Bags and Checkout Bag Charge,” to permit the use of only certain bags by retail establishments at the point of sale or for a delivery; and establishing a charge, payable by the consumer to the establishment, for the provision of other types of bags; all under certain terms and conditions.

Sponsors: Councilmember Squilla, Councilmember Bass, Councilmember Gym, Councilmember Green, Councilmember Jones

Indexes: PROHIBITION ON USE OF CERTAIN BAGS AND CHECKOUT BAG CHARGE

Code sections: Title 9 - REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

Attachments: 1. Bill No. 190610-A02, As Amended on Floor.pdf, 2. CertifiedCopy190610-A02

Date	Ver.	Action By	Action	Result	Tally
12/30/2019	2	MAYOR	SIGNED		
12/12/2019	1	CITY COUNCIL	READ AND PASSED	Pass	15:2
12/5/2019	2	CITY COUNCIL			
12/5/2019	2	CITY COUNCIL			
12/5/2019	1	CITY COUNCIL			
10/24/2019	1	CITY COUNCIL			
10/24/2019	1	CITY COUNCIL			
10/24/2019	1	CITY COUNCIL			
10/22/2019	0	Committee on Licenses and Inspections			
10/22/2019	0	Committee on Licenses and Inspections			
10/22/2019	0	Committee on Licenses and Inspections			
10/22/2019	1	Committee on Licenses and Inspections			
6/20/2019	0	CITY COUNCIL			

Amending Title 9 of The Philadelphia Code, entitled “Regulation of Businesses, Trades and Professions,” by adding a new Chapter 9-4500, entitled “Prohibition on Use of Certain Bags and Checkout Bag Charge,” to permit the use of only certain bags by retail establishments at the point of sale or for a delivery; and establishing a charge, payable by the consumer to the establishment, for the provision of other types of bags; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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SECTION 1. Chapter 9 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9. REGULTION OF BUSINESSES, TRADES AND PROFESSIONS

* * *

CHAPTER 9-4500. PROHIBITION ON USE OF CERTAIN BAGS BY RETAIL ESTABLISHMENTS.

§9-4501. Definitions.

(1) "Effective Date" means the effective date of the ordinance that added this Chapter to The Philadelphia Code.

(2) "Exempted Bag" means:

(a) a bag used inside a retail establishment by a customer to deliver perishable items to the point of-sale at that establishment, such as: to package bulk items such as fruit, vegetables, nuts, grains, or candy; to contain or wrap meats or fish; to contain unwrapped prepared foods or bakery goods; or to contain or wrap flowers, potted plants, or similar items; or

(b) a bag sold in packaging containing multiple bags and packaged at the time of manufacture of the bag.

(3) "Plastic" means solid material that is produced from petrochemicals and that is often used to make bags for carrying products out of retail establishments.

(4) "Recyclable Paper Bag" means a paper bag that meets the following, but not including an Exempted Bag:

(a) contains no old growth fiber;

(b) contains a minimum of 40% post-consumer recycled content; and

(c) displays the word "Recyclable" or "Recycled Content" in a highly visible manner and is labeled with the name of the manufacturer and the percentage of post-consumer recycled content of the bag in an easy-to-read font size.

(5) "Retail Establishment" means a location where food or other products are offered to the public for direct sale or delivery to a customer, including but not limited to the following: supermarket, convenience store, service station, department store, dollar store, clothing store, restaurant, food truck, farmers' market or delivery service, but not including drycleaners.

(6) "Single-use Plastic Bag" means a bag made from plastic that is less than 2.25 mils thick or

made through a blown-film extrusion process, but not including an Exempted Bag.

§9-4502. Prohibition Against Single-use Plastic Bags.

(1) Beginning 90 days after the Effective Date, Retail Establishments are prohibited from providing a Single-use Plastic Bag or a non-Recyclable Paper Bag to a customer at the retail establishment or through a delivery.

§9-4503. Signage Requirement.

(1) Beginning 30 days after the effective date, and for six months thereafter, Retail Establishments are required to post at all points of sale conspicuous signage: informing customers that Single-use Plastic Bags and non-Recyclable Paper Bags will no longer be provided by the establishment as of the date the prohibition begins; explaining what types of bags and purchases are impacted; and providing any other information the Department may require by regulation.

§9-4504. Study of Bag Use.

The Office of Sustainability, or such other office or department as may be designated by the Mayor, is called upon to conduct or commission a study of the quantities and frequency of the provision by retail establishments to customers of Single-use Plastic Bags, other plastic bags, non-Recyclable Paper Bags, Recyclable Paper Bags and any other bags before the effective date; six months after the effective date; and one year after the effective date. Any such reports shall be provided to the Chief Clerk of Council and posted on a City webpage within two weeks of finalization of the report.

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SECTION 2. This Ordinance shall take effect July 2, 2020.

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