



PROVINCE OF QUÉBEC
CITY OF BEACONSFIELD

BY-LAW BEAC-129

**BY-LAW PROHIBITING THE DISTRIBUTION OF CERTAIN PLASTIC SHOPPING
BAGS IN RETAIL STORES**

Adopted at the regular Council meeting
held on October 22, 2019



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At the regular meeting of the Council of the City of Beaconsfield, held at City Hall, 303 Beaconsfield Boulevard, Beaconsfield, Quebec, on Tuesday, October 22, 2019, at 8 p.m.

WERE PRESENT: His Honour the Mayor Georges Bourelle, councillors Dominique Godin, Karen Messier, Robert Mercuri, David Newell, Roger Moss and Al Gardner

WHEREAS a notice of motion of the presentation of this by-law was given at a regular Council meeting duly called and held on Monday, September 23, 2019;

CONSIDERING sections 6 and 19 of the *Municipal Powers Act* (CQLR, chapter C-47.1);

CONSIDERING sections 369 and 411 of the *Cities and Towns Act* (CQLR, chapter C-19);

On motion of Councillor Karen Messier, seconded by Councillor Roger Moss and UNANIMOUSLY RESOLVED:

THE COUNCIL OF THE CITY OF BEACONSFIELD ENACTS THE FOLLOWING:

SECTION 1: PRELIMINARY PROVISIONS

1.1 Definitions

In this by-law, the following words mean:

“BIODEGRADABLE PLASTIC BAG”: bag that can be decomposed by micro-organisms, resulting in the formation of water, carbon dioxide, inorganic compounds and biomass that are non-toxic for the environment;

“OXO-DEGRADABLE OR OXO-FRAGMENTABLE PLASTIC BAG”: bag made of petroleum-based plastic to which oxidizing agents are added to stimulate its degradation into smaller pieces that may be invisible to the naked eye, but that are not biodegradable;

“RETAIL STORE”: an establishment whose main activity is the sale of merchandise at the retail level;

“SHOPPING BAG”: bag offered to clients at the checkout counter in retail stores to carry out their merchandise;

“TRADITIONAL PLASTIC BAG”: bag made of petroleum-based plastic that is not biodegradable.

1.2 Scope of application

The object of this by-law is to ban the distribution of certain plastic shopping bags made of traditional, oxo-degradable, oxo-fragmentable or biodegradable plastic in the retail stores located on the City of Beaconsfield territory in order to encourage a change of behaviour regarding the use of these types of bags and thus reduce their environmental impact.

SECTION 2: PROHIBITION

2.1 Prohibition

It is prohibited to offer clients in retail stores, against payment or free of charge, traditional plastic shopping bags less than 50 microns thick, as well as oxo-degradable, oxo-fragmentable, or biodegradable plastic bags, regardless of their thickness.



The prohibition under the precedent paragraph does not apply to plastic bags that are used exclusively carry food products, such as fruits, vegetables, nuts, bulk snacks, ready-to-eat foods, meat, fish, bread and dairy products to the checkout counter or to protect these food products from direct contact with other items for reasons of hygiene.

SECTION 3: INSPECTION POWERS, OFFENCES AND PENALTIES

3.1 Inspection powers

Any City of Beaconsfield employee responsible for the application of this by-law may visit or inspect any retail store and request any information for the purposes of the application of this by-law.

Any person who interferes in any way with the carrying out of interventions under the precedent paragraph of this by-law contravenes this by-law.

3.2 Offences and penalties

Any person who contravenes any of the provisions of this by-law commits an offence and is liable to a fine of \$200 plus costs if the offender is a natural person and \$400 plus costs if the offender is a legal person.

For a second offence, the fine is 400 \$ plus costs if the offender is a natural person and \$600 plus costs if the offender is a legal person.

SECTION 4: COMING INTO FORCE

This by-law comes into force in accordance with the law. However, section 2 will only take effect on April 1, 2020.

MAYOR

CITY CLERK