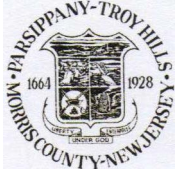


Parsippany-Troy Hills



Department of Public Works

*Chad Kreitz
Recycling Coordinator*

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Important Information Regarding the Ban on Single-Use Plastic Carry-Out Bags Effective: February 6, 2020

Dear Parsippany-Troy Hills Business Owners:

Parsippany Troy-Hills has adopted a town-wide ban on single-use plastic carry-out bags, which takes effect on FEBRUARY 6, 2020. The Township Council passed Ordinance No. 2019:33 (attached) prohibiting retailers from providing single-use plastic carry-out bags and non-recyclable paper bags to customers for the purposes of transporting products or goods out of a business or store. Businesses must now provide recyclable paper bags. Residents and customers should be encouraged to bring their own reusable bags whenever possible. The purpose of this ban is to reduce litter, protect the environment, and remove hard-to-recycle bags from our waste stream.

Retailers that distribute paper retail/grocery bags must charge a fee between 10 cents and 25 cents. The fee is collected and kept by the business to help cover the cost of purchasing the compliant bags. This ordinance affects all retailers, including grocery stores, restaurants, corner stores, pharmacies, clothing shops, hardware stores, beer and liquor stores, and every other retail store that provides bags to customers at point of sale. Retailers should adjust their purchasing to ensure that they deplete existing stock of non-compliant bags by February 6, 2020.

Retailers will face fines if they supply banned bags to customers after February 6, 2020. A critical element of managing the ban in your business is preparing and training your team, particularly those who have regular contact with customers, such as checkout operators and customer service staff. Depending on the bag alternatives you offer, you may also need to consider changes to packing processes, point-of-sale areas and displays, or other operations. The Township has provided key facts and a retail training guide to help answer any of your questions (see attached).

Should you or your employees have questions regarding this new ordinance, our Recycling Coordinator, Chad Kreitz, will be happy to assist you and may be reached at 973-263-7321 or ckreitz@parsippany.net.

Sincerely,

Chad Kreitz
Recycling Coordinator

Enclosures: Ordinance No. 2019:33
Key Facts/Training Guide

Ordinance 2019:33 Chapter 294. Plastic Bags, Single Use

§ 294-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMPLIANT BAGS — Recyclable paper carry-out bags and reusable bags as follows:

- A. A recyclable paper carry-out bag is a paper bag that meets all of the following minimum requirements:
 - (1) It is one-hundred-percent recyclable overall and contains a minimum of 40% post-consumer recycled material and can be composted.
 - (2) It displays the words "recyclable" and/or "reusable" in a visible manner on the outside of the bag.
- B. A reusable bag means a bag with handles made of cloth or other washable fabric or is otherwise durable that is specifically designed and manufactured for multiple use and meets the following additional requirements:
 - (1) It is machine washable or is made from a material that can be cleaned or disinfected; or
 - (2) It is a durable bag that is specifically designed and manufactured for multiple use.

CUSTOMER — Any person purchasing goods or services from a retail establishment.

OPERATOR — Any person in control of, or having the responsibility for, the operation of a retail establishment, which may include, but is not limited to, the owner of the retail establishment.

POST-CONSUMER RECYCLED MATERIAL — A bag constructed of a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. "Post-consumer recycled material" does not include materials and by-products generated from, and commonly reused within, an original manufacturing and fabrication process.

PRODUCE BAG or PRODUCT BAG — A very thin bag without handles used exclusively to carry produce, meats, or other food items to the point of sale inside a retail establishment or, for reasons of public health and safety, to prevent such food items from coming into direct contact with other purchased items.

RECYCLABLE — Material that can be sorted, cleansed and reconstituted using available recycling collection programs for the purpose of reusing the altered, incinerated, converted or otherwise thermally destroyed solid waste generated therefrom. The material must be recycled in a manner that is environmentally effective, economically feasible and safe for employees as deemed feasible by the Township of Parsippany-Troy Hills.

RETAIL ESTABLISHMENT — Any store or commercial establishment that sells perishable or nonperishable goods, including but not limited to, clothing, food and personal items, directly to the customer and is located within or doing business within the geographical limits of the Township of Parsippany-Troy Hills. Retail establishments include: business establishments that generate sales or use-tax; drug stores; pharmacies; supermarkets; grocery stores; convenience food stores; food marts; or other commercial establishments (i.e., restaurants and take-out food establishments or any other business that prepares and sells prepared food to be eaten on or off its premises). This definition also includes commercial establishments that sell clothing, hardware, or any other nonperishable goods. It does not include nonprofit charitable reusers as defined in Section 501(c)(3) of the Internal Revenue Code of 1986, or a distinct operating unit or a division of the charitable organization that reuses and recycles donated goods or materials and receives more than 50% of its revenue from the handling and sale of those donated goods and materials.

SINGLE-USE PLASTIC CARRY-OUT BAG — Any bag made predominantly of plastic derived from either petroleum or a biologically based source, such as corn or other plant sources, that is provided by an operator of a retail establishment to a customer at the point of sale. The term includes compostable and biodegradable bags but does not include reusable bags, produce bags, or product bags. This definition specifically exempts the following from the category of "single use plastic carry-out bags":

- A. Bags provided by operators and used by consumers inside retail establishments to:
 - (1) Package bulk items, such as fruit, vegetables, nuts, grains, candies or small hardware items;
 - (2) Contain or wrap frozen foods, meat or fish, whether packaged or not;
 - (3) Contain or wrap flowers, potted plants, or other items where dampness may be an issue; or
 - (4) Contain unwrapped prepared foods or bakery goods; or
 - (5) Pharmacy prescription bags.
- B. Newspaper bags, door-hanger bags, laundry and/or dry-cleaning bags, or bags sold in packages containing multiple bags intended for use as food storage bags, garbage bags, yard waste bags or pet waste bags.

PLASTIC BAGS, SINGLE-USE

§ 294-2. Single-use plastic carry-out bags prohibited.

No retail establishment within the Township of Parsippany-Troy Hills shall provide any single-use plastic carryout bags, as defined in § 294-1, above, to any customer at the checkout point or cash register, point of sale or other point of departure or point of distribution for the purpose of transporting products or goods out of the business or store.

§ 294-3. Availability and use of compliant bags to customers.

- A. All retail establishments shall make available to customers, for a fee, compliant bags, as defined in § 294-1, above, for the purpose of carrying goods or other materials away from the point of sale, subject to the provisions of this chapter. The fee charged shall be reflected in the sales receipt.
- B. No provision in this chapter prohibits customers from using bags of any type that they choose to bring to a retail establishment themselves, in lieu of using bags available for a fee from the retail establishment, or from carrying away goods that are not placed in a bag.

§ 294-4. Fees for provision of compliant bags.

- A. All retail establishments shall make recyclable paper carry-out bags available to customers upon request for a fee of at least \$0.10 but not more than \$0.25 per bag if customers choose not to bring their own reusable bag.
- B. A retail establishment may provide customers with a reusable bag, as defined herein, for a fee of at least \$0.10.
- C. All monies collected by retail establishments for the fees established herein shall be retained by the retail establishment.

§ 294-5. Use of reusable bags encouraged.

All retail establishments must provide customers with compliant bags, upon request, if a customer fails to bring his or her own bags, in accordance with the fee structure set forth in § 294-4, above. A retail establishment may choose, in its discretion, to provide a credit to customers who choose to bring their own bags.

§ 294-6. Exempt customers.

All retail establishments must provide at the point of sale, free of charge, compliant bags, to any customer who participates in, or is a beneficiary of, any United States government (federal) welfare program, or any local or Morris County welfare assistance program, or any New Jersey State welfare program, including but not limited to the New Jersey Supplemental Nutrition Assistance Program (SNAP) or the New Jersey State Supplemental Security Income Program (SSI). Such customers must provide documentation proving that they participate in or are beneficiaries of such programs.

§ 294-7. Outreach and education.

- A. The Township of Parsippany-Troy Hills shall assist operators of retail establishments by referring them to appropriate municipal websites with information and to retail associations, unions or other organizations that have educational materials concerning the benefits of reusable bags rather than recyclable paper carry-out bags.
- B. All retail establishments shall be strongly encouraged to educate their staff in ways to promote the use of reusable bags and to post signs encouraging customers to use reusable bags rather than recyclable paper carry-out bags.
- C. All retail establishments shall be strongly encouraged to educate the public on plastic bag and plastic film recycling and to offer a take-back program.

§ 294-8. Enforcement.

The Director of Public Works or his or her designee, which may include the Office of Health in the Department of Human Services, has the responsibility of enforcement of this chapter and may promulgate reasonable rules and regulations in order to enforce its provisions, including but not limited to investigating violations and issuing fines.

§ 294-9. Violations and penalties.

- A. Any retail establishment that violates or fails to comply with this chapter or the rules and regulations promulgated therefrom, after an initial written warning notice has been issued, shall be liable for a violation of this chapter.
- B. If a retail establishment commits subsequent violation(s) after the issuance of an initial written warning notice, the following penalties shall be imposed and shall be payable by the operator of the retail establishment upon conviction thereof:
 - (1) A fine not exceeding \$100 for the first violation after the written warning notice is given;
 - (2) A fine not exceeding \$200 for the second violation after the written warning notice is given; and
 - (3) A fine not exceeding \$500 for the third and any subsequent violations after the written warning notice is given.
- C. A separate offense shall be deemed committed on each day during or on which a violation occurs.

§ 294-10. Reporting.

No later than one year after the effective date of this chapter, and annually thereafter, the Director of Health and Human Services shall report to the Township Council regarding the progress of the reduction of the use of carry-out bags, which may include the following:

- A. The amount of carry-out bags in the residential waste and recycling streams;
- B. The amount of carry-out bags identified as litter on the streets, sidewalks and in parks within the Township of Parsippany-Troy Hills;
- C. The amount of carry-out bags found in Township storm drains;
- D. The number of warning notices or notices of violation issued pursuant to this chapter; and
- E. Any estimated cost savings for the Township attributable to carry-out bag reduction; this may include but is not limited to reduced contamination of the residential recycling stream and reduction in flooding or combined sewer overflows.

Key Facts

ON PARSIPPANY'S PLASTIC BAG BAN

THE PARSIPPANY BAN ON SINGLE-USE PLASTIC BAGS AND NON-RECYCABLE PAPER BAGS BEGINS FEB. 6, 2020.



THIS BAN WILL AFFECT ALL RETAILERS

Including grocery stores, restaurants, corner stores, pharmacies, clothing shops, hardware stores, beer and liquor stores, and every other retail store that provides bags to customers at point of sale.

THE PURPOSE OF THIS BAN

Is to reduce litter, protect the environment, and remove hard-to-recycle bags from our waste stream.

ABOUT THE BAN

WHICH BAGS ARE BANNED?

The ordinance applies to single-use bags provided at point of sale at retail stores. The following bags will be banned.

- ✘ All single-use plastic bags, including "biodegradable plastic" and "compostable plastic" bags.
- ✘ Non-recyclable paper bags and all paper bags that do not include at least 40% post-consumer recycled content.



✘ **Single-Use Plastic Bags**

✘ **"Compostable Plastic" Bags**

WHICH BAGS ARE ALLOWED?

Reusable bags that are made of cloth or other washable fabric designed for multiple use. You may also use and re-purpose your existing plastic bags.

Paper bags are allowed if they are 100% recyclable and contain at least 40% post-consumer recycled content (this must be written on the bag).

Also Included:

- Loose produce or bulk item bags
- Laundry/dry cleaning bags
- Newspaper bags
- Bags used to wrap frozen food, meat, or fish
- Bags provided by pharmacists to carry prescription drugs
- Garbage, pet waste
- Bags provided by food trucks



PLEASE VISIT
WWW.PARSIPPANY.NET



PLEASE VISIT
PLASTICFILMRECYCLING.ORG

Key Facts

ON PARSIPPANY'S PLASTIC BAG BAN (CONT.)

WHEN DOES THE BAN COME INTO EFFECT?

The Parsippany plastic bag ban will go into effect on Feb. 6, 2020. Retailers should prepare to phase out banned bags by Feb. 6, 2020.

HOW WILL THE BAN BE ENFORCED?

Retailers that supply banned bags to customers after Feb. 6, 2020 shall be subject to a fine not exceeding \$100 per first offense after the written warning notice was given. Consumers and retailers will be able to report a business suspected of using banned bags at Parsippany.net. Click on "Report a Concern" GovPilot.

MANAGING THE BAN

The Parsippany bag ban will affect retailers who now provide single-use plastic bags or non-recyclable paper bags to customers at point of sale. If you currently use non-compliant bags, you will need to plan, prepare, and make changes over the next few months.

WHAT RETAILERS SHOULD DO NOW:

1. CONSIDER ALTERNATIVE OPTIONS 2. PHASE OUT EXISTING STOCK

Businesses can still provide customers with a recyclable paper bag for a cost between .10 and .25 cents or have customers bring their own bags. Each business has unique needs and costs, and you should weigh up the best long-term option for your business, such as:

- 🌿 Not offering a bag at all
- 🌿 Paper bag or cardboard boxes
- 🌿 Woven or fabric bags
- 🌿 Heavyweight reusable bags
- 🌿 A combination of the above

Retailers should adjust their purchasing to ensure that they deplete existing stock of non-compliant bags by Feb. 6, 2020. Retailers will face fines if they supply banned bags to customers after Feb. 6, 2020.

3. TRAIN YOUR TEAM

A critical element of managing the ban in your business is preparing and training your team, particularly those who have regular contact with customers, such as checkout operators and customer service staff. Depending on the bag alternatives you offer, you may also need to consider changes to packing processes, point-of-sale areas and displays, or other operations.

4. INFORM YOUR CUSTOMERS

The Township of Parsippany will mail out educational material to educate and prepare customers for the ban, however retailers will need to be prepared to handle customer questions and objections. Find guidance and signage on the Township website at www.Parsippany.net.



Retail Training Guide

HANDLING CUSTOMER QUESTIONS TO PARSIPPANY'S PLASTIC BAG BAN



The Township of Parsippany will enforce a townwide ban on single-use plastic bags and non-recyclable paper bags starting February 6, 2020.

This ban will affect ALL retailers that currently use single-use plastic bags or non-recyclable paper bags. This includes grocery stores, restaurants, corner stores, pharmacies, clothing shops, hardware stores, beer and liquor stores and every other retail store that provides bags to customers at point of sale.

The following training guide provides answers to potential customer questions about the bag ban. Not all suggested responses will apply to your business and you may want to change the language to better reflect your unique business.

Single-use plastic bags have been provided free-of-charge for many years, so customers will need to change long-held expectations and habits which may result in questions and objections at the point of sale.

CUSTOMER QUESTIONS	SUGGESTED RESPONSES
Why can't I get a free plastic bag anymore?	<p>Parsippany has banned all carryout single-use plastic bags and this applies to all retailers in Parsippany.</p> <p>The ban is designed to help protect the environment and wildlife by reducing the litter and damage caused by single-use plastic bags.</p> <p>We offer alternative bags. In accordance with the ordinance, we must charge a small fee for paper bags. These bags are recyclable and reusable so they represent good value.</p> <p>Alternatively please feel free to bring your own reusable bags; there is no cost to use your own bags.</p>
Which bags are banned and which are allowed?	<p>All single-use as well as paper bags that are not 100% recyclable and do not contain at least 40% post-consumer recycled content are banned.</p> <p>Reusable bags such as cotton, nylon, and other fabric bags including 100% recyclable paper bags are allowed.</p>
What difference will this ban really make?	<p>In New Jersey we use 4.5 billion plastic bags annually and we typically use each one for less than 15 minutes. We only recycle 2-5% of these bags.</p> <p>Other countries across the world and other states and cities in America have implemented similar bans and witnessed a dramatic reduction in plastic bag litter and improved environmental outcomes.</p>



The goal of this ban is to remove a large amount of plastics from our environment, preventing the contamination of waterways and ecosystems and eliminating the threat to wildlife.



Retail Training Guide

HANDLING CUSTOMER QUESTIONS TO PARSIPPANY'S PLASTIC BAG BAN (CONT.)

CUSTOMER QUESTIONS	SUGGESTED RESPONSES
I didn't bring enough reusable bags. What do I do?	<p>We have a range of reusable bags available to purchase for a small fee.</p> <p>We have empty stock boxes available for you to pack and carry your goods.</p> <p>We have 100% recyclable paper bags available for your use.</p> <p><i>If your business has decided not to offer any bags at all, you will need to politely inform customers that you do not have any bags to offer them. If there is a chance that this will be problematic, you may want to consider keeping a small supply of compliant bags on hand for emergencies.</i></p>
Why do I have to pay for alternative bags?	<p>Reusable bags are higher quality and therefore higher cost so we do need to charge a small amount for them.</p>
Can I still use small plastic bags as a trash bin liner?	<p>If you are using a small trash bin you can still line them with your existing single use plastic bags. To lessen the environmental impact your first choice should be recycle them at your nearest participating shopping center. please visit Plasticfilmrecycling.org.</p> <p>Parsippany retailers and supermarkets will continue to sell trash bin liners.</p>
What should I use to pick up after my pet now?	<p>In some dog-friendly parks and reserves, plastic bags are available to scoop animal waste. These bags are not affected by the ban. You can also purchase these from most pet stores and some supermarkets. Traditional dog waste bags are much smaller than supermarket single-use plastic bags. The goal is to reduce the plastics in our environment.</p> <p>Otherwise, you could use newspaper or reuse ziploc and bread bags.</p>

The Township of Parsippany retailers will need to be prepared to handle customer questions and objections. Find guidance and signage on the Township website at www.Parsippany.net



PLEASE VISIT
PLASTICFILMRECYCLING.ORG

WWW.PARSIPPANY.NET