Fee on Disposable Bags Ordinance: Retailer Training
Agenda

• Ordinance
• Remittance
• Questions
Fee on Disposable Bags Ordinance

- Article IX of Chapter 48 of the Denver Revised Municipal Code
- Passed December 2019 by City Council
- Starts July 1, 2021
- $0.10 fee on disposable plastic/paper/other bags at checkout
- First remittance form due on/before August 20, 2021* (could change to quarterly remittance)
Why a Bag Fee?

- Denverites use more than 100 million disposable bags annually
- Plastic bags not easily recyclable
- Pollution prevention/wildlife protection
- Cleanup costs
- No state law banning plastic bags
- Bag fees proven to reduce use of disposable bags
What is a “Store”

- Public, commercial business
- Sells personal consumer goods, household items, or groceries
- Does not include:
  - Restaurants
  - Businesses where retail sales are secondary
  - Temporary vendors or temporary events
What is a “Disposable Bag”?

• Paper, plastic, or other material
• Designed to be used once
• Provided at the **point of sale** for transporting goods
Exemptions

- Customer is a participant in a federal or state Food Assistance Program
- Bags brought into store by a customer
- Bags smaller than 7 inches x 9 inches (lunch bag)
- Bags used to package bulk items
- Bags used to wrap frozen or fresh foods, meat, or fish
- Bags used to contain unwrapped prepared foods or bakery goods
Exemptions

- Bags used to wrap flowers, potted plants, or other items where dampness may be a problem
- Bags used to protect purchased items from damaging or contaminating other purchased items
- Bags provided by pharmacists to contain prescription drugs
- Newspaper bags, door-hanger bags, laundry/dry cleaning and garment bags
- Bags sold in packages containing multiple bags
Store Requirements

- Collect $0.10 bag fee on every disposable plastic/paper/other bag given at checkout
- Store may not refund any part of the disposable bag fee
- Store may not exempt any customer from any part of the disposable bag fee (unless participating in food assistance program)
Required on Receipts

- **Number of bags** provided to customer
- **Total amount charged** for disposable bags
- **Fees itemized by bag material**
- Bags given to customers on food assistance programs **do not** need to be accounted for on receipts
Sign Requirements

• Store must display a sign viewable to customers alerting customers to the disposable bag fee
BRING YOUR BAG.
Avoid the San Francisco mandatory bag charge.

10¢ CHARGE minimum on all checkout bags.

NO MORE PLASTIC BAGS.
Ready for the disposable bag fee?
Starting April 15, the city of Portland will require shoppers to pay 5¢ for each disposable paper or plastic shopping bag used.

We’re here to help.
March 29 through April 14, everything you buy at this store will be bagged in FREE reusable bags.

Avoid the tax. Please consider your reusable shopping bag. Proceeds from recycled bags fund the city’s efforts for a greener future.

Hunger Relief: 5¢ from each reusable bag sold will go to help feed local families in need.
BRING YOUR OWN BAG

NYS PLASTIC BAG BAN BEGINS MARCH 1, 2020

NEW YORKERS USE MORE THAN 23 BILLION PLASTIC BAGS A YEAR.

SINGLE-USE PLASTIC BAGS

Are used an average of 12 minutes

REUSABLE BAGS

Have a longer useful life

© www.3counfer.com

PAPER BAGS ARE NOW 10¢ EACH!

ATTENTION: ALL BUSINESS OWNERS!

CITY OF LAFAYETTE

Plastic Bag Ordinance

Begins July 1, 2015

To help keep plastic pollution out of our neighborhoods, creeks, and bay.

On December 2, 2007, the City of Lafayette amended the City Code to prohibit "single-use carryout bags" and "food packaging recycling." The regulations require that all bags provided by retail establishments of public eating establishments for the purpose of carrying away goods from the point of sale be reusable or carryout bags. The regulations also require certain businesses to charge for the use of non-reusable bags. Customers can avoid the charge by bringing their own bags.
Retailer Tool Kit

- Found at DenverGov.org/BagFees
- Preparation checklist
- Poster
- Cash register placard
- Cashier sheet
- English, Spanish, and Vietnamese
EFFECTIVE JULY 1, 2021

- The Fee on Disposable Bags requires all stores to charge $0.10 for each checkout bag provided.
- Bags provided to participants in federal or state Food Assistance Programs are exempt.
- BRING YOUR OWN BAG AND NEVER PAY THE FEE.

DenverGov.org/BagFees
311 (720-913-1311)
DENVER’S FEE ON DISPOSABLE BAGS  
(Chapter 48, Article IX of the Denver Revised Municipal Code)

REMEMBER
Ask all customers if they need a bag.

CHARGE
All customers $0.10 for EVERY disposable paper or plastic bag provided at checkout.
Federal and state Food Assistance Program purchases are exempt from the fee.

THANK YOU
For meeting the requirements of the Fee on Disposable Bags!

FREQUENTLY ASKED QUESTIONS

How should I determine if a customer needs a bag?  
If you can’t see whether a customer has brought their own bags, then try asking, “Did you bring your bags today?” or “Do you need disposable bags today? They are $0.10 each.”

What if the paper or plastic bag that I provide a customer rips? Must I charge them for another one?  
No, accidents happen. You do not need to charge them for a torn bag.

Can customers reuse their own paper or plastic bags at checkout?  
Yes, a disposable bag fee is only charged the first time a bag is given to a customer. Any bag can be brought by a customer to a store for reuse, even disposable bags.

Do customers have to use any bags at all?  
No, customers may choose to just carry a few items out of the store in their hands or cart.

Are there any bags for which I should not charge?  
Do not charge for:
• Bags provided to customers with proof of participation in a federal or state Food Assistance Program.
• Bags used inside the store to package bulk items; wrap frozen or fresh foods, flowers, or other items where dampness may be a problem; or contain prepared foods and bakery goods.
• Bags for prescription drugs.
• Bags 7 x 9 inches and smaller.

DenverGov.org/BagFees  
311 (720-913-1311)
Remittance Requirements

- Stores must remit $0.06 of each bag fee collected to the city
- Remittance is due on or before the 20th of month for the preceding calendar month* (possibility of changing to quarterly)
- Store may retain $0.04 of each bag fee collected
Remittance Requirements

• Fees are **not** subject to sales tax

• Fees are **not** to be considered revenue for the purposes of calculating sales tax
How to Remit Bag Fees

- File collections and pay online via eBiz (recommended)
- Use same login for sales and op tax returns
- Same deadline as monthly sales taxes on/before 20th of the month following the period* (possibility of changing to quarterly)
How Can Stores Spend Bag Fee

$0.04 of each bag fee collected can be used to:

- Develop and display signage/education to:
  - Inform consumers about the fee
  - Encourage reusable bags
  - Promote recycling of disposable bags
- Train staff on the implementation/administration of the fee
How Can Stores Spend Bag Fee

• Improve/alter infrastructure to allow for the implementation, collection, administration of the fee
• Provide **free** reusable carryout bags to customers *(bags must meet specific ordinance criteria)*
• Improve infrastructure to increase disposable plastic bag recycling
Record retention

• Stores must keep and preserve all documents and records for a period of **four** years

• Stores must maintain records of:
  • Fees collected
  • Number of disposable bags provided to customers
  • Documentation to support bags provided to customers exempt from the fee
  • Other records necessary to verify accuracy/completeness of such records
Online Resources

• DenverGov.org/BagFees
• DenverGov.org/BringYourOwnBag
  • Retailer and Customer information
  • Ordinance
  • FAQs
  • Reusable Bag Information
Contact

Phone: 311 (720-913-1311)

Email: sustainability@denvergov.org
Questions