

BY-LAW NO. 12618

A By-law to amend License By-law No. 4450 regarding plastic straws

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the License By-law.
2. Council adds the following definitions to section 2 of the By-law in correct alphabetical order:

““Accessible Straw” means a single-use beverage straw made wholly from plastic derived from fossil fuels, such as polypropylene, that has a corrugated section that allows the straw to bend and maintain its position at various angles and is individually wrapped in paper.”;

““Bubble Tea Drink” means a prepared food consisting of a beverage, including but not limited to tea, fruit juice, blended fruit, coffee or milk, and edible pieces, typically less than 12 mm in diameter or width, including but not limited to tapioca, jelly or a liquid that has undergone the culinary process of spherification.”;

““Single-Use Plastic Beverage Straw” means a tube made wholly or partially from either plastic derived from fossil fuels or plastic derived from biomass, including but not limited to corn, sugarcane or other plants, used to transfer a beverage from a container to the mouth of the person drinking the beverage and ordinarily or customarily used for its intended purpose only once before being disposed as solid waste.”; and

““Solid Waste” has the same meaning as in the Solid Waste By-law.”;

3. Council inserts a new section 15.6 to this By-law as follows:

“PLASTIC STRAWS

- 15.6 (1) No food vendor may distribute single-use plastic beverage straws, except as provided by subsection (2).
- (2) Every food vendor must provide an accessible straw to a customer when:
- (i) the food vendor or its employees ask a customer if they need an accessible straw and the customer responds that they do, or
 - (ii) a customer requests an accessible straw.
- (3) Subsection 15.6 (1) and (2) shall not apply to:

- (a) a hospital or any facility licensed as a community care facility under the *Community Care and Assisted Living Act*;
 - (b) single-use plastic beverage straws packaged together with drinks packaged and sealed in a carton or flexible plastic pouch at a different location than the licensed premises where the drinks will be distributed for consumption; or
 - (c) packages of at least 20 single-use plastic beverage straws sold for personal use.
- (4) Subsection 15.6 (1) shall not apply to the distribution of a single-use plastic beverage straw with a bubble tea drink if the food vendor has declared to the Chief Licence Inspector:
- (i) that the food vendor serves bubble tea drinks, and
 - (ii) the actions the food vendor is taking to comply with Section 15.6 (1) no later than one year after this by-law comes into force and effect.”

4. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

5. This By-law is to come into force and take effect on April 22, 2020.

6. Section 15.6(4) of the License By-law shall be repealed effective April 22, 2021.

ENACTED by Council this 21st day of January, 2020

Signed _____ “Kennedy Stewart”
Mayor

Signed _____ “Katrina Leckovic”
City Clerk