



---

**A BILL FOR AN ORDINANCE**

---

RELATING TO THE USE OF BAGS PROVIDED TO CUSTOMERS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose and Findings. The purpose of this ordinance is to regulate the use of bags provided to customers.

The Council finds that to protect health, life and property and preserve the order and security of the City and its inhabitants, and, in furtherance of the findings and determinations set forth in Revised Ordinances of Honolulu 1990 Section 9-1.1, relating to the collection and disposal of refuse, this ordinance is intended to reduce the volume of plastic and non-recyclable paper bags that are disposed of as solid waste.

SECTION 2. The following amendment takes effect on January 1, 2020. Section 9-9.1, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by amending the definition of "plastic checkout bag" to read as follows:

""Plastic checkout bag":

- (1) Means a carryout bag that is provided by a business to a customer for the purpose of transporting groceries or other retail goods, and is made from [~~non-compostable~~] plastic and not specifically designed and manufactured for multiple re-use;
- (2) This term does not include:
  - (A) Bags used by customers inside a business to package loose items, such as fruits, vegetables, nuts, ground coffee, grains, candies, or small hardware items;
  - (B) Bags used to contain or wrap frozen foods, meat or fish, flowers or potted plants, or other items to contain dampness;
  - (C) Bags used to protect or transport prepared foods, beverages, or bakery goods;
  - (D) Bags provided by pharmacists to contain prescription medications;
  - (E) Newspaper bags for home newspaper delivery;
  - (F) Door-hanger bags;



---

**A BILL FOR AN ORDINANCE**

---

- (G) Laundry, dry cleaning, or garment bags, including bags provided by hotels to guests to contain wet or dirty clothing;
- (H) Bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags;
- (I) Bags used to contain live animals, such as fish or insects sold in pet stores; or
- (J) Bags used to transport chemical pesticides, drain-cleaning chemicals, or other caustic chemicals sold at the retail level; provided that this exemption shall be limited to one bag per customer[~~;-or-~~
- (K) ~~Compostable plastic bags]."~~

SECTION 3. The following amendment takes effect on July 1, 2018. Section 9-9.1, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by adding a new definition of "plastic film bag" to read as follows:

"Plastic film bag":

- (1) Means a plastic bag made out of thin flexible sheets of plastic with a thickness of 10 mils or less;
- (2) This term does not include:
  - (A) Bags used by customers inside a business to package loose items, such as fruits, vegetables, nuts, ground coffee, grains, candies, or small hardware items;
  - (B) Bags used to contain or wrap frozen foods, meat or fish, flowers or potted plants, or other items to contain dampness;
  - (C) Bags used to protect or transport prepared foods, beverages, or bakery goods;
  - (D) Bags provided by pharmacists to contain prescription medications;
  - (E) Newspaper bags for home newspaper delivery;
  - (F) Door-hanger bags;



A BILL FOR AN ORDINANCE

- (G) Laundry, dry cleaning, or garment bags, including bags provided by hotels to guests to contain wet or dirty clothing;
- (H) Bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags;
- (I) Bags used to contain live animals, such as fish or insects sold in pet stores; or
- (J) Bags used to transport chemical pesticides, drain-cleaning chemicals, or other caustic chemicals sold at the retail level; provided that this exemption shall be limited to one bag per customer."

SECTION 4. The following amendment takes effect on July 1, 2018. Section 9-9.1, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by amending the definition of "reusable bag" to read as follows:

"Reusable bag" means a bag with handles that is specifically designed and manufactured for multiple reuse and is made of: (1) cloth or other washable fabric; or (2) durable material suitable for reuse, including plastic that is at least 2.25 mils thick. After January 1, 2020, plastic film bags shall no longer be considered to be "reusable bags."

SECTION 5. The following amendment takes effect on July 1, 2018. Section 9-9.2, Revised Ordinances of Honolulu 1990, is amended to read as follows:

**"Sec. 9-9.2 Ban on plastic checkout bags and non-recyclable paper bags.**

- (a) [Businesses] Except as provided in subsections (b) and (c), businesses shall be prohibited from providing plastic checkout bags and non-recyclable paper bags to their customers at the point of sale for the purpose of transporting groceries or other merchandise. [~~Nothing in this article shall preclude a business from making available to customers, with or without charge, at the point of sale: 1)]~~
- (b) Businesses may provide, at the point of sale, reusable bags, compostable plastic bags, or recyclable paper bags to customers for the purpose of transporting groceries or other merchandise; [~~or 2)]~~, provided that they charge the customer a minimum of 15 cents per bag.
- (c) Nothing in this article shall be interpreted as prohibiting businesses from providing non-recyclable paper bags, with or without charge, to protect or transport prepared foods, beverages, or bakery goods.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL **59 (2016), FD1, CD3**

---

**A BILL FOR AN ORDINANCE**

---

- (d) After January 1, 2020, compostable plastic bags shall no longer be provided at the point of sale for the purpose of transporting groceries or other merchandise."

SECTION 6. Ordinance material to be repealed is bracketed and stricken. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL **59 (2016), FD1, CD3**

**A BILL FOR AN ORDINANCE**

---

SECTION 7. Section 2 of this ordinance takes effect on January 1, 2020.  
Sections 3, 4, and 5 take effect on July 1, 2018.

INTRODUCED BY:

Brandon Elefante

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

September 28, 2016  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
KIRK CALDWELL, Mayor  
City and County of Honolulu