

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: General Government Committee
Date of Meeting: March 6, 2017
Report Number: CLD-004-17 **Resolution:** GG-134-17
File Number: **By-law Number:** 2017-026
Report Subject: Balloon Releases

Recommendations:

1. That Report CLD-004-17 be received;
2. That, whereas mass balloon releases have been proven to cause environmental concerns, the Council of the Municipality of Clarington hereby declares that releases of balloons, greater than 10 during a 24-hour period, be banned;
3. That Council's direction on this matter be addressed by the approval of the draft By-law, Attachment 1 to Report CLD-004-17, being a by-law to amend By-law 2003-101 regulating dumping, disposing and removing of refuse, debris, litter and other waste materials on lands within the Municipality of Clarington, be approved;
4. That Staff be directed to write to the Ministry of the Environment and Environment and Climate Change Canada asking that the Ministry take appropriate measures to address this environmental issues surrounding the release of balloons, as has been done in other jurisdictions in the United States;
5. That Report CLD-004-17 be forwarded to all Durham Region municipalities requesting that they also ban balloon releases; and
6. That all interested parties listed in Report CLD-004-17 and any delegations be advised of Council's decision.

Report Overview

This Report, in response to concerns raised by Committee in September 2016, details the environmental concerns related to mass release of balloons and recommends that the Ministry of Environment take appropriate measures to address this environmental issue as has been done in other jurisdictions in the United States.

1. Background

1.1 Resolution

At the General Government meeting of September 6, 2016, the Committee referred the following Resolution #GG-459-16 to staff for a report:

That the large-scale release of non-biodegradable balloons not be allowed within the Municipality of Clarington as they are not environmentally safe.

This resolution was arising out of a complaint, received by a Member of Council, from a group of citizens who were concerned about the clean-up required from the release of balloons.

1.2 Traditions & Culture of Balloon Releases

According to research undertaken by staff, the Chinese culture has a tradition called “Kongming lantern” where “sky lanterns” are released into the sky. A majority of Kongming practices have turned to releasing balloons to serve as a quiet prayerful group at funerals or solemn occasions.

Many cultures use the release of balloons at weddings instead of throwing confetti, to avoid the immediate mess and impact on the environment. Also of note, balloons are used at major celebrations such as the 1984 Summer Olympics and the 1985 30th anniversary celebration of Disneyland.

1.3 Impacts of Balloon Releases

According to www.onegreenplanet.org, when balloons descend, about 70% of them fall into the world’s oceans or lakes. Marine life assumes these balloons are a source of food, which then may cause death. According to an article from takepart.com, scientists at the University of California concluded that there is a 25% or chance that the fish caught off the coast of California contains plastic.

When a balloon reaches a certain level of height and pressure, the balloon will burst into small little fragments. Others will slowly release the helium eventually falling back to earth wreaking havoc with wildlife of all forms. Research shows that balloons, including the “biodegradable” latex ones, take years to break down, allowing it time to travel and encounter many animals that may mistake it as food.¹

There are essentially two main types of balloons - latex and mylar (or foil). Although latex balloons are considered the more environmentally friendly and bio-degradable, they will take anywhere from six months to four years to decompose.² During the decomposition of the balloon, animals will become attracted to their colour and mistake them for food. Once ingested, the plastic begins to wrap around their intestines and contributes to starvation or loss of oxygen. Turtles have also become impacted by the balloon waste as the balloons take the look of a jelly fish which is a source of food for the turtle.

A report from the EPA (Environmental Protection Agency), based on ocean conservancy beach debris data, shows an alarming amount of waste washed up on shore from state to state, or country to country.³

1.4 Latex Balloons as a Health Risk

Unless allergic to latex, these balloons don't pose a strong health risk. For those who are allergic to latex, the process of blowing up or encountering latex balloon waste can be harmful and even life threatening in some cases. Some allergies are so sensitive that even the smell can cause trauma.⁴

2. Discussion

2.1 Trends in Balloon Releases

2.1.1 Outside of Canada

In 1990, the California State Legislature enacted the California Balloon Law to regulate the sales and use of helium-filled foil balloons. The law was passed in an effort to reduce power outages due to metallized Mylar or foil balloons. The balloon law prohibits the sale or distribution of a balloon that is constructed of mylar or foil helium balloons without affixing an object of sufficient weight to the balloon to counter the lift capability, affixing a

¹ <https://balloonsblow.org/impacts-on-wildlife-and-environment/>

² <http://encenter.org/visit-us/programs/birthday-parties/balloons/>

³ <https://docs.google.com/spreadsheets/d/1vO7qT4VJRpCiWIOzJ3T7NA4fmV9w5FuQz4nQkwBmr7E/pub?gid=2>

⁴ <http://acaai.org/allergies/types/skin-allergies/latex-allergy>

specified warning statement on the balloon, and affixing a printed identification of the balloon's manufacturer. The law also prohibits a person from selling or distributing a helium balloon filled attached to an electrically conductive string or tether.

Connecticut prohibits persons, non-profit organizations, firms or corporations, including the state and its political subdivisions, from releasing, organizing the release of 10 or more helium balloons or intentionally causing to be released into the atmosphere, within a twenty-four-hour period.

Florida does not recognize any balloon as "biodegradable". Florida's Chapter 379 Section 233 states that "no person(s) shall release any more than 10 balloons filled with lighter than air gases within a twenty four hours period". Balloons released on behalf of the government such as hot air balloons that are being recovered; balloons released indoors; or balloons that are biodegradable and approved by the Fish and Wildlife Conservation Commission are the exception.⁵

Provincetown, MA prohibits the sale, use, and distribution of helium filled balloons, both for public and private use.

A 2012 campaign in Wales titled "Keep Wales Tidy" resulted in the Cardiff Council imposing a ban on the intentional release of balloons and lanterns on Council owned land. This also resulted in a report, "Sky lanterns and helium balloons: an assessment of impacts on livestock and the environment".⁶ This study not only outlined the impact balloon releases have on the wildlife, but also the ongoing risk to coastal rescue services who attend to false flare distress calls that were actually sky lanterns.

On its National Day, Gibraltar traditionally released balloons into the sky as a tradition of celebration. In 2015, the government stopped their national tradition and cited its discontinuation was due to the negative impact it has on wildlife and marine life. Similar events in Northumberland, Dorset and Norfolk have also cancelled their balloon releases due to the environmental impact.⁷

⁵ <http://www.flsenate.gov/Laws/Statutes/2014/379.233>

⁶ <http://gov.wales/docs/desh/publications/130514sky-lanterns-helium-balloons-assessment-en.pdf>

⁷ <https://www.theguardian.com/environment/2016/apr/07/gibraltar-ends-annual-balloon-release-on-environmental-grounds>

2.1.2 Non-Governmental Agencies

The World Animal Foundation believes that any amount of balloons, no matter the cause, celebration or tradition, creates a negative impact on wildlife.

The Marine Conservation Society is very much opposed to balloon releases. They are against the practicing of balloon releases and have created a “Don’t Let Go” campaign to promote general awareness. The Society has developed a policy and statement on the matter.⁸

Plastic Oceans, although they don’t agree with the release of balloons, understand that the general public are conducting small ceremonies with emotional attachments and are unaware of the overall risk it causes the environment. Plastic Oceans’ position is actually targeting larger corporations such as the television show “X Factor”.⁹

2.1.3 Within Canada

Staff were only able to find one province in Canada that has specifically acknowledged and addressed the matter of balloon releases. In 2002 the Director of the Department of the Environment of Newfoundland and Labrador approved the Helium Balloon Release Guidance Document. According to the Director, the Guidance Document is enforceable, but the release of balloons is not a significant issue at this time and therefore there is no enforcement activity to speak of. According to findings, the only municipality which has dealt with this matter is the City of Toronto which has banned in parks the release of any balloons filled with lighter-than-air gases.

Although it’s hard to calculate how many balloon releases are being conducted and if they are gaining popularity, according to beach debris data maintained by the Ocean Conservancy in Canada, balloon debris accounts for approximately 2% of debris found on shorelines originating through shoreline or recreational activities (with food wrappers being the most prominent at 27%).

Environment and Climate Change Canada has confirmed that have not developed any guidelines or regulations pertaining to this matter, and nor is it a matter of focus for them at this time.

⁸ http://www.mcsuk.org/what_we_do/Clean+seas+and+beaches/Campaigns+and+policy/Don't+let+go++balloons+and+sky+lanterns

⁹ <http://www.plasticoceans.org/806/>

According to feedback from the Ministry of the Environment, the release of balloons is not a significant issue and as such no provincial initiatives specific to balloon releases have been undertaken.

According to Operations, Community Services, and Municipal Law Enforcement staff, mass release of balloons is not common in Clarington and until brought to the attention of Committee last September, staff have not received any complaints concerning the issue.

2.2 Regulating Balloon Releases in Clarington

Clarington By-law 2003-101 regulates dumping, disposing and removing of refuse, debris, litter and other waste materials on lands within the Municipality of Clarington. Released balloons meet the definition of [By-law 2003-101](#) as “any garbage, debris, waste material or effluent that in the opinion of the officer,

- I. Appears to have been cast aside, discarded or abandoned; or
- II. Appears to be worthless, useless or of no practical value; or
- III. Appears to be used up in whole or in part or expended or worn out in whole or in part.”

The by-law prohibits the above from being deposited on private property, municipal property, or public road allowance. Admittedly, this by-law does not expressly define balloons as litter.

Although balloon releases in Clarington have not been a matter of concern, in passing Resolution #GG-459-16, Council acknowledged the importance of protecting the environment while remaining practical as it would be extremely challenging to institute a total ban on the release of balloons.

3. Recommendation

To provide greater clarity in regulating the large scale release of balloon, it is recommended that Clarington’s Litter By-law 2003-101 be amended to add the following definition:

“Balloon Release” means the release of 10 or more balloons filled with lighter-than-air gasses within a 24-hour period.

Additionally we recommend amending the definition of “Litter” to included “Balloon Release”.

4. Concurrence

Not Applicable

5. Conclusion

The large-scale releasing of helium balloons is not a significant issue in Clarington and nor has it been deemed a significant issue for the Ministry of the Environment or Environment and Climate Change Canada. Admittedly, though, according to research findings, the debris from balloons does pose a threat to the environment, and protecting our environment is everyone's responsibility. It is therefore recommended that Council acknowledge the negative impact that a large-scale release of helium balloons has on the environment by amending Clarington's Litter By-law to expressly define large-scale releases of balloons as being more than 10 and to prohibit large scale releases into the environment. Staff further recommends that Council request the Ministry of the Environment and Environment and Climate Change Canada to develop and adopt similar guidelines to those adopted by Newfoundland and Labrador and that such guidelines be promoted through a public education awareness campaigning.

6. Strategic Plan Application

The recommendations contained in this report conform to the Strategic Plan.

Submitted by:



C. Anne Greentree,
Municipal Clerk

Reviewed by:



Curry Clifford, MPA, CMO
Interim CAO

Staff Contact: June Gallagher, Deputy Clerk, 905-623-3379 ext. 2103 or
jgallagher@clarington.net

Attachment 1 – Draft By-law to Amend By-law 2003-101, being a by-law to regulate dumping, disposing and removing of refuse, debris, litter and other waste materials on lands within the Municipality of Clarington

The following is a list of the interested parties to be notified of Council's decision:

Honourable Catherine McKenna, Minister of Environment and Environment and Climate Change Canada

All Durham Region Municipalities

The Corporation of the Municipality of Clarington

By-law 2017-xxx

Being a by-law to amend By-law 2003-101, regulating the dumping, disposing and removing of refuse, debris, litter and other waste materials on lands within the Municipality of Clarington.

Whereas the debris from the large scale release of balloons poses a threat to the environment;

And Whereas protecting our environment is everyone's responsibility;

And Whereas the Municipality of Clarington deems it advisable to amend Clarington's Littering By-law 2003-101 to clarify that littering includes large scale release of balloons;

Now therefore the Council of the Corporation of the Municipality of Clarington hereby enacts as follows:

1. That Section 1 of By-law 2003-101 be amended by adding the following definition:

"Balloon Release" means the release of 10 or more balloons filled with lighter-than-air gasses within a 24-hour period.
2. That the definition of "litter" in Section 1 of By-law 2003-101 be amended to add "balloon releases" to the end.

Passed this 20th day of March, 2017.

Adrian Foster, Mayor

C. Anne Greentree, Municipal Clerk