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**ARTICLE 12:           AMEND BYLAWS – BAN SINGLE-USE PLASTIC BAGS**

To see if the Town will vote to amend the General Bylaws of the Town by creating a new Chapter 200 entitled "Single-Use Plastic Bags" as follows:

**CHAPTER 200 – Single-Use Plastic Bags**

**§ 200-1. Purpose and intent.**

- A.     The production and use of thin-film, single-use plastic checkout bags have significant impacts on the environment, including but not limited to: contributing to the potential

death of marine animals through ingestion and entanglement, contributing to pollution of the land environment, creating a burden to solid waste collection and recycling facilities, clogging storm drainage systems. Single-Use plastic bags require the use of millions of barrels of crude oil nationally for their manufacture, and are not biodegradable. They gradually disintegrate into minute particles which absorb toxins contaminating the food chain including the food humans eat.

- B. The goal of this bylaw is to reduce the common use of plastic checkout bags and to encourage the use of reusable bags by consumers, thereby reducing local land and marine pollution, advancing solid waste reduction, protecting the Town's unique natural beauty and irreplaceable natural resources, and improving the quality of life for the citizens of the Town.

**§ 200-2. Definitions.**

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

**ASTM D6400** — The American Society for Testing and Materials (ASTM) International Standard Specification for Compostable Plastics.

**CHECKOUT BAG** — A bag with or without handles provided by a store to a customer at the point of sale that is intended for the purpose of transporting food or merchandise out of the store.

**COMPOSTABLE PLASTIC BAG** — A plastic bag that conforms to the current ASTM D6400 standard specifications by a recognized verification entity.

**PRODUCT BAG —**

- A. A bag in which loose produce, bulk items, unwrapped baked goods or prepared food, or other products are placed by the consumer to deliver such items to the point of sale or checkout area of the store; or
- B. A bag that contains or wraps foods to retain moisture or to segregate foods (like meat or ice cream) or other items to prevent contamination or damage when the items are placed together in a recyclable bag or reusable bag. Bags without handles used to cover clothing such as a dry-cleaning bag are not included in this definition.

**RECYCLABLE PAPER BAG** — A paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag:

- A. The word "recyclable" or a symbol identifying the bag as recyclable; and
- B. A label identifying the bag as being made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag.

**REUSABLE BAG** — A bag that is either:

- A. Made of cloth or other machine-washable fabric; or

- B. Made of plastic other than polyethylene or polyvinyl chloride that is durable, non-toxic, and generally considered a food-grade material, and is more than four mils in thickness.

**SINGLE-USE PLASTIC CHECKOUT BAG** — A plastic checkout bag that is less than four mils thick and is not a compostable plastic bag.

**STORE** — Any commercial enterprise selling goods, food or services directly to the public, whether for or not for profit, including, but not limited to, convenience and grocery stores, markets, restaurants, pharmacies, liquor stores, take-out food purveyors, and merchandise retailers.

**§ 200-3. Use regulations.**

- A. No store in the Town shall provide to any customer a single-use plastic checkout bag. Existing stock should be phased out within six months of July 1, 2020, and any remaining stock should be disposed of properly.
- B. If a store provides checkout bags to customers, it may only provide reusable bags, recyclable paper bags or compostable plastic bags.
- C. If a store provides product bags to customers, the bag shall comply with the requirements of being either a reusable bag, recyclable paper bag or compostable bag.

**§ 200-4. Administration and enforcement.**

- A. This bylaw may be enforced by any Town police officer or agent of the Board of Health or other individuals appointed by the Town Manager.
- B. A person, individually or by his servant or agent, who violates any provision of this bylaw may be penalized by a noncriminal disposition pursuant to MGL c. 40, § 21D, and the Town's noncriminal disposition bylaw. The following penalties apply:
  - [1] First violation: a written warning.
  - [2] Second violation: fine of \$100.
  - [3] Third violation: fine of \$200.
  - [4] Fourth and subsequent violations: fine of \$300.
- C. Each day the violation continues constitutes a separate violation.

**§ 200-5. Effective date.**

This bylaw takes effect on July 1, 2020.

**SELECT BOARD**

**Select Board: *Recommended Unanimously***  
**Finance Committee: *No Position***

**Summary:** *The purpose of this by-law is to promote the use of reusable bags by reducing the number of paper bags and eliminating the use of thin-film, single-use plastic checkout bags distributed in the Town of Groton. Reducing the use of paper bags and eliminating the use of thin-film, single-use plastic bags through a combined effort by citizens and businesses will have*

*a positive impact on our environment including, but not limited to: reducing waste and unnecessary strains on recycling resources; minimizing litter, reducing the carbon footprint of Groton; protecting our ponds, lakes, and waterways; avoiding the waste of finite natural resources; protecting land and water based small animals; and preserving the unique natural beauty of our Town.*

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