

3778 **ARTICLE 7.70. Board of Health**
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3780 **ART. 7.70. SECTION 1. Building on Shores of Lakes Pearl, Archer and Mirror**

3781 No building permit, foundation permit, or special building permit shall be issued nor shall any work which
3782 is the subject of such permits, be performed on any property along the shore line of Lake Pearl, Lake
3783 Archer, Mirror Lake without prior approval of the Wrentham Board of Health. The Board of Health shall
3784 not give approval unless, in its opinion, the sewage disposal system is adequate to serve any existing
3785 uses as well as the proposed use without violation of town and state health and environmental
3786 regulations in effect at the time of application for the proposal.
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3788 **ART. 7.70. SECTION 2. Enforcement and Penalties of Rules and Regulations**

3789 Any rule or regulation promulgated by the Board of Health pursuant to G.L. c. 111, §31 or any other
3790 provision of the General Laws, and for which a specific penalty of not more than \$300 is provided in such
3791 rule or regulation, may be enforced by the non-criminal disposition provisions of G.L. c. 40, §21D. Any
3792 member of the Board of Health, an agent of the Board of Health, or any duly appointed member of the
3793 Wrentham Police Department taking cognizance of a violation of a rule or regulation of the Board of
3794 Health, as an alternative to initiating criminal proceedings, may give to the offender written notice of said
3795 violation in the form specified in M.G.L. c. 40, s. 21D, and the violation shall be disposed of as provided in
3796 that statute. (ATM 4/28/03)
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3798 **ART. 7.70. SECTION 3. Carting Materials on the Streets of the Town**

3799 No person shall cart or convey garbage, manure, swill, rubbish, or filth of any kind nor any noxious or
3800 refuse liquid or solid matter or substance in any public street or place, excepting in the manner provided
3801 by the Board of Health.
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3803 **ART. 7.70. SECTION 4. Reduction of Single-Use Plastic Bags**

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3805 SECTION 1 — FINDINGS AND INTENT FINDINGS:

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3807 The production and use of thin-film single-use plastic check-out bags have significant impacts on the
3808 environment, including, but not limited to: contributing to the potential death of marine animals through
3809 ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid
3810 waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions
3811 of barrels of crude oil nationally for their manufacture.
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3813 The purpose of this Bylaw is to eliminate the usage of thin-film single-use plastic bags by all retail
3814 establishments in the Town of Wrentham.
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3816 Currently, 93 Massachusetts cities and towns, including Attleboro, Mansfield, Natick, Wayland, and much
3817 of Cape Cod have passed plastic bag bans, and more have bylaws pending.
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3819 INTENT:

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3821 The Town of Wrentham hereby enacts this bylaw to help reduce the deterioration of the environment and
3822 the ensuing potential health risks by eliminating the use of the thin-film single-use plastic check-out bags
3823 at the point of sale and promoting the use of reusable check-out bags.
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3826 SECTION 2 — DEFINITIONS

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3828 PLASTIC CHECK-OUT BAG: A plastic check-out bag is a thin film plastic bag, typically with handles,
3829 constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low density
3830 polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other
3831 than woven and non-woven polypropylene fabric), if said film is less than 4.0 mils in thickness provided to
3832 a customer by a retail establishment and used to transport merchandise from the establishment. Plastic
3833 check-out bags do not include those plastic bags typically without handles used to contain dry cleaning,
3834 newspapers, or small bags used to contain fish, meat, produce or other products provided to the
3835 consumer, free of charge, to deliver the items to the point of sale.

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3837 REUSABLE CHECK-OUT BAG: "Reusable Check-out bag" shall mean a sewn bag with stitched
3838 handles that is specifically designed for multiple reuse and that

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3840 1) can carry 25 pounds over a distance of 300 feet;

3841 2) is machine washable; and,

3842 3) is either

3843 a) made of natural fibers (such as cotton or linen); or

3844 b) made of durable, non-toxic plastic other than polyethylene or polyvinyl chloride that is
3845 generally considered a food-grade material that is more than 4 mils thick.

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3847 These bags are generally sold to the customer for a reasonable cost.

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3849 RECYCLABLE PAPER BAG: A paper bag that is 100% recyclable and contains at least 40% post-
3850 consumer recycled paper content and is provided free of charge to the customer.

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3852 RETAIL ESTABLISHMENT: Any retail space located in the town including without limitation a restaurant,
3853 food or ice cream truck, convenience store, retail pharmacy, or supermarket.

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3855 SECTION 3 — PLASTIC CHECK-OUT BAG PROHIBITION

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3857 No retail establishment in the town of Wrentham as defined in Section 2, shall provide plastic check-out
3858 bags, as defined in Section 2. Retail establishments in the town of Wrentham, as defined in Section 2,
3859 shall only provide reusable check-out bags that comply with the definition in Section 2, or recyclable
3860 paper bags, as defined in Section 2, at the point of sale.

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3862 SECTION 4 — ENFORCEMENT

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3864 This Bylaw may be enforced by any agent of the Board of Health by:

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3866 1) Inspection and investigation

3867 2) The issuance of violation notices and administrative orders

3868 3) Civil court actions

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3870 Whoever, himself or by his servant or agent or as the servant or agent of any other person or firm or
3871 corporation, violates any of the provisions of these regulations, may be penalized by a noncriminal
3872 disposition process as provided in M.G.L.c. 40, s.21D.

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3875 Each retail establishment shall comply with this by-law.

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3877 1) If it is determined that a violation has occurred, the Board of Health shall issue a warning notice to
3878 the retail establishment for the initial violation.

3879 2) If an additional violation of this by-law has occurred within one year after a warning notice has
3880 been issued for an initial violation, the Board of Health shall issue a notice of violation and shall
3881 impose a penalty against the retail establishment.

3882 3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more
3883 than:

3884 a) Written warning for the first offense

3885 b) \$50 for the second offense

3886 c) \$100 for all subsequent offenses.

3887 4) Payment of such fines may be enforced through civil action in the state District Court.

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3889 SECTION 5 — EFFECTIVE DATE

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3891 All of the requirements set forth in this bylaw shall take effect within six (6) months of the
3892 approval of the Office of the Massachusetts State's Attorney General and satisfaction of the
3893 posting/publication requirements of G.L.c.40, s.32 for retail establishments with a floor area equal
3894 to or exceeding 3,500 square feet. This by-law will take effect one (1) year after passage for retail
3895 establishments less than 3,500 square feet. The Board of Health may exempt a retail
3896 establishment from the requirements of this section for an additional period of up to six (6)
3897 months upon a finding by the Board of Health that (1) the requirements of this section would
3898 cause undue hardship; or (2) a retail establishment requires additional time in order to draw down
3899 an existing inventory of thin-film, single-use plastic check-out bags.

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3901 SECTION 6 — REGULATIONS

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3903 1) The Board of Health may adopt and amend rules and regulations to effectuate the purposes
3904 of this bylaw.

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3906 SECTION 7 — SEVERABILITY

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3908 1) If any provision of this bylaw shall be held to be invalid by a court of competent jurisdiction,
3909 then such provision shall be considered separately and apart from the remaining provisions
3910 of this bylaw, which shall remain in full force and effect.

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3913 **ARTICLE 7.80. Technical Review Committee**

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3915 **ART. 7.80. SECTION 1. General**

3916 [amended ATM 6-9-14, art. 21]

3917 **A.** It is the intention of the Town that every department, board and *committee*, and their agents
3918 and employees, (boards) that are responsible for reviewing and/or acting on applications for the
3919 sub-division or development of land, especially within the business and commercial zoning
3920 districts, shall act expeditiously and in concert with those boards that are also reviewing and/or
3921 acting on the application. [amended ATM 6-8-15, art. 35]

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3923 Said boards and committees protect the Town by cooperating and collaborating with each other,
3924 communicating their findings to other affected boards on a timely basis, and giving due
3925 consideration to the findings of other affected boards so that the goals of the State Statutes and
3926 the Town's Bylaws are administered in a manner that is consistent between boards. The boards
3927 shall also foster the Town's best interest by concluding their reviews and issuing their decisions in