



Town of Hanson

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Special Town Meeting
October 7, 2019

ARTICLE 31: To see if the town will vote to amend the Town of Hanson General By-Laws by adding Article 3 - 25: Waste Reduction, as follows:

Section I Purpose

The purpose of this Bylaw is to reduce the number of single-use plastic check-out bags that are distributed and used in the Town of Hanson and to promote the use of reusable bags.

Section II Definitions

The following words shall, unless the context clearly requires otherwise, have the following meanings:

- a. "Check-out bag" shall mean a bag provided by a store to a customer at the point of sale. Check-out bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or check out area of the store.
- b. "Department" shall mean the Hanson Health Department.
- c. "Health Agent" shall mean the Health Agent for the Hanson Board of Health or his/her designee.
- d. "Recyclable paper bag" shall mean 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 (1) the word "recyclable" or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag.
- e. "Reusable Check-out bag" shall mean a sewn bag with stitched handles that is specifically designed for multiple reuse and that
 - (1) can carry 25 pounds over a distance of 300 feet;
 - (2) is machine washable; and,
 - (3) is either
 - (a) made of natural fibers (such as cotton or linen); or
 - (b) made of durable, non-toxic plastic other than polyethylene or polyvinyl chloride that is generally considered a food-grade material that is more than 4 mils thick.

- f. "Retail Establishment" shall mean any business facility that sells goods directly to the consumer whether for or not for profit, including, but not limited to, retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses.

Section III Regulated Conduct

- a. No Retail Establishment in the Town of Hanson shall provide Thin-Film, Single-Use Plastic Check-Out Bags to customers.
- b. If a Retail Establishment provides or sells Check-Out Bags to customers, the bags must be one of the following:
 - 1. Recyclable paper bag; or
 - 2. Reusable Check-Out bag.

Section IV Exemption

Thin-film plastic bags typically without handles which are used to contain newspapers, produce, meat, bulk foods, wet items, **dry cleaning**, and other similar merchandise are not prohibited under this bylaw.

Section V Enforcement

- a. The Board of Health and its Health Agent shall have the authority to administer and enforce this bylaw.
- b. For the first violation, the enforcing authority, upon a determination that a violation has occurred, shall issue a written warning notice to the establishment specifying the violation. The following penalties shall apply:
 - 1. A fine of \$50 shall apply for the first violation following the issuance of a written warning notice.
 - 2. A fine of \$100 shall apply for the second violation and each additional violation of this by-law after the issuance of a written warning notice.
- c. Fines shall be cumulative and each day on which a violation occurs shall constitute a separate offense.

Section VI Effective Date

- a. This bylaw shall take effect July 1, 2020. The Board may exempt a Retail Establishment from the requirements of this section for a period of up to six (6) months upon a finding by the Board that (1) the requirements of this section would cause undue hardship; or (2) a Retail Establishment requires additional time in order to draw down an existing inventory of thin-film, single-use check-out plastic bags.

Section VII Regulations

a. The Board of Health may adopt and amend rules and regulations to effectuate the purposes of this bylaw.

Section VIII Severability

a. If any provision of this bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby.

Proposed by the Board of Health

Explanation: To reduce the number of single use bags in our waste stream and in our environment.

Finance Committee Recommends.

Motion: Matthew Dyer
Second: Kenneth Mitchell

Students from the High School's environmental club read statements that they had prepared in favor of this Article.

VOTED Aye, voice amend the Town of Hanson General By-Laws by adding Article 3 - 25: Waste Reduction, as printed in the Warrant

Voted Aye, voice to dissolve the meeting Motion: Sean Kealy, Second: Robert Hayes at 9:54PM

A true copy of the vote, Attest:



**Elizabeth Sloan, CMC, CMMC
Town Clerk**