

The following amendment to the General Bylaws voted under Article 19 at the Georgetown Annual Town Meeting with the approval of the Attorney General endorsed thereon is published herewith in accordance with Massachusetts General Law Chapter 40 Section 32.

TO WHOM IT MAY CONCERN:

The following is a true copy of Article 19 of the 2018 Annual Town Meeting and the vote passed thereunder.

Article 19: Plastic Bag Ban (ATM18-21) (Submitted by Board of Selectmen)

To see if the Town will vote to amend the Town's General Bylaw by inserting a new bylaw entitled, Single Use Plastic Bags, as follows, and to authorize the Town Clerk to assign appropriate numbering therefor:

CHAPTER ____: SINGLE USE PLASTIC BAGS

§__-1. Purpose.

The production and use of single-use plastic bags have significant impacts on the environment of all communities, including but not limited to: contributing to the potential death of fish, fowl, animals and wildlife through ingestion and entanglement; contributing to pollution of the environment through improper disposal; clogging storm drainage systems; creating a burden to solid waste collection and recycling efforts; and requiring the use of millions of barrels of non-renewable, polluting, fossil fuel for their manufacture. Therefore, the Town of Georgetown seeks to phase out the use of single-use plastic bags by all retail establishments, including restaurants providing take-out, doing business in Town over a period of 12 months from the effective date of this bylaw.

§__-2. Definitions.

"Establishment" means any business selling goods, articles, food or personal services to the public, including restaurants.

"Single-use plastic bags" means bags made of plastic, with integral handles, and thickness less than 2.5 mils, that are intended to be used for the transport of products purchased at an Establishment as defined herein.

"Reusable bag" means a bag that is specifically designed for multiple use and is made of cloth, fabric or other durable materials.

§__-3. Use Regulations.

- A. Single-use plastic bags shall not be distributed or sold at any Establishment within the Town of Georgetown effective [____] 1, 2018. Existing stock of single-use bags shall be

Comment [A1]: The effective date needs to be inserted. Often, a bylaw of this nature has a delayed effective date to allow for retail businesses to plan for this type of change. It is not uncommon to have a 6-12 month delayed effective date.

phased out within twelve (12) months after [redacted] 1, 2018; any stock remaining at the end of said 12 months shall be disposed of properly by the Establishment. Customers are encouraged to bring their own reusable shopping bags to stores.

Comment [A2]: The effective date needs to be inserted. See, also, the previous comment.

- B. Establishments may provide reusable bags at no charge, or charge a reasonable fee for each paper or other bag, as they desire. Establishments are strongly encouraged to make reusable bags available to customers at a reasonable price.
- C. Thin-film plastic bags, used by Establishments to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items, and other similar merchandise, typically without handles, are exempt from the provisions of this Regulation.

§___-4. Administration and Enforcement.

This Bylaw may be enforced by any Town police officer, enforcement officers or agents of the Board of Health. This Bylaw may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c.40, §21D and Article II of Chapter 1 of the Town’s General Bylaws. If non-criminal disposition is elected, then any Establishment which violates any provision of this regulation shall be subject to the following penalties:

First Offense:	Written warning
2 nd Offense:	\$50 fine
3 rd Offense:	\$100 fine
4 th and Subsequent Offenses:	\$300 fine

Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

, or take any other action in relation thereto.

VOTED: The Town Voted YES 106 NO 61

A True Copy, Attest

James G. Mullen, Jr.
Interim Town Clerk

