



TOWN OF EASTON
MASSACHUSETTS
Office of the Town Clerk

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**ARTICLE 9. GENERAL BYLAW AMENDMENT: AMEND CHAPTER 198 –
SOLID WASTE - NEW SECTION FOR PLASTIC BAG REDUCTION**

To see if the Town will vote to amend the Town Code to the extent necessary to amend Chapter 198: Solid Waste of the Easton Town Code, by adding **Article III Waste Reduction**, as printed in the warrant below, or that any action relative thereto.

Article III Waste Reduction

§ 198-10: Purpose and Intent

The production and use of thin-film, single-use plastic checkout bags have significant impacts on the environment, including: contributing to pollution of the land environment indefinitely; creating a burden to recycling facilities through improper recycling; clogging storm drains; contributing to the potential death of wildlife and marine animals through ingestion and entanglement; and requiring the use of millions of barrels of crude oil nationally for their manufacture. The purpose of this bylaw is to reduce the usage of thin-film plastic check-out bags by all retail establishments in the Town of Easton.

§ 198-11: Definitions

Thin-Film Plastic Check-Out Bags

Typically with plastic handles, are bags with a thickness under 4.0 mils that are intended for single-use transport of purchased products.

Biodegradable Bag

A bag that: 1) contains no polymers derived from fossil fuels; and 2) is intended for single use and will decompose in a natural setting at a rate comparable to other biodegradable materials such as paper, leaves, and food waste.

Reusable Bag

A bag, with handles, that is specifically designed for multiple use and is made of thick plastic (durable, non-toxic plastic other than polyethylene or polyvinyl chloride that is generally considered a food-grade material that is more than 4.0 mils thick), cloth, fabric or other durable materials.

Retail Establishment

A facility selling new or used goods to an end user within the town of Easton, Massachusetts, which shall include restaurant, bakery, and any establishment where products or goods are dispensed to a consumer for offsite use or consumption.

§ 198-12: Use Regulations

- A. Thin-film plastic check-out bags shall not be distributed, used, or sold for checkout or other purposes at any retail establishment within the Town of Easton.
- B. Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail establishments may provide reusable or recyclable thick plastic (over 4.0 mils thick), paper, fabric or other types of bags at no charge, or charge a fee for paper or other bags, as they so desire. Retail establishments are strongly encouraged to make reusable bags available for sale to customers at a reasonable price.
- C. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are still permissible.

§ 198-13: Administration and Enforcement

- A. The Board of Health, its Health Agent / Inspector, shall have the authority to administer and enforce this bylaw. The Board of Health may adopt and amend rules and regulations to effectuate the purposes of this bylaw.
- B. The Board of Health, its Health Agent / Inspector, shall be responsible for enforcing this bylaw through the issuance of a non-criminal citation notice. A non-criminal citation notice may be reissued for each day that the activity persists until the violation is corrected.
- C. Non-Criminal Dispositions. Fines assessed under paragraph B. of this section of the bylaw may be assessed through non-criminal process in accordance with Massachusetts General Laws Chapter 40, Section 21 D and Chapter 50 of the Town Code. The availability of non-criminal process under this article shall not preclude the use of criminal process or other means of enforcement allowable under law.
- D. Each day on which any such violation continues shall be considered a separate violation of this section. Violations under this Article shall be punishable as follows:
- 1) First offense by a written warning;
 - 2) Second offense by a fine of \$100;
 - 3) Third offense by a fine of \$200;
 - 4) Fourth and each subsequent offense by a fine of \$300.

§ 198-14: Effective Date

This bylaw shall become effective 30 days after adoption, with a six-month grace period for retail establishments under 3,000 square feet.

Submitted by Green Communities Committee

MOTION: Select Board Member King moved that Chapter 198 of the Town's General Bylaws be amended by adding a new section, as printed in the warrant.

Explanation: It is the intent of the Town of Easton to be environmentally responsible wherever possible. Adoption of this bylaw will aide in reducing the use of thin-film, single-use plastic checkout bags which have an overall negative impact on the environment.

Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY MAJORITY BY THE MODERATOR

I hereby certify that the above article was voted and declared voted by the Moderator at the Special Town Meeting first convened on November 12, 2019.

A True Copy Attest:

Danielle M. Sicard

Danielle M. Sicard, Town Clerk