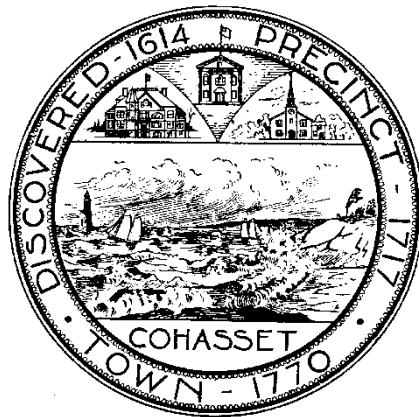


TOWN OF COHASSET

**TOWN MANAGER'S
PROPOSED MOTIONS**

**ANNUAL TOWN
MEETING
MONDAY, APRIL
30, 2018**



7:00 P.M.

**COHASSET HIGH SCHOOL
SULLIVAN GYMNASIUM**

4-30-18

Please note that the Committee votes included in this packet are for informational purposes only and are not part of the proposed motions

Article 1: Annual Town Report

MOVED, that the reports of the various Town Officers as printed in the Annual Town Report for 2017, be accepted and placed in the permanent records of the town.

Article 2: Reports of Committees

There will be a short report from the 250th Anniversary Committee and the Master Plan Committee. No further action to be taken.

Article 3: Operating Budget

MOVED that Fifty One Million Seven Hundred Ten Thousand Eight Hundred Four Dollars (\$51,710,804) be appropriated for the Fiscal Year 2019 Annual Town Budget to be allotted as follows: \$98,045 for salaries of elected Town Officials consisting of the Town Clerk \$87,528; Clerk, Board of Registrars (4) at \$329 each, total of \$1,316; Moderator, \$1; Selectmen, Chairman \$1,500; Members (4) at \$1,000 each, total of \$4,000; Board of Assessors, Chairman, \$1,300; Members (2) at \$1,200 each, total \$2,400; and the remaining \$51,612,759 for Personal Services, Expenses, and Capital Outlays, interest on Maturing Debt and other charges for various departments, as is further described in the columns headed "Fiscal 2019 Recommended" in Appendix A in the Warrant, and to meet the appropriation, the following transfers are made:

\$2,659,345 *from Sewer Enterprise Revenue,*
\$4,984,981 *from Water Enterprise Revenue,*
\$65,337 *from School Construction Surplus Fund,*
\$24,117 *from Reserve for Community Preservation Debt,*
\$476,737 *from Capital Stabilization Fund,*
\$75,000 *from Title V Betterment Fund,*

AND \$43,425,287 is raised from taxation and other general revenues of the Town.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 8-0
School Committee: Recommend Approval by a Vote of 5-0 (as to school budget)

Article 4: Unpaid Bills from Previous Years

MOVED, that this Article be indefinitely postponed.

Article 5: Supplemental Appropriations for Fiscal 2018

MOVED that Seven Thousand Five Hundred Eighty Two Dollars (\$7,582.00) be hereby appropriated for the items set forth below amending the amounts appropriated by the Town pursuant to the 2017 Annual Town Meeting held on May 1, 2017 and/or the Special Town Meeting held on December 4, 2017, which funds are to be expended by the Town Manager, to supplement certain

departmental budgets and appropriations and to fund other deficits below to complete the fiscal year ending June 30, 2018 as follows:

Action	Amount	From	To
Supplemental Appropriation	\$7,582	Free Cash	Workers Comp line in FY18 Budget

Board of Selectmen: Recommend Approval by a Vote of 5-0
 Advisory Committee: Recommend Approval by a Vote of 8-0

Article 6: Stabilization and other Special Funds

MOVED that the following amounts be appropriated to be deposited in the following stabilization and other special funds:

Amount	Source of Funds	Fund
\$50,000	General Revenues	General Stabilization
\$100,000	General Revenues	OPEB Trust Fund
\$1,125,697	General Revenues	Capital Stabilization
\$171,470	Sewer General Revenues	Sewer Capital Stabilization

AND TO meet these appropriations, One Million Two Hundred Seventy Five Thousand Six Hundred Ninety Seven Dollars (\$1,275,697) be raised and appropriated from taxation and other general revenues of the Town, and One Hundred Seventy One Thousand, Four Hundred Seventy Dollars (\$171,470) be appropriated from Sewer General Revenues.

Board of Selectmen: Recommend Approval by a Vote of 5-0
 Advisory Committee: Recommend Approval by a Vote of 8-0
 Sewer Commission: Recommend Approval by a Vote of 3-0

Article 7: Town Hall Renovation

MOVED, that

Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) be hereby appropriated to be spent by the Town Manager with the approval of the Board of Selectmen for the creation of detailed

engineering and construction plans, the conducting of a bidding process, the reconstruction and addition to Town Hall, and all related actions and expenses thereto; and further the Board of Selectmen be hereby authorized to convey such real property interests, enforceable by third parties, as may be required by the Community Preservation Act, including real property interests in the form of perpetual historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing; and to meet this appropriation:

(a) the Treasurer of the Town, with approval by the Board of Selectmen, be hereby authorized to borrow Eight Million Five Hundred Thousand Dollars (\$8,500,000.00) pursuant to Chapter 44 section 7(i) of the General Laws or pursuant to any other enabling authority and to issue bonds and notes of the Town therefore; provided however no part of this appropriation shall be borrowed or expended unless the Town shall have voted to exclude the amounts required to pay the principal of and interest on such borrowing from the limitations on local property taxes contained in Chapter 59, section 59C(k) of the General Laws, also known as Proposition 2 ½; and

(b) further One Million Five Hundred Thousand Dollars (\$1,500,000.00) be hereby appropriated as recommended by the Community Preservation Committee from the General Revenue Account of the Community Preservation Fund; and

(c) further the Treasurer of the Town, with the approval of the Board of Selectmen, be hereby authorized as recommended by the Community Preservation Committee, to borrow Two Million Five Hundred Thousand Dollars (\$2,500,000.00) pursuant to Chapter 44B of the General Laws (the Community Preservation Act) and to issue bonds and notes of the town therefore, with repayment of principal and interest thereon such borrowing intended to be repaid from the General Revenue Account of the Community Preservation Fund; and

(d) Any premium received upon the sale of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with Chapter 44, section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 6-2

Capital Budget Committee: Not Recommend Approval by a Vote of 5-0

Community Preservation Committee: Recommend Approval by a Vote of 6-1

Article 8: Capital Improvements Budget

MOVED that One Million Three Hundred Ninety Six Thousand Nine Hundred Dollars (\$1,396,900.00) be appropriated to be spent by the Town Manager with the approval of the Board of

Selectmen for the purpose of purchasing certain items or services relating to capital or property, as set forth below;

A. Enterprise Funds

Enterprise Fund	Purpose	Amount	CBC Recommendation
Water Department	Tank Maintenance	\$400,000	For Approval 3-0
	Total Water Department	\$400,000	

B. General Fund

Department	Purpose	Amount	CBC Recommendation
Public Works	Salt Shed Repairs	\$15,000	For Approval 3-0
Public Works	Fuel Depot, incl. pumps, electronics, software and vehicle diagnostics	\$63,000	For Approval 4-0
Public Works	Heavy-Haul Tractor lease	\$42,000	For Approval 4-0
Public Works	Six-wheel Dump Truck w/ plow & sander	\$160,000	For Approval 3-0
Elder Affairs	Two (2) Passenger Vans	\$50,000	For Approval 3-0
Fire Department	Ladder 1 Corrosion Repairs (reimburse Reserve Fund)	\$44,000	For Approval 4-0
Fire Department	Hydraulic Rescue Tools	\$40,000	For Approval 4-0
Information Technology	Electronic Document Management (EDM) Software	\$56,000	For Approval 3-0
Information Technology	Process Migration to EDM – Phase I	\$33,000	For Approval 3-0
Police	Two (2) Police Cars	\$91,000	For Approval 4-0
Recreation	Milliken Field Shed	\$25,000	For Approval 4-0
Schools	Water Heater Replacement at CMHS	\$35,000	For Approval 4-0
Schools	Sidewalk/Stair Improvements at CMHS	\$87,000	For Approval 4-0
Schools	School Bus Lease	\$122,000	For Approval 4-0
Schools	Wall Safety Pads for JOS and DH Gyms	\$16,000	For Approval 4-0
Schools	Automated External Defibrillators (AED)	\$12,900	For Approval 4-0
Schools	Alumni Field Track Repair	\$87,000	For Approval 4-0
Schools	Document Cameras for 21st Century Classrooms	\$18,000	For Approval 3-0
	Total – General Fund	\$996,900	

And to meet the appropriation for the Water Department,

Funds totaling Two Hundred Thousand Dollars (\$200,000.00) be transferred for this purpose from Water Enterprise Revenue, One Hundred Eighty Thousand Seven Hundred Forty Nine Dollars and Nine Cents (\$180,749.09) be transferred from available retained earnings of the Water Enterprise Fund, and funds totaling Nineteen Thousand Two Hundred Fifty Dollars and Ninety One Cents (\$19,250.91) available in the following accounts shall also be transferred:

\$5,000.00	Filter Media Change Order	Article 5, November 2, 2015 STM
\$7,496.36	Ellms Meadow Well Insulation	Article 5, November 2, 2015 STM
\$6,754.55	Paint & Repair Water Tank	Article 15, May 2, 2016 ATM

And to meet the appropriations for the General Fund, Nine Hundred Twenty Nine Thousand One Hundred Ten Dollars and Nineteen Cents (\$929,110.19) shall be transferred from the Capital Stabilization Fund and funds totaling Sixty Seven Thousand Seven Hundred Eighty Nine Dollars and Eighty One Cents (\$67,789.81) available in the following accounts shall be transferred:

\$5,776.55	Osgood Fire Alarm System	Article 7, April 28, 2014 ATM
\$20,566.95	Osgood HVAC Controls	Article 7, April 28, 2014 ATM
\$11,481.27	School Bus Lease	Article 8, May 1, 2017 ATM
\$495.00	Dump Truck Body May 2017	Article 8, May 1, 2017 ATM
\$120.04	Harbormaster Boat Motor	Article 11, May 1, 2017 ATM
\$29,350.00	EDM Consulting	Article 6, December 4, 2017 STM

And further that the unused and unissued authorization of borrowing for Four Hundred Twenty Thousand Dollars (\$420,000.00) for a new Front Line Pumper in Article 8 at the Annual Town Meeting of May 1, 2017 be rescinded and that to meet the appropriation Four Hundred Twenty Thousand Dollars (\$420,000.00) be transferred from the Capital Stabilization Fund,

Provided, however that the amounts listed above for particular projects in Section B and for the Front Line Pumper are not to be construed as individual appropriations but instead the sums shown are intended to be estimates of individual projects but the amount appropriated is one line item in the total sum of One Million Four Hundred Sixteen Thousand Nine Hundred Dollars (\$1,416,900.00). The Town Manager, with the approval of the Board of Selectmen, is hereby authorized to distribute such funds in such a manner as may be needed to accomplish the forgoing list of projects, provided further, however, that the excess funds are available because one or more items cost less than estimated and not because an item intended to be procured is not so procured.

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 8-0

Capital Budget Committee: Recommend Approval as noted in the Charts

School Committee (on School Items): Recommend Approval by a Vote of 5-0

Article 9: Departmental Revolving Funds

MOVED, that the Departmental Revolving Funds set forth in Section 10 of Article VI of the Town of Cohasset General Bylaws have funding limits set for the fiscal year beginning July 1, 2018 and ending on June 30, 2019 as follows:

Revolving Fund	Spending Limit
Conservation & Storm water	\$100,000
Food Permits	\$50,000
Elder Affairs Programs	\$100,000
Recreation Programs	\$950,000

Board of Selectmen: Recommend Approval by a Vote of 5-0
 Advisory Committee: Recommend Approval by a Vote of 8-0

Article 10: Funds for Road Repair and Maintenance

MOVED that Two Hundred Twelve Thousand Dollars (\$212,000) be appropriated to be spent by the Town Manager for road repairs and maintenance projects as identified by the Department of Public Works,

AND TO meet this appropriation, Two Hundred Twelve Thousand Dollars (\$212,000) be raised and appropriated from taxation and other general revenues of the Town.

Board of Selectmen: Recommend Approval by a Vote of 5-0
 Advisory Committee: Recommend Approval by a Vote of 8-0
 Capital Budget Committee: Recommend Approval by a Vote of 5-0

Article 11: Allocation of Funds for One Time Cost

MOVED that Eighty Five Thousand Dollars (\$85,000.00) be appropriated to be spent by the Town Manager for the following purpose:

Amount	Source of Funds	Project
\$85,000	Free Cash	Regional Sewer Study

AND TO meet this appropriation, Eighty Five Thousand Dollars (\$85,000.00) be appropriated from Free Cash in the Treasury of the Town.

Board of Selectmen: Recommend Approval by a Vote of 5-0
 Advisory Committee: Recommend Approval by a Vote of 8-0

Article 12: Massachusetts General Laws Chapter 91 Liability

MOVED that liability be assumed by the Town of Cohasset in the manner provided by the MGL Chapter 91, Section 29, as amended, for all damages that may be incurred by the work to be performed by the Massachusetts Department of Environmental Protection for the improvement, development maintenance, and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores, and shores along a public beach in accordance with Section 11 of said Chapter 91 and that the Board of Selectmen be hereby authorized to execute and deliver bond on indemnity therefore to the Commonwealth

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 8-0

Article 13: Additional Real Estate Exemptions

MOVED that Section 4 of Chapter 73 of the Acts of 1986 be hereby accepted to grant an additional real estate tax exemption of not more than one hundred percent (100%), where such additional exemption may be granted to persons who qualify for property tax exemptions under clauses 17, 17C, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 and 43 of Section 5 of Chapter 59 of the Massachusetts General Laws and further, that the amendment of Clause 41 C in accordance with Chapter 184, Section 51 of the Acts of 2002, be hereby accepted to subsequently grant an additional real estate tax exemption of not more than one hundred percent (100%) where such additional exemption may be granted to persons who qualify for property tax exemption under clause 41C of Section 5 of Chapter 59 of the Massachusetts General Laws.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 8-0

Article 14: POW Excise Exemption

MOVED that Section 1 of Chapter 60A of the Massachusetts General Laws, be hereby accepted.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 8-0

Article 15: Community Preservation Committee

MOVED that the recommendations of the Community Preservation Committee be heard and acted upon as follows:

That the following amounts be appropriated from the Fiscal Year 2019 Community Preservation Fund estimated revenues to the Community Preservation Fund accounts as follows:

Source of Funds	Use of Funds	Amount
CPC Revenue	1. Open Space / Recreation Sub-Account	\$54,500
CPC Revenue	2. Historical Sub-Account	\$54,500
CPC Revenue	3. Affordable Housing Sub-Account	\$54,500
CPC Revenue	4. Administrative Sub-Account	\$27,250

AND that the following amounts be appropriated from the sources indicated for the projects identified:

Source of Funds	Projects	Amount
Open Space/Rec Sub-Account	5. Nike Building Upgrades/Turkey Hill Reservation	\$10,000
Open Space / Rec Sub-Account	6. Updating Deer Hill, Osgood, Sohier & Beechwood Street Playgrounds	\$44,500
CPC FY19 Revenue	7. Updating Deer Hill, Osgood, Sohier & Beechwood Street Playgrounds	\$55,500
Historical Sub-Account	8. Historical Society HVAC	\$30,000
CPC FY19 Revenue	9. CYBSA Renovation of Dugouts & Bleachers	\$45,000
CPC FY19 Revenue	10. Debt Payment – Land Acquisition, Article 12 (e) 2004 ATM	\$24,117

AND, that after June 30, 2020, any residual unexpended portion of the sums noted as items 5, 6, 7, 8, and 9 shall not be further expended and shall be restored to the Community Preservation Fund from which the funds were drawn;

AND, that for each of the above recommendations, the Board of Selectmen, or such other Town board as the Board of Selectmen may designate, be authorized to acquire by purchase or gift and hold in the name of or enforceable by the Town and to grant to a nonprofit organization, charitable corporation or foundation, such land, real property interests and permanent affordable housing restrictions, preservation restrictions and conservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing.

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 8-0, except item 9 Recommend approval by a vote of 5-3

CPC: Recommend Approval by a Vote of 7-0

Article 16: Amendments to the South Shore Vocational School District Agreement

MOVED that the South Shore Vocational School District Agreement be amended as proposed, and that the Board of Selectmen be authorized to sign and enter into the amended agreement on behalf of the Town.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 8-0

Article 17: Acceptance of Chapter 90 s. 17 of the General Laws

MOVED that Section 17 of Chapter 90 of the Massachusetts General Laws be hereby accepted:

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 8-0

Article 18: Recodification of the Cohasset General Bylaws

MOVED that the General Bylaws of the Town of Cohasset are hereby amended and recodified as printed in the Warrant.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 8-0

Article 19: Recodification of the Cohasset Zoning Bylaw

MOVED that the Zoning Bylaws of the Town of Cohasset are hereby amended and recodified as printed in the Warrant.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 8-0
Planning Board: Recommend Approval by a Vote of 3-0

Article 20: Zoning Bylaw Amendment - Large Home Review Process

MOVED that the Zoning Bylaws Section 300-5.5 LARGE HOUSE PLAN REVIEW be amended as printed in the Warrant.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 8-0
Planning Board: Recommend Approval by a Vote of 3-0

Article 21: General Bylaw Amendment Article for Prohibition of Marijuana Establishments

MOVED, that the Cohasset General Bylaws be amended by adding a new section as follows:

Section 43. Prohibition of Marijuana Establishments

Pursuant to Section 3 of Chapter 94G of Massachusetts General Laws, all types of marijuana establishments, as defined by Section 1 of Chapter 94G of Massachusetts General Laws and as may otherwise be defined by Massachusetts law or regulation, including without limitation all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers, on-site consumption at a business location, all other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within the Town of Cohasset. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 5-4

Article 22: Zoning Bylaw Amendment Article for Prohibition of Marijuana Establishments

MOVED that the Cohasset Zoning Bylaws be amended by inserting at the end of the Table of Use Regulations in Section 300-4.2 the following provision:

Marijuana Establishments (Non Medical) No No No No No No No No No No

And be it further MOVED that a new subsection 15 be added to Section 300-4.3 as follows:

15. Marijuana Establishments Prohibited. Pursuant to Section 3 of Chapter 94G of Massachusetts General Laws, all types of marijuana establishments, as defined by Section 1 of Chapter 94G of Massachusetts General Laws and as may otherwise be defined by Massachusetts law or regulation, including without limitation all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers, on-site consumption at a business location, all other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within all zoning districts and the Town of Cohasset. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 5-4
Planning Board: Recommend Approval by a Vote of 3-0

Article 23: Zoning Bylaw Amendment Article to Extend Temporary Moratorium

MOVED that, to allow the Town time to study, reflect and decide on how to govern the time, place and manner of marijuana establishment operations and the number of marijuana establishments consistent with Chapter 94G of the General Laws and the regulations of the Cannabis Control Commission, the Cohasset Zoning Bylaw be amended to extend the temporary moratorium on marijuana establishments by six month by replacing Section 300-21.4 as follows:

21.4 Expiration. Section 21 of the Zoning Bylaw and the temporary moratorium shall be in effect through the end of December 31, 2018.

Board of Selectmen: Recommend Approval by a Vote of 5-0
Advisory Committee: Recommend Approval by a Vote of 9-0
Planning Board: Recommend Approval by a Vote of 3-0

Article 24: CITIZEN’S PETITION: Harbor Committee Membership

MOVED, that the Cohasset General Bylaws be amended by deleting the number (9) in Section 9 of Article V and inserting in its place the number (11), and to further amend this section by inserting after the phrase, “One (1) Representative of the Yacht Club;”, the Phrase, “One (1) Representative of the Cohasset Center for Student Coastal Research; One (1) Representative of the Cohasset Maritime Institute;”

Board of Selectmen: Recommend Approval by a Vote of 4-1
Advisory Committee: Recommend Approval by a Vote of 7-0-1

Article 25: CITIZEN’S PETITION – Plastic Bag Reduction Bylaw

(Motion presented by the Petitioners)

MOVED, that the Cohasset General Bylaws be amended by adding a new Section to Article VII entitled “Plastic Bag Reduction Bylaw” as follows:

Plastic Bag Reduction Bylaw

1. Purpose and Intent

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 (Cohasset does not recycle plastic bags),

clogging storm drainage systems, requiring the use of millions of barrels of crude oil nationally for their manufacture, and plastic bags are not biodegradable so they gradually disintegrate into minute particles which absorb toxins contaminating the food chain including the food humans eat.

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.

2. Definitions

“Checkout Bag” means 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.

“Single-use Plastic Checkout Bag” means a plastic Checkout Bag that is less than 4 mils thick and is not a Compostable Plastic Bag.

“Recyclable Paper Bag” means 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.

“Compostable Plastic Bag” means a plastic bag that conforms to the current ASTM D6400 standard specifications by a recognized verification entity.

“Reusable Bag” means 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 4 mils. in thickness.

“Product Bag” means 1) 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 check out area of the store, or 2) 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.

“Store” means 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.

“ASTM D6400” means the American Society for Testing and Materials (ASTM) international “Standard Specification for Compostable Plastics.”

3. Use Regulations

3.1 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 November 1, 2018 and any remaining stock should be disposed of properly.

3.2 If a Store provides Checkout Bags to customers, they may only provide Reusable Bags, Recyclable Paper Bags or Compostable Plastic Bags.

3.3 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.

4. Administration and Enforcement

4.1. 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.

4.2 A person, individually or by his servant or agent, who violates any provision of this bylaw may be penalized by a non criminal disposition pursuant to G.L. Chapter 40, Section 21D and the Town's non criminal disposition bylaw. The following penalties apply:

first violation: a written warning

second violation: \$100 fine

third violation: \$200 fine

fourth and subsequent violations: \$300 fine

Each day the violation continues constitutes a separate violation.

5. Effective Date

This bylaw takes effect on November 1, 2018.

Board of Selectmen: Recommend Approval by a Vote of 4-0-1

Advisory Committee: Recommend Approval by a Vote of 9-0