Town of Bridgewater, Massachusetts

Town Council
Community and Economic Development Committee

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Peter Colombotos
Chairman
District 5 Representative

Timothy Fitzgibbons
District 2 Representative

Kevin Perry
District 4 Representative

Meeting Agenda
January 12, 2016, 7:00 p.m.
Memorial Building
25 South Street
Bridgewater, MA 02324

Referrals from the Council

- Ordinance #D-2015-007: General Bylaw Amendment – Plastic Bag Reduction

Approval of Minutes

Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Ordinance: D-2015-007

Introduced By:	Councilor Sheila Whitaker and Councilor John Norris
Date Introduced:	March 17, 2015
First Reading:	March 17, 2015
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2015-007

GENERAL BYLAW AMENDMENT: NEW SECTION PLASTIC BAG REDUCTION

ORDERED that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater General Ordinances by adding a new section XLVI, Plastic Bag Reduction.

ARTICLE XLVI:

SECTION 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; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for their manufacture.

The purpose of this Ordinance is to eliminate the usage of thin-film single-use plastic bags by all retail establishments in the Town of Bridgewater.

SECTION 2: Definitions

2.1 "Thin-film single-use plastic bags", typically with plastic handles, are bags with a thickness of2.5 mils or less and are intended for single-use transport of purchased products.

2.2 "ASTM standard" a testing standard developed by the American Society for Testing and Materials.

2.3 "Biodegradable bag" means 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.

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

SECTION 3: Use Regulations

3.1 Thin-film single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any retail establishment within the Town of Bridgewater.

3.2 Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail establishments may provide reusable or recyclable thick plastic, 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.

3.3 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.

SECTION 4: Administration and Enforcement

4.1 The Town Manager shall establish a review process to make determinations as to the classification of new single-use bag products, as they come on the market, to determine if they are compostable or biodegradable and meet, or exceed, ASTM D6400 for compostable plastic.

4.2 The Inspectional Services Department shall be responsible for enforcing this Ordinance 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.

4.3 Non-Criminal Dispositions. Fines assessed under Sections 4.2 of this ordinance may be assessed through non-criminal process in accordance with Massachusetts General Laws Chapter 40, Section 21 D. 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.

4.3 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 fine of $50;
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.

SECTION 5: Effective Date

This Ordinance shall become effective 30 days after adoption.

Explanation:

It is the intent of the Town of Bridgewater to be environmentally responsible wherever possible. Adoption of this Ordinance will aide in reducing the overall negative environmental impacts posed by the use of thin-film, single-use plastic checkout bags.