

TOWN OF WESTOFORD PLASTIC BAG REDUCTION REGULATION

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 Regulation is to eliminate the usage of thin-film single-use plastic bags by all retail and grocery stores in the Town of Westford, on or after July 1, 2017.

Section 2. Definitions

- 2.1 *Grocery Store:* A retail establishment where more than fifty percent (50%) of the gross floor area is devoted to the sale of food products for home preparation and consumption, which typically also offers home care and personal care products.
- 2.2 *Retail Store:* An establishment that offers the sale and display of merchandise within a building.
- 2.3 *Reusable Checkout Bag:* A bag, with handles, that is specifically designed for multiple uses and is made of thick plastic (3.0 mils or thicker), cloth, fabric or other durable nontoxic materials.
- 2.4 *Thin Film Single Use Plastic Bag:* Typically, a carryout bag with plastic handles that is provided by a store to a customer at the point of sale. These are bags with a thickness of 2.9 mils or less and are intended for single-use transport of purchased products.

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 or grocery store within the Town of Westford.
- 3.2 Other 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.

- 3.3 Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail or grocery stores are strongly encouraged to make reusable checkout bags available for sale to customers at a reasonable price.
- 3.4 Grocery Stores and retail stores must provide education to consumers on maintaining reusable bags in a clean and sanitary manner.

Section 4. Enforcement

Enforcement of this Regulation shall be the responsibility of the Health Director or an agent of the Board of Health. The Health Director shall determine the inspection process to be followed, incorporating the process into other town duties as appropriate by policy. Any retail or grocery store distributing plastic grocery bags in violation of this Regulation shall be subject to a non-criminal disposition fine as specified in Appendix A of the Regulations for Enforcement of Town Bylaws under M.G.L. Chapter 40, §21D

UNCONSTITUTIONALITY CLAUSE

So far as the Board of Health may provide, each section of these rules and regulations shall be construed as separate to the end that if any section, item, sentence, clause or phrase shall be held invalid for any reason, the remainder of these rules and regulations shall continue in full force and effect.

And to amend the Fine Structure of the By-Laws of the Town of Westford, by adding the following:

Regulation	Fine Schedule	Fine Allowed	Enforcement
Plastic Bag Reduction Bylaw	1 st Offense	Warning	Health Department Designee
	2 nd Offense	\$25.00	
	3 rd Offense	\$50.00	
	And any subsequent offenses		