

Town of Great Barrington, MA

Friday, March 20, 2015

Chapter 135. PLASTIC BAG REDUCTION

[HISTORY: Adopted 5-6-2013 Annual Town Meeting, Art. 23. Amendments noted where applicable.]

§ 135-1. Purpose and intent.

- A. 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.
- B. The purpose of this chapter is to eliminate the usage of thin-film single-use plastic bags by all retail establishments in the Town of Great Barrington.

§ 135-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ASTM STANDARD

A testing standard developed by the American Society for Testing and Materials.

BIODEGRADABLE BAG

A bag that:

- A. Contains no polymers derived from fossil fuels; and
- B. 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, cloth, fabric or other durable materials.

THIN-FILM SINGLE-USE PLASTIC BAGS

Typically with plastic handles, are bags with a thickness of 2.5 mils or less and are intended for single-use transport of purchased products.

§ 135-3. Use regulations.

- A. 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 Great Barrington.
- B. 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.

- 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.

§ 135-4. Administration and enforcement.

- A. The Board of Selectmen shall establish an application process and 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.
- B. The Police Department will be responsible to enforce this chapter through the issuance of a violation notice. A violation notice may be reissued for each day that the activity persists until the violation is corrected.
- C. For each day the violation is in effect, the following penalties shall apply:
 - (1) Fifty dollars per day for each day the violation persists;
 - (2) One hundred dollars per day for each day that a new violation occurs after the first violation;
 - (3) Two hundred dollars per day for each day of any future violations that occur after the second violation.

§ 135-5. Effective date.

This chapter shall go into effect as of July 1, 2013, or such later date upon which it is approved by the Attorney General.