

Bedford Plastic Bag Bylaw

Article 10

General Bylaw Amendment - Plastic Bag Reduction in Business Establishments

To determine whether the Town will vote to amend the General Bylaws of the Town of Bedford with the addition of an Article 59 – Plastic Bag Reduction in Business Establishments as follows:

SECTION 1: Purpose and Intent

This bylaw is enacted for the purpose of eliminating the use of thin film single use plastic bags by all business establishments in the Town of Bedford. 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 pollution of the land environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; causing the potential death of marine animals through ingestion and entanglement; and requiring the use of millions of barrels of crude oil nationally for their manufacture.

SECTION 2: Definitions

2.1 "Business establishment" means the following business uses as defined in Section 4.5 of the Bedford Zoning Bylaw: a retail store; supermarket and general department store; restaurant; and take out retail.

2.2 "Thin film single use plastic bags" means bags, typically with plastic handles, with a thickness of 2.5 mils or less and which are intended for single use transport of purchased products purchased at a business establishment.

2.3 "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 Effective October 1, 2017, thin film single use plastic bags shall not be distributed, provided, or sold for checkout or other purposes at any business establishment within the Town of Bedford.

3.2 Thin film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods and other similar merchandise, typically without handles, are permissible.

3.3 Customers are encouraged to bring their own reusable bags to stores. Business establishments are encouraged to provide reusable thick plastic, paper, fabric, or other types of bags.

SECTION 4: Enforcement

4.1 The Inspector of Buildings or his designee is hereby designated and authorized as the officer charged with the enforcement of this bylaw.

4.2 Penalty for Violation. Whoever violates any provision of this bylaw shall be punished by a fine not exceeding one hundred dollars (\$100.00) for each offense. Nothing contained herein shall preclude the Building Inspector from seeking equitable relief to enforce this bylaw.

4.3 Noncriminal Disposition. In addition to the procedure for enforcement as described above, the provisions of the bylaw may also be enforced by noncriminal disposition, as provided in Massachusetts General Laws, Chapter 40, Section 21D. The penalty for such violation shall be \$25.00 for the first offense, \$50.00 for the second offense, and \$100.00 for the third and each subsequent offense.

This article proposes to amend the Town's General Bylaws so as to establish a new provision for the purpose of reducing the use of single use plastic bags by retail stores, supermarkets, general department stores, restaurants, and take out retail business establishments in Bedford.

RECOMMENDATIONS

Selectmen:	Approval Recommended
Finance Committee:	Recommendation to be given at Annual Town Meeting