

WAKEFIELD BAG BYLAW

ARTICLE 4. To see if the Town will vote to amend the General Bylaws by adding as § 154-10 the following:

“154-10. Plastic Bag Reduction Bylaw

1. Purpose and Intent

The purpose of this bylaw is to limit the amount of greenhouse gas emissions, preserve the oceans, protect wildlife, and reduce the amount of trash that ends up on the streets and in landfills by using recyclable, reusable, or compostable bags instead of thin-film single-use plastic checkout bags.

2. Definitions

2.1 Checkout bag: A carryout bag provided by a store to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or checkout area of the store.

2.2 Grocery store: A retail establishment where more than fifty percent of the gross floor area is devoted to the sale of food products for home preparations and consumption, which typically also offers home care and personal care products.

2.3 Retail store: An establishment that offers the sale and display of merchandise within a building.

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

2.5 Thin-film single-use plastic bags: Typically with plastic handles, these are bags with a thickness of less than 2.25 mils and are intended for single-use transport of purchased products.

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 Wakefield.

3.2 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.

3.3 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.

4. Enforcement process

Enforcement of this bylaw shall be the responsibility of the Town Administrator or his/her designee. The Town Administrator shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate. Any retail or grocery store distributing plastic grocery bags in violation of this bylaw shall be subject to a non-criminal disposition fine, in accordance with § 1-7 of these Bylaws. Any fines shall be paid to the Town of Wakefield.”

5.0 Effective Date

This bylaw shall take effect on July 1, 2018 (retail stores occupying a finished space of 2500 square feet or less September 1, 2018). Extensions (of up to three months) may be granted by the Town Administrator upon written request.

and by amending § 1-7 of the General Bylaws by adding as subsection E thereof the following:

“E. Any alleged violation of the Plastic Bag Reduction Bylaw, § 154.10 of these Bylaws, shall be made the subject of noncriminal disposition proceedings by the Town Administrator or his or her designee under G.L. c. 40, § 21D. The penalty for such violation shall be a written warning for the first offense, a fine of \$100 for a second offense and a fine of \$200 for the third, and a fine of \$300 for a fourth and any subsequent offense.”

or to see what the Town will do about it.

Board of Selectmen