

ARTICLE 48. To see if the Town will vote to amend the By-Laws of the Town of Wilmington by amending Chapter 5, Section . To see if the Town of Wilmington will vote to ban town stores use of disposable, single use plastic bags at retail establishment, food establishments, grocery stores, and other establishments at which goods are purchased. This excludes paper bags and bags intended for produce/meat, newspaper, and laundry/dry cleaning articles. Residents will be encouraged to bring their own reusable shopping bags. If shoppers would like to use a paper bag, stores can determine a fee to offset the cost.

Section 1. Purpose and Intent:

The purpose of this bylaw is to limit the amount of plastic that enters and impacts the environment of Wilmington, 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.

Section 2. Definitions:

“Disposable, single use, plastic bags” – Any checkout bag made predominately of plastic derived from either petroleum, natural gas, or a biologically based source, such as corn or other plant sources, which is provided to a customer at the point of sale. Typically with plastic handles, these are bags with a thickness of 2.5 mils or less and are intended for single-use transport of purchased products. This includes bags that are not commercially compostable.

“Paper Bags”: A paper bag that is 100 percent recyclable and contains at least 40 percent post-consumer recycled content, and displays the words “Recyclable” and “made from at least 40% post-consumer recyclable content” in a visible manner on the outside of the bag.

“Retail Establishment”: Any commercial enterprise, whether for or not-for-profit, including, but not limited to the following: pharmacies, convenience stores, liquor stores, seasonal and temporary business, jewelry stores, clothing stores, household goods stores and any other business that offers the sale and display of merchandise.

“Food Establishment”: Any establishment whose purpose is to prepare and vend food and drink items.

“Grocery Store”: Any establishment where more than fifty percent of the gross floor area is devoted to the sale of food products for home preparations and consumption, and home care and personal care products.

The term “disposable, single-use, plastic shopping bag” shall not include: (1) Reusable bags; (2) Produce/meat bags; (3) Newspaper bags; or (4) bags for laundry/dry cleaning articles.

or take any other action related thereto.

As Petitioned for by Julianne Hooper and others