



OFFICE OF THE MAYOR  
FRAMINGHAM, MA.

2019 DEC 20 PM 2: 34

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[www.framinghamma.gov/CityCouncil](http://www.framinghamma.gov/CityCouncil)

## FRAMINGHAM CITY COUNCIL

ORDER NO. 2019-113  
REQUEST OF THE ENVIRONMENTAL TASK FORCE

UPON THE REQUEST OF THE ENVIRONMENTAL TASK FORCE, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That, after lengthy discussion, the City Council votes to amend the Plastic Bag Reduction Bylaw by:

- ❖ Revising definitions and use regulations to provide greater clarity and align language more closely with the intent of the existing Bylaw.
- ❖ Banning all plastic single-use checkout bags from being provided to customers at point of sale, with the exception of plastic bags, typically without handles, to contain dry cleaning, newspapers, produce, meat, bulk foods, and other similar merchandise.
- ❖ Requiring stores in Framingham to charge a minimum fee of \$0.10 per reusable bag or recyclable paper bag, with all monies collected to be retained by the stores.

### FIRST READING

YEAS: Giombetti, Grove, King, Richardson, Shepard, Sisitsky, Steiner, Tully Stoll

NAYS: Cannon

ABSTAIN: None

ABSENT: Rossi, Torres

PASSED IN COUNCIL: NOVEMBER 19, 2019

### SECOND READING

YEAS: Giombetti, Grove, King, Richardson, Rossi, Shepard, Sisitsky, Steiner, Torres, Tully Stoll

NAYS: Cannon

ABSTAIN: None

PASSED IN COUNCIL: DECEMBER 3, 2019

UPON THE REQUEST OF COUNCILOR STEINER, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS FURTHER ORDERED:

That, after a unanimous vote to reconsider the amendment introduced and adopted on December 3, 2019, the City Council votes to delete that amendment. The full final text of the amended bylaw follows this Order.

Previous actions on this matter can be found under Order 2018-110 and Order 2018-110-001.



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FINAL READING

YEAS: Giombetti, Grove, King, Richardson, Rossi, Shepard, Sisitsky, Steiner

NAYS: Cannon

ABSTAIN: Tully Stoll

ABSENT: Torres

PASSED IN COUNCIL: DECEMBER 17, 2019

A True Record, Attest:

12/20/19  
Date Approved

Lisa A. Ferguson  
Lisa A. Ferguson, City Clerk

12/30/19  
Date Approved

Yvonne M. Spicer  
Yvonne M. Spicer, Mayor

## **Article VIII: Business and Commerce Provisions**

### **Section 8. Plastic Single-Use Checkout Bag Reduction Bylaw**

#### **8.1 Purpose and Intent**

The purpose of this bylaw is to eliminate the usage of plastic single-use checkout bags by all stores in the City of Framingham. Customers are encouraged to bring reusable checkout bags to stores.

The production and use of plastic single-use 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; requiring the use of millions of barrels of crude oil nationally for their manufacture; and contributing to global warming.

#### **8.2 Definitions**

8.2.1 **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.

8.2.2 **Reusable checkout bag:** A sewn bag with stitched handles that is (i) specifically designed and manufactured for multiple separate uses, (ii) can carry 25 pounds over a distance of 300 feet, and (iii) can be readily washed or disinfected by hand or machine.

8.2.3 **Single-use checkout bag:** A bag made of plastic, paper, or other material that is provided by a store to a customer at the point of sale and that is not a reusable checkout bag. A single-use checkout bag does not include single-use plastic bags, typically without handles, to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and, other similar merchandise.

8.2.4 **Recyclable paper checkout bag:** A single-use checkout bag that is made of paper and is 100 percent recyclable.

8.2.5 **Store:** A retail establishment, person, corporation, partnership, business venture, or vendor that sells or provides merchandise, goods or materials directly to a customer, whether for or not for profit, including but not limited to pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses, farmers markets, public markets, jewelry stores, and household goods stores, provided however, the term store does not include restaurants, or bazaars, fairs or festivals operated by nonprofit organizations or religious institutions.

#### **8.3 Use Regulations**

8.3.1 Except as provided in this section, on or after January 1, 2021, a store shall not provide a plastic single-use checkout bag to a customer at the point of sale.

8.3.2 On and after January 1, 2021, stores shall make available for purchase a reusable checkout bag or recyclable paper bag for a charge of no less than \$0.10.

8.3.3 All moneys collected pursuant to this section shall be retained by the store.

#### **8.4 Enforcement Process**

Enforcement of this bylaw shall be the responsibility of the Mayor or his/her designee. The Mayor shall determine the inspection process to be followed, incorporating the process into other city duties as

appropriate. Any store in violation of this bylaw shall be subject to a non- criminal disposition fine as specified in Article X of the Town Bylaws under M.G.L. Chapter 40, §21D. Any such fines shall be paid to the City of Framingham.

**8.5 Education and Implementation**

Effective date of the amended bylaw is January 1, 2021. The Mayor is requested to develop an education and implementation plan to inform the public and business communities on the provisions of the amended bylaw and to seek the input of the City Council regarding the same no later than March 1, 2020. The Mayor shall be responsible for implementing the plan. Thereafter, it is requested that the Mayor shall provide quarterly updates to the City Council on the rollout of the education and implementation plan including any recommended amendments to the bylaw based on feedback from the communities.