

## Section 8. Plastic Single-Use Checkout Bag Reduction Ordinance

### 8.1 Purpose and Intent

The purpose of this Ordinance 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 July 5, 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 July 5, 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 Ordinance 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 Ordinance shall be subject to a non-criminal disposition fine as specified in Article X of the City Ordinances 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 Ordinance is July 5, 2021. The Mayor shall be responsible for implementing an education and implementation 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 Ordinance based on feedback from the communities.

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