**ARTICLE FIFTEEN**: *By Sustainability Advisory Committee and its Sub-Committee Community Members.* To see if the Town will vote to amend the Town of Dedham By Laws, by inserting a new bylaw entitled, “Plastic Bag Reduction,” section as follows:

**PLASTIC BAG REDUCTION**

**Section 1: Purpose**

The purpose of this bylaw is to protect the Town of Dedham’s unique natural beauty and resources, water, and inhabitants by substantially reducing the impact of single-use plastic checkout bags while also promoting the use of reusable bags.

It has been shown that the production and use of thin-film single-use plastic checkout bags have significant impacts on the environment, including, but not limited to, polluting the natural environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; contributing to the potential death of aquatic and land animals through ingestion and entanglement; and requiring the use of millions of barrels of crude oil for their manufacture.

**Section 2: Definitions**

“Checkout bag” – a carryout bag provided by a retail store to a customer at the point of sale.

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

“Retail store” – any business facility that sells goods directly to the consumer whether for- or not-for-profit, including, but not limited to, retail stores, full- and quick-service restaurants, pharmacies, convenience stores, grocery stores, liquor stores, seasonal and temporary businesses.

“Reusable checkout bag” – A sewn bag with stitched handles that is specifically designed for multiple reuse and that (1) can carry 25 pounds over a distance of 300 feet; (2) is machine washable or is made of a material that can be cleaned or disinfected more than 125 times; (3) is either (a) made of natural fibers (such as cotton or linen) or (b) made of durable, non-toxic plastic (other than polyethylene or polyvinyl chloride) that is generally considered a food-grade material and that is more than 4.0 mils thick.

“Thin-film single-use plastic bags” – bags, typically with handles, constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric), if said film is less than 4.0 mils in thickness (0.004 inches).

**Section 3: Use Regulations**

1. Thin-film single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any retail store within the Town of Dedham.
2. If a retail store provides or sells checkout bags to customers, the bags shall be either:
	1. recyclable paper bags; or
	2. reusable checkout bags.
3. The retail store may charge for said bags.

**Section 4: Exemption**

1. Thin-film plastic bags typically without handles used to temporarily contain newspapers, produce, meat, bulk foods, wet items, dry cleaning and other similar merchandise, or pet waste are not prohibited under this bylaw.
2. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by a consumer to deliver such items to the point of sale or checkout area of the store.

**Section 5: Effective Date**

This bylaw shall take effect six (6) months following approval of the bylaw by the Attorney General and all the requirements of G.L. c. 40 section 32 have been met.

Upon application by an owner or an owner’s representative, the Environmental Coordinator may exempt a retail store from the requirements of this bylaw for up to six months upon a finding that the requirements of this bylaw would cause temporary undue hardship; or the owner’s retail store requires additional time to draw down an existing inventory of checkout bags.

**Section 6: Education**

No later than five months prior to the effective date of this bylaw, the Environmental Department shall provide notice of its adoption and effective date by: posting in several public spaces, such as the Town website, newspaper of general circulation in the Town, Town Hall, and Town social media, and two (2) mailings to Retail Stores a copy of this bylaw and the Attorney General’s approval thereof.

**Section 7: Enforcement**

Each Retail Store shall comply with all sections of this bylaw. Violations of this by law shall be enforced in accordance with Section 1-6 of the Bylaws.

**Section 8: Severability**

If any provision of this bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby.