

CHAPTER 5:
A LAW TO RESTRICT PLASTIC BAG DISTRIBUTION
IN THE TOWN OF SOUTHBRIDGE

Section 1: Statement of Purpose

Whereas:

According to the World Economics Report, at least 8 million metric tons of plastics contaminate the world's oceans each year, resulting in disastrous environmental effects on wildlife, and

The Town of Southbridge suffers significant detriment from improper handling and disposal of plastic bags as they present a significant percentage of loose trash and litter on streets, and public and private properties, and

The Massachusetts Solid Waste Master Plan calls for a reduction of single-use plastic bags and for the increased usage of reusable, recyclable, and/or biodegradable bags, and

The recycling market for plastic bags is limited and they cannot be recycled in standard recycling streams contributing to a condition of "contamination" identified in recycling loads generating in the Town of Southbridge.

Therefore:

The Town of Southbridge Board of Health, acting under authority granted by Massachusetts General Laws hereby adopts this law to limit distribution of single use plastic bags in the Town of Southbridge.

Section 2: Authority

This Town of Southbridge Board of Health Code of Regulation Bylaw is hereby adopted under Authority granted to Boards of Health by Massachusetts General Law Chapter 111 § 31: Health Regulations; Summary Publication; Hearings; filing Sanitary Codes and Related Rules and Massachusetts General Law Chapter 111 § 122: Regulations Relative to Nuisances.

The Southbridge Board of Health hereby adopts these regulations in order to protect public health, to protect the environment, to improve comfort and convenience, and prevent public health nuisance.

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Section 3: Adoption of the Regulation

These regulations are hereby adopted by vote of the Board of Health of the Town of Southbridge, Massachusetts on **May 9, 2019**. This regulation shall become effective 6 months after adoption of the regulation, November 9, 2019. This regulation shall supersede all previous regulations or amendments governing the distribution of single use plastic bags adopted by the Southbridge Board of Health.

Section 4: Definitions

THIN-FILM SINGLE-USE PLASTIC BAGS - Bags with a thickness of 2.5 mils or less and are intended for single-use transport of purchased products, typically with plastic handles.

PRODUCT SPECIFIC PACKAGING – Plastic bags, usually sealable, designed/ intended to hold a single product or to hold smaller items from separating and loss

PRODUCT BAGS: Manufacturers packaging

Section 5: Prohibited Distribution Practices

5.1: Thin-film single-use plastic bags shall not be provided or sold by any vendor in the Town of Southbridge for checkout purposes.

5.2 Exemptions:

The following are exempt and not subject to the provisions of this chapter:

5.2.1: Product Specific Packaging such as a press-to-seal bag used to contain small parts (nuts and washers, nails, etc.) or; to protect small valuables (jewelry, etc)

5.2.2: Thin plastic bags used to protect newspapers upon delivery;

5.2.3: Laundry or dry-cleaning bags;

5.2.4: Thin film bags, typically without handles, used to contain produce, meat, or fish;

5.2.5: Bags generally sold in packages containing multiple bags intended to be for sanitary or safety purposes included but not limited to the following uses food storage, garbage, waste, pet waste or yard waste;

5.2.6: Product bags;

5.2.7: Town Pay-As-You-Throw trash bags;

Section 6: Penalties

Any person who violates any provision of Chapter 5 of the Town of Southbridge Board of Health Code of Regulations shall be subject to the following penalties:

First Offense	\$50.00
Second Offense	\$100.00

Third Offense \$200.00

Subsequent offenses shall result in a public hearing before the Southbridge Board of Health.

Section 7: Authority to Enforce

The Southbridge Board of Health through its designated agents of the Southbridge Board of Health, are hereby authorized to enforce this code.

This regulation shall be enforced through any legal means afforded Massachusetts' Boards of Health or Departments of Public Health.

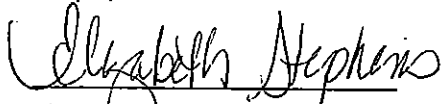
Section 8: Severability

If any provisions of these regulations are declared invalid or unenforceable, the remaining provisions shall not be affected thereby but shall continue in full force and effect.

AS VOTED AND APPROVED

BY THE SOUTHBRIDGE BOARD OF HEALTH ON

May 9, 2019



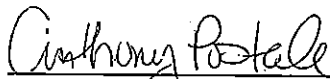
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