



Town of Raynham

Town Clerk

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The following amendment to the Town of Raynham's General By-laws was passed at the Annual Town Meeting of May 17, 2021. The Attorney General approved the amendment on September 9, 2021.

ARTICLE 23. It was voted to amend the General By-laws by adopting a by-law, entitled "**Reduction of Single-Use Plastic Bags**" as follows:

SECTION 1- FINDINGS AND INTENT

FINDINGS:

- 1) Thin plastic bags are harmful to the environment and waterways and therefore contribute to the potential death of marine and other wildlife.
- 2) Thin plastic bags clog storm drains and litter public places, beaches, and local waterways and contribute to the overall volume of solid waste.
- 3) Thin plastic bags are made from fossil fuels, a non-renewable resource.
- 4) Thin plastic bags are not biodegradable or compostable, are not acceptable in Raynham's transfer station, and only a small percentage are returned to stores for recycling.
- 5) Thin plastic bags break down into micro-plastics which enter our waters, soil and air and pollute our food chain and endanger our health.
- 6) Currently 122 Cities and Towns in Massachusetts have passed plastic bag bans, and more have bylaws pending.

INTENT:

The Town of Raynham hereby enacts this bylaw to help reduce the deterioration of the environment and the ensuing potential health risks by eliminating bags at the point of sale and promoting the use of reusable bags.

SECTION 2- DEFINITIONS

PLASTIC CARRYOUT BAG: A plastic carryout bag is a thin film plastic bag with handles provided to a customer by an establishment and used to transport merchandise from the

establishment. Plastic carryout bags do not include those plastic bags typically without handles used to contain dry cleaning, newspapers, or small bags used to contain meat, produce, or other products provided to the consumer, free of charge, to deliver items to the point of sale.

REUSABLE CARRYOUT BAG: A bag with stitched on handles that is made solely of or in a combination of natural cloths, synthetic fibers, or other washable material and is specifically designed for multiple reuse. These bags are generally sold to the customer for a reasonable cost.

RECYCLABLE PAPER BAG: A paper bag that is 100% recyclable and contains at least 40% post-consumer recycled paper content and is provided free of charge to the customer.

ESTABLISHMENT: An establishment means any business selling food, good, articles, or personal services to the public.

SECTION 3- PLASTIC CARRYOUT BAG PROHIBITION

No establishment in the town of Raynham, as defined in Section 2, shall provide thin plastic carryout bags, as defined in Section 2. Establishments in the town of Raynham, as defined in Section 2, shall only provide reusable carryout bags that comply with the definition in Section 2, or recyclable paper bags, as defined in Section 2, at the point of sale.

SECTION 4- ENFORCEMENT

All of the requirement set forth in this bylaw shall take effect within 30 days of the approval of the bylaw by the Office of the Massachusetts State's Attorney General and satisfaction of the posting/publication requirements of G.L.c.40, 32. However, if a retain establishment cannot comply with the effective date of this bylaw due to economic hardship, the establishment may petition the Board of Health for an extension of six months.

This bylaw may be enforced by any agent of the Board of Health by:

- 1) Inspection and investigation
- 2) The issuance of violation notices and administrative orders
- 3) Civil court actions

Whoever, himself or by his servant of agent or as the servant or agent of any other person or firm or corporation, violates any of the provisions of these regulations may be penalized by a non-criminal disposition process as provided in M.G.L.c.4,21D. Each day of violation after written notice is a separate violation.

The following penalties shall apply:

First offense- written warning

Second offense- \$50 fine

Third offense - \$100 fine

Subsequent offenses- \$200 fine

SECTION 5- SEVERABILITY

If any provision of this bylaw shall be held to be invalid by a court of jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this bylaw, which shall remain in full force and effect.

The Moderator declared the amendment passed.

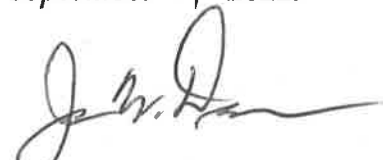
A true copy. Attest:



MARSHA L. SILVIA
TOWN CLERK

Any claims of invalidity by reason of any defect in the procedure of the preceding adoption of the amendment to the General By-laws passed at the Annual Town Meeting of May 17, 2021 may only be made within ninety (90) days of this posting. Copies may be examined and obtained at the office of the Town Clerk.

Attested copies of the above have been posted in one public place in each precinct of the Town, in accordance with Massachusetts General Laws, Chapter 40, Section 32, on September 14 2021.



CONSTABLE