



TOWN OFFICE BUILDING  
90 SOUTH MAIN STREET

## BOARD OF HEALTH

SHARON, MASSACHUSETTS 02067

TEL. (781) 784-1500 x1206  
Website: [www.townofsharon.net](http://www.townofsharon.net)

### Sharon's Plastic Bag Ban

#### Dear Sharon Business Owner:

The purpose of this Bylaw is to protect the Town of Sharon's natural beauty and irreplaceable natural resources by reducing the number of single-use plastic check-out bags that are distributed and used in the Town, and by promoting the use of reusable bags.

The Town of Sharon's plastic bag ban bylaw passed at the Annual Town Meeting May 6, 2019 and was approved by the Attorney General in July 2019. Initial implementation of the ban began in January 2020, for retail establishments with greater than 3,500 square feet. Like everything, the plastic bag ban was put on hold with the emergence of COVID -19. In July 2020, the COVID 19- related suspension of the plastic bag bylaws was rescinded by the Public Health Commissioner, based on scientific evidence. As we return to a more normal world, it is time to complete implementation for **ALL** retail establishments in the Town of Sharon by **August 20, 2021**.

***The bylaw*** states that any "check-out bags" provided by retailers to customers must be a reusable check-out bag or a recyclable paper bag. Paper bags must be 100% recyclable and made with at least 40% post-consumer recycled material and the bag must be labeled with this information to comply with the bylaw. A copy of the Bylaw is included with this notification along with a list of frequently asked questions.

This ban applies to all retail establishments that sell goods or materials directly to a consumer, whether for or not for profit, including but not limited to retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, or seasonal and temporary businesses.

This ban does not include bags used for produce or meats, bulk foods, wet items, newspapers, dry cleaning, and other similar merchandise. Enforcement will be conducted by the Health Department, which will conduct bi-annual inspections (on the same schedule as the food safety inspections), or when a complaint has been received. Violators of the plastic bag ban will include a written warning for the first offense, a \$50 fine for the second offense, and a \$100 fine for a third and any subsequent offenses.

We would be glad to answer any questions you may have about the bylaw requirements and we look forward to working with you to build a more sustainable future for our community. We can be reached at 781-784-1500 ext 1205.

Sincerely,

Leandra McLean RN,BSN- Public Health Nurse/Administrator



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### Health Department, Town of Sharon

#### Plastic Waste Reduction Article Article 23

General Bylaws Part II: General Legislation, Chapter 226: Solid Waste, Section 226-11: Plastic Waste Reduction, as follows: §226-11 Plastic Waste Reduction

A. Purpose. The purpose of this Bylaw is to protect the Town of Sharon's natural beauty and irreplaceable natural resources, by reducing the number of single-use plastic check-out bags that are distributed and used in the Town of Sharon, and by promoting the use of reusable bags.

B. Definitions CHECK-OUT BAG shall mean a bag provided by a store to a customer at the point of sale. Check-out 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 check out area of the store.

RECYCLABLE PAPER BAG shall mean a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag (1) the word "recyclable" or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag.

RETAIL ESTABLISHMENT shall mean any business facility that sells goods directly to the consumer whether for or not for profit, including, but not limited to, retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses. REUSABLE CHECK-OUT BAG shall mean 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) can be washed or disinfected; and, (3) is made of either (a) natural fibers such as cotton; or (b) durable, non-toxic plastic, that is generally considered a food-grade material (ie. not polyethylene or polyvinyl chloride), and is more than 4 mils thick.

THIN-FILM, SINGLE-USE PLASTIC CHECK-OUT BAGS shall mean those bags that are less than 4.0 mils thick, 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), and typically with handles.

TOWN OFFICIAL shall mean an official within the Sharon Board of Health or Health Department.

C. Regulated Conduct (1) No Retail Establishment in the Town of Sharon shall provide Thin-Film, Single-Use Plastic Check-Out Bags to customers. (2) If a Retail Establishment provides or sells Check-Out Bags to customers, the bags must be one of the following: (a) Recyclable paper bag; or (b) Reusable Check-Out bag. (3) Retail Establishments that make available exempt Thin-Film, Single-Use Plastic Check-Out Bags (exempt plastic bags are described in Section IV below), are required to provide for in-store collection and proper recycling of returned Thin-Film, Single-Use



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Plastic Check-Out Bags. In-store collection locations must be prominently displayed and easily accessible. Retail Establishments with a floor area less than 3,500 square feet that make available exempt Thin-Film, Single-Use Plastic Check-Out Bags are required to provide in-store Plastic Waste Reduction Article

collection/recycling of these bags if another drop off location or no-fee option is available in the Town of Sharon.

D. Exemptions Thin-film plastic bags, typically without handles, which are used to contain newspapers, produce, meat, bulk foods, wet items, dry cleaning, and other similar merchandise are not prohibited under this bylaw.

E. Enforcement (1) The Town Official shall have the authority to administer and enforce this bylaw. (2) The enforcing authority, upon a determination that a violation of the bylaw has occurred, shall issue a written notice to the establishment specifying the violation, in the form of either a warning or fine according to the following schedule: (a) For the first violation, a written warning. (b) For the second violation, a fine of \$50. (c) For the third and subsequent violations, a fine of \$100. (3) No more than one (1) penalty shall be imposed upon a Retail Establishment within a seven (7) calendar day period.

F. Effective Dates This bylaw shall take effect six (6) months after approval of the bylaw by the Attorney General or on November 6, 2019, whichever is later for Retail Establishments with a floor area equal to or exceeding 3,500 square feet or with at least two (2) locations under the same name within the Town of Sharon that total 3,500 square feet or more. This ordinance shall take effect one (1) year after approval by the Attorney General for Retail Establishments less than 3,500 square feet. The Town Official may exempt a Retail Establishment from the requirements of this section for a period of up to six (6) months upon a finding by the Town Official that (1) the requirements of this section would cause undue hardship; or (2) a Retail Establishment requires additional time in order to draw down an existing inventory of thin-film, single-use check-out plastic bags.

G. Regulations The Town Official may adopt and amend rules and regulations to effectuate the purposes of this bylaw.

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



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# PLASTIC WASTE REDUCTION BYLAW (PLASTIC BAG BAN) FAQ'S

### Why a bylaw banning plastic shopping bags?

- Plastic check-out bags have a significant impact on marine and terrestrial environments. Plastic bags:
  - Harm marine and terrestrial animals through ingestion and entanglement
  - Pollute and degrade the terrestrial and marine environments
  - Clog storm drain systems
  - Create a burden for solid waste disposal and recycling facilities
  - Pollute our watersheds and harm the natural beauty of our town.
- The new bylaw is intended to reduce litter and to ensure that most shopping bags distributed in town can be recycled.

### What businesses are affected by this bylaw?

- Retail establishments are affected by this bylaw and are defined as any business facility that sells goods directly to the consumer whether for or not for profit, including, but not limited to: retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses.

### What is meant by a thin-film, single use plastic check-out bag?

- Bags that are less than 4 mils thick, constructed of high-density polyethylene (HDPE), low density polyethylene (DPE), linear low density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric, and typically with handles).

### What is meant by a "check-out" bag?

- A check-out bag is defined as a bag provided by a store to a customer at the point of sale. No thin-film plastic check-out bags may be distributed by retailers in Sharon.

### What is meant by a "reusable check-out" bag?

- A reusable check out bag is a sewn bag with stitched handles that is specifically designed for multiple reuse and that:
  - Can carry 25 pounds over a distance of 300 feet



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- Can be washed/disinfected; and
- Is made of either natural fiber such as cotton; or durable, non-toxic plastic (generally considered food grade) and is more than 4 mils thick.

## **PLASTIC WASTE REDUCTION BYLAW**

### **(PLASTIC BAG BAN)**

### **FAQ'S (Continued)**

#### **What type of paper bags are allowed?**

- Paper bags allowed are as follows:
  - Must be 100 percent recyclable (e.g. non-recyclable string or ribbon handles, no heavily inked surfaces, no glossy coating); and
  - Must have at least 40 percent post-consumer recycled content; and
  - Must be labeled in a way to show the above conditions are met.

#### **What plastic bags are exempted under the plastic bag ban?**

- This ban does not include bags used for produce or meats, bulk foods, wet items, newspapers, dry cleaning, and other similar merchandise.
- Retailers which offer exempted plastic bags must now provide for the collection and property disposal of plastic bags as outline in the bylaw.

#### **When does the plastic bag ban bylaw take effect?**

- For Retail Establishments with greater than 3,500 square feet the bylaw took effect **January 22, 2020**
- For **ALL** Retail Establishments, the ban will take effect on **August 20, 2021**.
- We strongly encourage all local business to begin implementation before the deadline to ensure any question which may arise can be addressed.

#### **Will a fee be charged for reusable bags?**

- This bylaw allows for free paper bags.

#### **How will this bylaw be enforced?**

- Enforcement will be conducted by the Sharon Health Department
- The Health Agent will have the authority to grant a single 6-month extension for compliance if the law causes undue hardship to a business, or if a business needs additional time to draw down its inventory of plastic bags.
- Bi-annual inspections will be conducted (on the same schedule as the food safety inspections), or when a complaint has been received.



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- Violators of the plastic bag ban will include a written warning for the first offense, a \$50 fine for the second offense, and a \$100 fine for a third and any subsequent offenses.