

ARTICLE 46 - PETITIONERS ARTICLE**To see if the Town of Billerica will amend the General By-Laws to include a Single Use Plastic Bag Reduction Regulation****Section 1. Definitions**

1.1 ***Grocery Store:*** A retail establishment where more than fifty percent (50%) of the gross floor area is devoted to the sale of food products for home preparation and consumption, which typically also offers home care and personal care products.

1.2 ***Retail Store:*** An establishment that offers the sale and display of merchandise within a building.

1.3 ***Reusable Checkout Bag:*** A bag, with handles, that is specifically designed for multiple uses and is made of thick plastic (3.0 mils or thicker), cloth, fabric or other durable nontoxic materials.

1.4 ***Checkout Bag:*** A carryout bag with handles provided by a Retail Establishment to a customer at the point of sale. A check out bag shall NOT include:

- a) Bags, whether plastic or not in which produce or products are placed by a consumer to deliver such items to the point of sale or check out area of a retail establishment.
- b) Laundry or dry cleaning bags
- c) Newspaper bags
- d) Bags used to contain or wrap frozen foods, meats, and fish to prevent or contain moisture

1.5 ***Thin Film Single Use Plastic Bag:*** Typically, a carryout bag with plastic handles that is provided by a store to a customer at the point of sale. These are bags with a thickness of 2.9 mils or less and are intended for single-use transport of purchased products.

Section 2. Use Regulations

2.1 Thin-film single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any retail or grocery store within the Town of Billerica .

2.2 Other bags not defined as checkout bags are still permissible.

2.3 Customers are encouraged to bring their own reusable or biodegradable shopping bags to retail and grocery stores. Retail or grocery stores should make reusable checkout bags available for sale to customers at a reasonable price.

2.4 Grocery stores and retail stores shall provide education to consumers on maintaining reusable bags in a clean and sanitary manner.

Section 3. Enforcement

Enforcement of this Regulation shall be the responsibility of the Health Director or an agent of the Board of Health. The Health Director shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate by policy. Any retail or grocery store distributing plastic grocery bags in violation of this Regulation shall be subject to a non-criminal disposition fine as specified in Appendix A of the Regulations for Enforcement of Town By-Laws under M.G.L. Chapter 40, §21D as follows:

1st offense – written warning

2nd offense – two hundred (200) dollar fine

3rd and subsequent offense – three hundred (300) dollar fine

Section 4. Date

This regulation would go into effect on July 1, 2020.

Submitted by Lisa O'Connor and Messrs. Reef, Vitale, Mason, Tribou, Learned, Abrams, Reddin, Giroux, Kleschinsky and Madames Giroux, Leger, Abrams, Reddin, Favreau, Noel and Wright.

Finance Committee recommends approval.

ARTICLE 47 - PETITIONERS ARTICLE

To see if the Town will vote to petition a Special Act of the General Court to grant an additional All Alcohol Package Store License for Nilkanth Store, LLC at 816 Boston Road, Billerica, MA 01821; or act in relation thereto.

Submitted by Dane Bertrand and Messrs. Daens, Pennie, Dodge, Scola, Howard, Merservey, Thompson, Delgado and Madames Laux and Infurna.

Finance Committee recommends approval.