

PETITION TO PLACE AN ARTICLE ON TOWN MEETING WARRANT

We, the undersigned registered voters of the Town of Westford, hereby petition the Board of Selectmen to place the following article within the warrant (agenda) of the Town Meeting of (date): 03/24/2018 in accordance with Chapter 39, Section 10 of the Massachusetts General Laws:

2018 JAN 23 AM 10:01
 RECEIVED
 TOWN CLERK'S OFFICE

The purpose of this bylaw is to regulate the retail use of single-use plastic checkout bags and promote the use of reusable, recyclable and biodegradable bags in the Town of Westford.
 (The complete bylaw is attached)

(Attach separate sheet if additional space is required, but be sure to have the entire text of the article attached before obtaining signatures.)

	Name (signature of voter)	Residential Address (must be legible)	Precinct if known
1	Richard J. Coleman	23 Sandstone Rd.	
2	M. Olson	59 Main St.	1
3	Angela Hartman	15 Castle Rd.	
4	Mary Ann	3 Tadnuck Lane	1
5	Matthew Fitzg	9 Butternut Rd	5
6	Megan H. Patten	12 Joyce Rd	5
7	Mary Jane Brunelle	13 Drew Crossing	1
8	Nicole Merrill	9 Joyce Circle	5
9	Joan Bennett	74 Parkhurst Dr.	
10	Sara Clay	7 Wood Hill Rd	
11	Ruth Coleman	23 Sandstone	
12	Nancy Wilson	4 Depot St.	
13	Robert P. Murphy Jr	22 Stone Ridge Rd	5
14	Catucia L. Mason	22 Old Hemstead Rd	2
15	Janina C. [Signature]	1 Adams Lane	

*Ten (10) registered voters are required to place an article on the warrant for an Annual Town Meeting. One hundred (100) voters are required in the case of a Special Town Meeting. A petition by two hundred (200) voters requires that the Selectmen call a Special Town Meeting within forty-five (45) days.

Petition Sponsor: Richard Coleman Daytime phone number: 978-577-6058
 Email address: nicolesman2020@gmail.com

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	Name (signature of voter)	Residential Address (must be legible)	Precinct if known
1	<i>Marcia Stokes</i>	10 Holly Ln	
2	<i>June W. Kennedy</i>	31 Old Lowell Rd	1
3	<i>Steven Heath</i>	4 Douglas Rd	2
4	<i>Cesra Polay</i>	3 Hildreth St	4
5	<i>Sharon Chew</i>	12 Robinwood Circle	4
6	<i>Zac Cataldo</i> ZAC CATALDO	121 Depot St.	3
7	<i>Michael Bulinski</i> Michael Bulinski	37 Crown Rd	
8	<i>AT City</i>	7 Ward Hill Rd	
9	<i>Susan</i>	4 Douglas Rd	3
10		5 Cummings Rd	
11	<i>Marion</i>	2 Hart Pond Rd	
12			
13			
14			
15			

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Plastic Bag Reduction

Section 1. Purpose and Intent

The purpose of this bylaw is to regulate the retail use of single-use plastic checkout bags and promote the use of reusable, recyclable and biodegradable bags in the Town of Westford.

- The manufacture and use of single-use checkout bags have a significant impact on the environment, including, but not limited to: contributing to pollution of land, waterways, and oceans; contributing to the death of marine animals through ingestion and entanglement; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil.
- Plastic bags also affect human health by adding pollutants to the air we breathe during the process of extracting oil from the ground, when they are disposed of by incineration, and when they break down adding toxic chemicals to the groundwater.
- Plastic bags are rarely recycled and are not biodegradable. Residents of Westford are justifiably proud of their environmental awareness. The reduction of plastic bags is another way to demonstrate that we care about the health of where we live and our Planet.

Section 2 Definitions

A. *Single-use plastic* bags shall mean a plastic bag including but not limited to bags with integral handles made of non-biodegradable plastic that is less than 3.0 mils in thickness, and is intended for single-use transport of purchased items provided by an establishment to a customer at the point of sale.

B. *Recyclable paper bag* means 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 the word "recyclable" or a symbol identifying the bag is recyclable.

C. A *reusable checkout* bag shall be a bag with handles that is specifically designed for multiple use, preferably made of natural fibers, that is at least 3.0 mils or thicker.

D. *Establishment* shall mean any business or vendor that sells or provides food, merchandise, goods, or personal services to the public. However, the term Establishment does not include bazaars or festivals operated by nonprofit organizations or religious institutions.

Section 3 Regulations

A. Single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any Establishment within the Town of Westford.

B. Other thin-film bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items, perishables and other similar merchandise, typically without handles, are still permissible.

C. If a retail store provides or sells checkout bags to customers, the bags must be one of the following:

- a. Recyclable paper bag, as defined above or
- b. Reusable checkout bag, as defined above

Section 4 Enforcement and Penalties

A. The administration of this bylaw shall be the responsibility of the Board of Selectman or its designee.

B. The Board of Health or its designee is authorized to include as part of their routine health inspection compliance with this bylaw. The Board of Health may adopt and amend rules and regulations to effectuate the purposes of this bylaw.

C. Citizens of the Town of Westford who may observe potential violations of this bylaw shall be able to file a complaint with the Board of Health or its designee who shall investigate whether there is a violation of this bylaw. When deemed necessary the Board of Health or its designee, shall issue a written notice of a violation, and notices thereafter.

D. This bylaw may be enforced by any lawful means in law or in equity, including but not limited to non-criminal disposition as provided in the Massachusetts General Law, Chapter 40, Section 21D and appropriate chapter of the General Bylaws of the Town of Westford. If non-criminal disposition is elected, then any Establishment which violates any provision of this bylaw shall be subject to the following penalties:

First Offense: \$50 fine

Second Offense: \$100 fine

Third and subsequent Offense: \$200 fine

Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense.

Section 5 Variance

A. Any Establishment may make a written application to the Board of Health for a variance from this bylaw.

B. Every application for a variance is subject to a public hearing. Notice of the hearing shall be posted as part of a public notice of the Board of Health meeting at which the application will be considered. Notice shall be posted no less than 48 hours before the meeting.

C. By vote of a majority of its full authorized membership, the Board of Health may grant a variance when, in its opinion, the enforcement would result in an undue burden. Each request for a variance shall be in writing stating the specific provision of this regulation from which a variance is sought, the reason or reasons for seeking the variance, and information to establish a variance.

D. A variance may be granted for up to six months and extended for like periods upon submission of a renewal application.

E. Any variance granted by the Board shall be in writing.

F. A copy of the variance granted under this Section shall be available for public inspection on the premises for which it is issued.

Section 6 Effective Date.

A. This bylaw shall take effect January 1, 2019.

B. Each section of this bylaw shall be construed as separate to the end that if any section, sentence, clause or phrase thereof shall be invalid for any reason, the remainder of this bylaw shall continue in force.