

# Town of Franklin

Town Administrator  
Tel: (508) 520-4949

Fax: (508) 520-4903



355 East Central Street  
Franklin, Massachusetts 02038-1352

## Economic Development Subcommittee Meeting

Municipal Building

355 East Central Street, **3rd Floor Training Room**

Franklin, MA

June 12th, 2018

6:00 PM

**REVISED**

### Announcements:

This meeting may be recorded by audio or video.

### Discussion:

1. Grants Update
  - a. DLTA Economic Profile analysis
  - b. Municipal Vulnerability Grant w/ Bellingham
  - c. Housing Choice Designation
  
2. Plastic Bag Ban Proposal.

2019 JUN 10 P 1:08  
RECEIVED  
TOWN OF FRANKLIN  
TOWN CLERK

This is a meeting of the Franklin Town Council Sub-Committee; under the Open Meeting Law, this subcommittee is a separate "public body" from the Town Council. Therefore, unless the Town Council has separately noticed and posted its own meeting, Councilors who are not members of this subcommittee will not be permitted to speak or otherwise actively participate @ this meeting, although they may attend and observe. This prohibition is necessary to avoid the potential for an Open Meeting Law Violation.

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June 12, 2019

To: Economic Development Subcommittee (EDC)  
From: Jamie Hellen, Town Administrator

**RE: Plastic Bag Ban**

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The hearing we are having tonight is to discuss the Plastic Bag Ban, which was brought to our attention at the advocacy of Franklin High School students.

By way of background, I have included the plastic bag ban proposal that was considered by the Town Council in 2016. For folks who were here, one of the questions brought forth that evening was why the Economic Development Subcommittee did not vet the proposal out. Thus, now that some folks in town want to reintroduce this legislation, we scheduled an EDC meeting for folks to add in their views on this and help steer the EDC.

I have also included the most active legislation from Beacon Hill. Over 100 cities or towns have adopted varying bylaws and Beacon Hill is considering a ban that would set out the same rules for all businesses statewide. From 3 years ago to now, a majority of those municipalities have adopted this and it's an important actor. As those communities increase, Beacon Hill may be primed for action much like they did last year on the 21+ age requirement to purchase tobacco products.

As always, I am happy to answer any questions folks may have.

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## Office of the Town Administrator



### MEMORANDUM

**Date:** October 4, 2016  
**To:** Businesses and Citizens *JN*  
**From:** Jeffrey Nutting, Town Administrator

**Subject:** Town Council to consider eliminating plastic bags from stores

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The Town Council has been asked to consider eliminating thin plastic bags (less than 4.0 mil) from stores.

The attached draft bylaw will be considered at the October 19<sup>th</sup> meeting at 7:00 pm in the Town Council chambers of the Municipal Building, 355 East Central Street, Franklin.

If a plastic bag bylaw is adopted, it is proposed to take effect on July 1, 2017.

All citizens and businesses are welcome to attend and be heard on the matter.

You can also provide your comments in writing to Town Administrator, 355 East Central Street, Franklin or e-mail Jamie Hellen, Deputy Town Administrator at [jhellen@franklin.ma.us](mailto:jhellen@franklin.ma.us)





SPONSOR: Administration

**TOWN OF FRANKLIN  
BYLAW AMENDMENT 16-774  
NEW CHAPTER 130, PLASTIC CHECKOUT  
BAG PROHIBITION BYLAW**

**A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN BY ADDING A  
NEW CHAPTER: CHAPTER 130 PLASTIC CHECKOUT BAG PROHIBITION.**

**Be it enacted by the Franklin Town Council that Chapter 130, Plastic Checkout Bag Prohibition is added in its entirety as follows to the Code of the Town of Franklin.**

**Chapter 130 Plastic Checkout Bag Prohibition**  
**§130-1 Purpose and Intent.**

Plastic bags are an environmental nuisance, adversely affect public health, and impair the overall quality of life for the Town's residents and visitors.

Because plastic bags are lightweight, they easily become airborne even when properly disposed of, littering waterways, state and private forests, bodies of water, roadsides and sidewalks. They clog storm drainage systems, contribute to aquatic and terrestrial pollution, and detract from the natural beauty of the Town for visitors and residents alike.

Plastic bags photodegrade, disintegrating into minute particles which absorb toxins and pose a threat to riparian and aquatic environments, contaminating the food chain, as well as water and soil. They are also detrimental to wildlife, killing tens of thousands of birds, aquatic and terrestrial organisms each year through ingestion and entanglement.

The vast majority of plastic bags are not recycled and recycling is not available through our Town's recycling program. Their disposal adds to the Town's waste management expense, both through the cost of disposing the bags through private firms and due to their contamination of the single-stream recycling system.

Plastic bag ordinances have proven to be effective in reducing plastic bag consumption and litter and are part of a growing global movement towards sustainability. Statewide, all the proposed bans have been passed and are in the process of being enforced.

The Town is committed to protecting the environment and the public health, safety, and welfare of its citizens. The goal of this bylaw is to reduce the common use of plastic checkout bags and to encourage the use of reusable bags by consumers, thereby reducing local land and aquatic pollution, advancing solid waste reduction, maintain the Town's exterior beauty and improving the quality of life for the citizens of the Town.

**§130-2 Bylaw Definitions.**

**Checkout Bag:** A carryout bag provided by a store to a customer at the point of sale. Checkout 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 checkout area of the store.

**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.

**Plastic Checkout Bag:** Thin-film, single-use plastic bags typically with plastic handles, with a thickness of 4.0 mils or less, intended for single-use transport of purchased products.

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

**Reusable Checkout Bag:** A bag, with handles, that is specifically designed for multiple use and is made of thick plastic, cloth, fabric or other durable materials.

**§130-3 Use Regulations.**

No retail or grocery store within the Town of Franklin shall provide a plastic checkout bag to any customer.

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

Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, fresh produce, bulk foods, wet items and other similar merchandise, typically without handle, are still permissible.

**§130-4 Violations and Enforcement.**

Any retail or grocery store violating the prohibition contained in Section 130-3 of this bylaw shall be subject to a fine as follows:

<u>First Offense:</u>	<u>Warning</u>
<u>Second Offense:</u>	<u>\$ 50.00</u>
<u>Third and Subsequent Offenses:</u>	<u>\$100.00</u>

Each day that a violation continues shall be treated as a separate offense.

This bylaw may be enforced by the Town Administrator or his designee, the Franklin Police Department, the Building Commissioner and Building Inspectors, and the Board of Health Director and Agent(s).

**§130-5 Effective Date.**

This bylaw shall take effect on and after July 1, 2017.

◆-----◆  
DATED: \_\_\_\_\_, 2016

VOTED:  
UNANIMOUS \_\_\_\_\_

A True Record Attest:

YES \_\_\_\_\_ NO \_\_\_\_\_

ABSTAIN \_\_\_\_\_

Teresa M. Burr  
Town Clerk

ABSENT \_\_\_\_\_

\_\_\_\_\_  
Judith Pond Pfeffer, Clerk  
Franklin Town Council



**HOUSE . . . . . No. 771**

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Lori A. Ehrlich and James B. Eldridge*

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act reducing plastic bag pollution.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>

<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>
<i>Daniel R. Cullinane</i>	<i>12th Suffolk</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>



<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Joan Meschino</i>	<i>3rd Plymouth</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>
<i>Thomas P. Walsh</i>	<i>12th Essex</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>

**HOUSE . . . . . No. 771**

By Representative Ehrlich of Marblehead and Senator Eldridge, a petition (accompanied by bill, House, No. 771) of Lori A. Ehrlich, James B. Eldridge and others for legislation to reduce plastic bag pollution by requiring the availability of reusable bags at certain stores. Environment, Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

In the One Hundred and Ninety-First General Court  
(2019-2020)

An Act reducing plastic bag pollution.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The General Laws are hereby amended by inserting after chapter 210 the  
2 following chapter:

3 CHAPTER 21P.

4 PLASTIC BAG REDUCTION

5 Section 1. As used in this chapter, the following words shall have the following meanings  
6 unless the context clearly requires otherwise:

7 "Postconsumer recycled material", a material that would otherwise be destined for solid  
8 waste disposal, having completed its intended end use and product life cycle. Postconsumer  
9 recycled material does not include materials and byproducts generated from, and commonly  
10 reused within, an original manufacturing and fabrication process.

11           “Recycled paper bag”, a paper bag that is (i) 100 per cent recyclable; (ii) contains a  
12 minimum of 40 per cent postconsumer recycled materials, provided, however, that an 8 pound or  
13 smaller recycled paper bag shall contain a minimum of 20 per cent postconsumer recycled  
14 material; and (iii) displays the words "Recyclable" and "made from 40% post-consumer recycled  
15 content" or other applicable amount in a visible manner on the outside of the bag.

16           “Reusable grocery bag”, a sewn bag with stitched handles that is (i) specifically designed  
17 and manufactured for at least 175 uses; (ii) can carry 25 pounds over a distance of 300 feet; and  
18 (iii) is made of cloth or other machine-washable fabric other than polyethylene or polyvinyl  
19 chloride.

20           “Single-use carryout bag”, a bag made of plastic, paper, or other material that is provided  
21 by a store to a customer at the point of sale and that is not a recycled paper bag or a reusable  
22 grocery bag. A single-use carryout bag does not include the following: (i) a paper bag provided  
23 by a pharmacy to a customer purchasing a prescription medication; (ii) a non-handled bag used  
24 to protect items from damaging or contaminating other purchased items placed in a recycled  
25 paper bag, a reusable grocery bag; (iii) a bag provided to contain an unwrapped food item; or (iv)  
26 a non-handled bag that is designed to be placed over articles of clothing on a hanger.

27           “Store”, a retail establishment, person, corporation, partnership, business venture, or  
28 vendor that sells or provides merchandise, goods or materials directly to a customer, whether for  
29 or not for profit, including but not limited to restaurants, pharmacies, convenience and grocery  
30 stores, liquor stores, seasonal and temporary businesses, farmers markets, public markets,  
31 jewelry stores, and household goods stores, provided however, the term store does not include  
32 bazaars, fairs or festivals operated by nonprofit organizations or religious institutions



33 Section 2. (a) Except as provided in this section on and after August 1, 2019, a store shall  
34 not provide a single-use carryout bag to a customer at the point of sale.

35 (b) From the date of enactment until August 1, 2019, a store may make available for  
36 purchase at the point of sale a single-use carryout bag, reusable grocery bag, or recycled paper  
37 bag. A store that makes single-use carryout bags or recycled paper bags available for purchase  
38 prior to August 1, 2019 shall sell the single-use carryout bag or recycled paper bag for \$0.10.

39 (c) On and after August 1, 2019, a store shall make available for purchase a recycled  
40 paper bag, for a charge of \$0.10.

41 (d) On and after August 1, 2019, a store may make available for purchase a reusable  
42 grocery bag, for a charge of no less than \$0.10.

43 (e) All moneys collected pursuant to this section shall be retained by the store.

44 (f) The department of environmental protection shall promulgate regulations with regard  
45 to the enforcement of this chapter.

46 Section 3. Nothing in this chapter shall preempt further limitation of single-use carryout  
47 bags by any political subdivision of the Commonwealth enacted after the enactment of this law;  
48 provided, however, that any municipality with an existing ordinance or by-law banning plastic  
49 bags shall be null and void on August 1, 2019.