

City of Salem, Massachusetts



"Know Your Rights Under the Open Meeting Law, M.G.L. c. 30A ss. 18-25 and
City Ordinance Sections 2-2028 through 2-2033."

The City Council Committee on _____ Public Health, Safety and Environment co-posted with the
_____ Committee of the Whole _____

met in the Council Chamber _____ Tuesday, October 4, 2016 _____ at _____ 6:30 _____ P.M.

for the purpose of discussing the matters(s) listed below. Notice of this meeting was posted on

_____ September 27, 2016 _____ at _____ 8:57 A.M. _____

(This meeting is being recorded)

ATTENDANCE

ABSENT WERE: C. Eppley, ~~_____~~

SUBJECT(S)

#398 – Discuss the creation of an Ordinance regarding Plastic Bags and poly styrene food beverage container reduction

C. Furey: noted visitor to PEM acknowledged that Yin Yu Tang had no plastic

C. Dibble: looking @ plastic bag ban in Barnstable. Get copy of draft ordinance to ~~the~~ City Clerk

V. Caldwell = 30 cities + towns in MA have passed plastic bag ban / reduction. Emphasized reduction. draft ordinance discussion. 5% of shopping bags get recycled aka "point of sale"

C. Dibble: review draft ordinance.

(from COW. ~~Alaina~~ C. Milo) V. Caldwell read from draft (C. Sargent from COW)

C. Dibble: add language re: dog waste bags.

C. Lovely: state took a stab @ this type of ban. Concerned about something being done on local level before state.

C. Milo: How is success measured?

Reed George, Representing Crosby's: Shared examples of reusable bags.

⁴62k difference to go to all paper (increase)

(foam trays = ⁴6k cost ~~increase~~)

C. Milo = How to make up for increase in cost? RG: push to sell reusable bags or offer x% off order if using reusable bags.

C. Lovely: costs need to be taken into consideration

C. Milo: store size discussion.

C. Dibble: store ~~size~~ size should not matter. Crosby's ~~experience~~ ^{experience} in other cities/towns w/ plastic bag reduction.

RG: Will look into it.

C. Sargent: charge for bags? V. Caldwell: Cambridge charges for all bags.

Carol Huteau - 1 Linden St: speaking about seniors, not a shock to make a change. ~~would~~ organizations give away reusable bags.

Flora Tonthat - 32 Northey St: Seasoned shoppers are more organized, know what they will bring to the market. ~~to~~ focused on changing habits. Long range goal to benefit all people. Younger generation brought this forward, and should be supported. reusable

Tori Kake - 251 Loring Ave: check out girl @ Crosby's. Seniors to use 1 bag. Halloween is now and tourists see plastic bags. Going to be a difficult change but have to work through this.

Susan Yochison - 5 Eden St: Effectiveness of bag bans. Data looks promising. #3 littered item found on beaches around the world is plastic bags. Can act locally to have global impact. Trader Joes example.

Jack Nessen, Rantoul St - Coast Sweep initiative. Citing data on plastic bag impact. See page 3

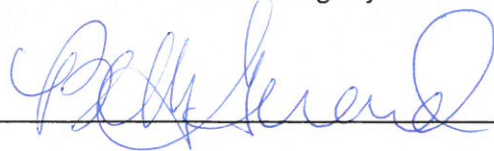
On the motion of C.

furey

the meeting adjourned at

8:07

P.M.



(Chairperson)

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~~Topic~~ Public Health Safety + Environment.

Stan Franzeen - 34 Daniels St - Happy to see this happening here. Cost of fossil fuels not included ~~as~~ often. Social change discussion, using tobacco as an example. Will see more of this. Support

to whom was referred

Claudia Parashiv - 20 Fowler St - Supports bag ban. Likes has considered said matter and would recommend:

legislation. 2004 Los Angeles study showed 25% of storm drains littered by plastic bags. Uses recycled materials. Grandmother loves her reusable bags - helps to combat climate change.

Jeff Cohen - 12 Hancock St - 1st mandatory recycling coordinator. We are the worst at diverting ^{trash} ~~recycling~~ to recycling. Climate change will be impacted most when we stop using fossil fuels to make products.

C. Sargent: putting a charge on plastic bags made more of impact

C. Furey: supports this starting @ the city level.

C. Sargent: add non-binding resolution to draft.

Tori Kalco: adding fee to plastic bags defeats purpose - have to quit cold turkey. Not right for ordinance.

C. Furey: keep in comte to get more public + private input. 2nd by Lovely ⁴⁻⁰ approved

C. Dibble: review draft. get materials to City Clerk. Dog waste bags?

V. Caldwell: ordinance is directed to retailers. FOR THE COMMITTEE.

C. Milo: special mtg of Chamber - they are in support of this. but council goes "gently" on implementation.

Chairman

C. Dibble: share w/ Chamber.

Sec. 14-500. Purpose.

The reduction in the use of disposable plastic shopping bags by retail establishments in the city is a public purpose that protects the marine environment, advances solid waste reduction, reduces greenhouse gas emissions, and protects waterways. This ordinance seeks to reduce the number of plastic bags that are being used, discarded and littered, and to promote the use of reusable checkout bags and recyclable paper bags by retail establishments located in the city.

Sec. 14-501. Definitions.

The following words shall, unless the context clearly requires otherwise, have the following meanings:

Disposable plastic shopping bag means any checkout bag made predominately of plastic derived from either petroleum, natural gas, or a biologically based source, such as corn or other plant sources, which is provided to a customer at the point of sale. The term, "disposable plastic shopping bag" includes:

- (1) Degradable plastic bags; and
- (2) Biodegradable plastic bags that are not commercially compostable as well as commercially compostable plastic bags.

The term "disposable plastic shopping bag" shall not include:

- (1) Reusable bags;
- (2) Produce bags; or
- (3) Product bags.

As used in this definition, the term "produce bag" or "product bag" means any bag without handles used exclusively to carry produce, meats or other food items to the point of sale inside a store or to prevent such food items from coming into direct contact with other purchased items.

Checkout bag means a carry-out bag provided by a retail establishment to a customer at the point of sale. Checkout bags shall not include:

- (1) Bags, whether plastic or not, in which loose produce or bulk products are placed by the consumer to deliver such items to the point of sale or check out area of the retail establishment;
- (2) Laundry or dry cleaner bags;
- (3) Newspaper bags; or
- (4) Bags used to contain or wrap frozen foods, meat or fish, whether prepackaged or not, to prevent or contain moisture and/or prevent contamination.

Reusable bag means a bag that is specifically designed and manufactured for multiple reuse and is either polyester, polypropylene, cotton or other durable material, and meets the following requirements:

- (1) Has a minimum lifetime capability of 125 or more uses carrying 22 or more pounds; and
- (2) Is machine washable or is made of a material that can be cleaned or disinfected 125 times.

Recyclable paper bag means a paper bag that is 100 percent recyclable and contains at least 40 percent post-consumer recycled content, and displays the words "Recyclable" and "made from 40% post-consumer recyclable content" in a visible manner on the outside of the bag.

Retail establishment means any commercial enterprise, defined as the following: whether for or not for profit, including, but not limited to, restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses, jewelry stores, and household goods stores.

Sec. 14-502. Prohibition on disposable plastic shopping bags.

No retail establishment shall provide a disposable plastic shopping bag to any customer for the purpose of enabling the customer to carry away goods from the point of sale. Nothing in this section shall be read to preclude any establishment from making reusable bags available for sale to customers or utilizing recyclable paper bags at checkout.

Sec. 14-503. Penalties and enforcement.

The penalty for each violation that occurs after the issuance of the warning notice shall be in accordance with section 1-10 of the Code of Ordinances. The warning notice issued for the first offense shall provide at least 14 days to correct the violation. No fine for the second offense shall be issued until at least 14 days after the warning is issued. This ordinance may be enforced by any police officer, enforcement officer or agent of the Board of Health or Licensing Department.

Sec. 14-504. Effective date.

This ordinance shall take effect _____ months after passage for retail establishments with a floor area equal to or exceeding 10,000 square feet. This ordinance shall take effect _____ months after passage for retail establishments less than 10,000 square feet.