

Council Order: 2018-038

Introduced By: Town Councilor Christos Alexopoulos  
Town Councilor James F. Burgess, Jr.  
July 23, 2018

Proposed Amendment to the General Code of the Town of Randolph  
Concerning Plastic Reduction

Ordered: That the Town Council of the Town of Randolph hereby amends the General Code of the Town of Randolph, as follows:

- A. Insert the following as a new Chapter 158 into the General Code of the Town of Randolph:

**Chapter 158: Plastic Reduction**

Article I - Thin-film single-use plastic bags

§ 158-1: Purpose and Intent

The production and use of thin-film single-use plastic check out bags have significant impacts on the environment, including but not limited to contributing to the death of marine animals through ingestion, contributing to pollution of the land environment, creating a burden to solid waste collection, clogging storm drainage systems, being entangled in tree limbs, requiring millions of barrels of crude oil to manufacture and costing the residents of the Town of Randolph in cleanup and disposal costs.

The purpose of this ordinance is to eliminate the usage of thin-film single-use plastic bags by all retail, grocery and convenience stores in the Town of Randolph on or after January 1, 2021.

§ 158-2: Definitions

As used in this chapter, the following terms shall have the following definitions:

*Checkout bags:* 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.

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

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

*Thin-film single-use plastic bags:* Typically with plastic handles, these are bags with a thickness of 2.5 millimeters or less and are intended for single-use transport of purchased products.

#### § 158-3: Use Limitations

- A. Thin-film single-use plastic bags shall not be distributed, used or sold for checkout or other purposes at any retail, grocery or convenience store within the Town of Randolph.
- B. Customers are encouraged to bring their own reusable or biodegradable shopping bags to the stores. Retail, grocery and convenience stores are strongly encouraged to make reusable checkout bags available for sale to customers at a reasonable price.
- C. Thin-film single-use plastic bags used to contain dry-cleaning, newspapers, produce, meats, bulk foods, wet items and other similar merchandise, typically without handles, are permissible.

#### § 158-4: Enforcement Process

Enforcement of this ordinance shall be the responsibility of the Town Manager or his/her designee.

The Town Manager shall determine the selection process to be followed, incorporating the process into other Town duties as appropriate.

Any retail, grocery or convenience store distributing plastic bags in violation of this ordinance shall be subject to a non-criminal disposition fine as indicated below which shall be incorporated into the fine schedule.

1 <sup>st</sup> Offense	Warning
2 <sup>nd</sup> Offense	\$ 50.00
3 <sup>rd</sup> Offense	\$100.00
4 <sup>th</sup> and each subsequent	\$250.00

Each bag being used shall constitute a separate offense.

§ 158-5: Effective Date

This chapter shall take effect on January 1, 2021.

7/23/18: Introduced by Councilor Burgess and Councilor C. Alexopoulos. Councilor Burgess made a motion to refer Order 2018-038 to the Ordinance Subcommittee, seconded by Councilor Adams. Vote: 7-1-0 (Councilor Egan in the negative. Councilor Clifton absent).

6/10/19: Public Hearing held. Councilor Goldstein made a motion to table Order 2018-038 until the first order of business at the first July meeting at 7:15p.m., seconded by Councilor Huff-Larmond. Vote: 7-2-0 (Councilor Burgess and Councilor W. Alexopoulos in the negative).

7/15/19: Public Hearing continued. Councilor Goldstein made a motion to put Order 2018-038 on the next meeting agenda at 7:15p.m., seconded by Councilor Egan. Vote: 8-1-0 (Councilor Burgess in the negative).

7/29/19: Public Hearing continued. Councilor Burgess made a motion to approve Order 2018-038, seconded by Councilor W. Alexopoulos.

Roll-Call Vote:

Councilor Clerger - No

Councilor Clifton - No

Councilor Burgess - Yes

Councilor W. Alexopoulos - Yes

Councilor Huff-Larmond - Yes

Councilor Goldstein - No

Councilor Egan - Yes

Motion fails 4-3-0 Must have an affirmative vote of 5 members (Councilor Clifton, Councilor Clerger and Councilor Goldstein in the negative. Councilor C. Alexopoulos out of the room at the time of the vote. Councilor Adams absent).

Councilor Goldstein made a motion for reconsideration of Order 2018-038, seconded by Councilor Burgess. Vote: 8-0-0 (Councilor Adams absent).

Councilor Egan made a motion to approve Order 2018-038, seconded by Councilor W. Alexopoulos.

Roll-Call Vote:

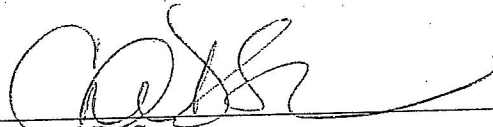
- Councilor Clerger - No
- Councilor Clifton - No
- Councilor Burgess – Yes
- Councilor W. Alexopoulos – Yes
- Councilor Huff-Larmond – Yes
- Councilor C. Alexopoulos - Yes
- Councilor Goldstein – No
- Councilor Egan – Yes

Vote: 5-3-0 Motion passes.

Yays: C. Alexopoulos, W. Alexopoulos, Burgess, Egan, Huff-Larmond

Nays: Clerger, Clifton, Goldstein

Absent: Adams



Cheryl D. Sass  
Acting Town Clerk/Registrar

7/29/19  
Date of Vote

