



# CITY OF FRAMINGHAM

## PLASTIC BAG REDUCTION ORDINANCE

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### PLASTIC BAG REDUCTION ORDINANCE FAQ FOR BUSINESSES

- **Is the Plastic Bag Reduction Bylaw now an Ordinance?**
  - Yes, Framingham's bylaws were converted to Ordinances on January 5, 2021 by the City Council. However, the conversion of the former Bylaw to the Plastic Bag Reduction Ordinance has no material impact on its provisions. To view the most recent version of the Plastic Bag Reduction Ordinance and recent amendments, please visit [www.framinghamma.gov/PlasticBagReductionOrdinance](http://www.framinghamma.gov/PlasticBagReductionOrdinance).
- **Why did the City amend the original Plastic Bag Reduction Ordinance?**
  - The Plastic Bag Reduction Bylaw was enacted by Framingham Town Meeting in 2017. While the Bylaw was successful in the elimination of thin-film single-use checkout bags under 2.5 mil in thickness, concerns were expressed in 2019 that some retailers had switched to thicker plastic bags that went contrary to the intent of the Bylaw.
  - An Environmental Task Force (ETF) was created to explore how to address challenges of the existing Bylaw. After concluding its research and business outreach efforts, the ETF proposed the current amendment to the (now) Ordinance to address these issues and better encourage customers in Framingham to utilize reusable checkout bags. The proposed changes were approved by the Framingham City Council in November 2019.
  - Then in December 2020, the effective date of the amended Ordinance was delayed from January 1, 2021 to July 5, 2021.
- **When does the amended Ordinance go into effect?**
  - The new amendments are currently scheduled to become effective on July 5, 2021.
- **Why was a fee implemented for checkout bags?**
  - In recognition that all alternatives to plastic single-use checkout bags bear their own environmental costs and challenges, a minimum checkout bag fee was proposed by the Environmental Task Force (ETF) to encourage the reuse of checkout bags.
- **Is the fee collected by stores taxable?**
  - Yes. The fee is subject to Massachusetts sales tax.
- **Who receives the fee collected from the sale of checkout bags?**
  - Stores will keep all the fees that they collect as a requirement of this Ordinance.



## CITY OF FRAMINGHAM

### PLASTIC BAG REDUCTION ORDINANCE

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- **What fee are affected establishments required to charge for checkout bags? Does the fee apply to all checkout bags?**
  - Establishments are required to charge a minimum fee of \$0.10 per reusable checkout bag or recyclable paper bag to customers at checkout. As these are the only two types of checkout bags that may be provided to customers at checkout, the minimum fee should apply to all checkout bags offered at checkout beginning July 5, 2021.
- **Does the amended Ordinance apply to my establishment?**
  - The amended Ordinance will impact any retail establishment, person, corporation, partnership, business venture, or vendor that sells or provides merchandise, goods or materials directly to a customer, whether for or not for profit, including but not limited to pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses, farmers markets, public markets, jewelry stores, and household goods stores.
  - The amended Ordinance will not impact restaurants, or bazaars, fairs or festivals operated by nonprofit organizations or religious institutions.
- **How does the City plan on enforcing the amendment to the Ordinance and monitor stores for compliance?**
  - According to Section 8.4 Enforcement Process, the “enforcement of this Ordinance shall be the responsibility of the Mayor or his/her designee. The Mayor shall determine the inspection process to be followed, incorporating the process into other city duties as appropriate. Any store in violation of this Ordinance shall be subject to a non- criminal disposition fine as specified in Article X of the Town Ordinances under M.G.L. Chapter 40, §21D. Any such fines shall be paid to the City of Framingham”.
- **Are there any plastic bags that are still exempt from this Ordinance?**
  - Yes, single-use plastic bags, typically without handles, that are made to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items, and other similar merchandise are still permissible.
- **Are there any types of plastic bags that can be included under the definition reusable checkout bags?**
  - Yes. If a plastic bag complies with the definition of a reusable checkout bag as incorporated in the amended Ordinance, it is eligible to be provided at checkout. This means that the plastic bag needs to be a bag with stitched handles that is (1) specifically designed and manufactured for multiple separate uses, (2) can carry



## **CITY OF FRAMINGHAM**

### **PLASTIC BAG REDUCTION ORDINANCE**

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25 pounds over a distance of 300 feet, and (3) can be readily washed or disinfected by hand or machine.

- **Who do I contact if I still have questions?**
  - If you are unsure whether the Ordinance applies to your business, please contact [bagordinance@framinghamma.gov](mailto:bagordinance@framinghamma.gov).