



# CITY OF NEW BEDFORD

In the Year Two Thousand and Nineteen

## AN ORDINANCE

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### RELATIVE TO PLASTIC BAGS

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31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

**SECTION 1.** Chapter 17 of the Code of Ordinances is hereby amended by inserting, after Section 17-19, the following new Section:-

17-19.1. Single-use plastic bag distribution.

(a). Definitions. For the purposes of this Section, the following terms, phrases, words, and their derivations, shall have the meaning given herein.

*Establishment* — means any commercial entity with retail space of 10,000 square feet or larger or with at least two (2) locations under the same name **or same ownership** within the City with retail space that totals 10,000 square feet or larger, whether for or not for profit, including, but not limited to retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses.

*Single-use plastic bag* — A plastic film-type bag with or without handles, which is 4 mils thick or less, provided by a retail establishment **at the point of sale** to customers at its business location. **The definition of single-use plastic bag shall not include the following: Bags in which loose produce or products are placed by a consumer to deliver such items to the point of sale or check-out area of a retail establishment; laundry or dry-cleaner bags; or newspaper bags; bags used to contain or wrap frozen foods, meat or fish, whether prepackaged or not, to prevent or contain moisture.**

(b) Single-use plastic bags shall not be distributed or sold at any establishment within the City.

(c) Existing stock of single-use plastic bags shall be phased out within 6 months of adoption of this Article any remaining stock shall be disposed of properly by the establishment.

(d) Each day a violation occurs shall constitute a separate offense.

(e) Fines for violations shall be imposed pursuant to Section 17-18 (j).

SECTION 2. Paragraph (j) of section 17-18 of Chapter 17 is hereby amended by inserting into the table, the following line(s):-

17-19.1	Plastic Bag Distribution	
	First Offense	\$100.00
	Second Offense	\$200.00
	Third and any subsequent offense	\$300.00

Section 3

This Ordinance shall take effect in accordance with the provisions of Chapter 43 of the General Laws.