

Amendment Number 1

Section 8.67.010 Short Title.

The language “Plastic Bag Reduction” shall be deleted and “Checkout Bag” shall be inserted after the word “the” and before the word “Ordinance.”

Amendment Number 2

Section 8.67.020 Declaration of findings and policy—Scope.

The language in Section 8.67.020 shall be deleted in its entirety and replaced with the following language:

The City Council hereby finds that the reduction in the use of disposable checkout bags by Retail Establishments in the City of Cambridge (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 and paper bags that are being used, discarded and littered, and to promote the use of reusable checkout bags by Retail Establishments located in the City. This Ordinance seeks to ensure that customers using reusable checkout bags are made aware of the need to keep those bags sanitized between uses in order to protect against the transmission of food-borne illnesses.

Amendment Number 3:

Section 8.67.030 Definitions. The following language shall be inserted as a new subsection (a)(3)(d):

- d. bags used to contain or wrap frozen foods, meat or fish, whether prepackaged or not to prevent or contain leaks; or

Amendment Number 4:

Section 8.67.030 Definitions. The following language shall be inserted as a new subsection (a)(3)(e):

- e. bags used to transport leftover or take-out food from restaurants.

Amendment Number 5:

Section 8.67.030 Definitions. Delete the language in subsection (a)(5) which reads “3.0 mils” and insert in its place the following language: “2.25 mils”.

Amendment Number 6:

Section 8.67.030 Definitions. Subsection (a)(6) shall be deleted in its entirety and the following language shall be inserted as a new subsection (a)(6):

- 6. “Compostable Plastic Bag” means a plastic Checkout Bag that is capable of meeting the standards set forth in the test parameters of ASTM D6400 and approved by the Commissioner. Said bags must be capable of undergoing biological decomposition in a compost site such that the material breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials.

Amendment Number 7:

Section 8.67.030 Definitions. The following language shall be inserted as a new subsection (a)(7);

- 7. “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, seasonal and temporary businesses, jewelry stores, and household goods stores; however, this does not include bazaars operated by nonprofit organizations or religious institutions and farmers markets.

Amendment Number 8A:

Section 8.67.040 Requirements. The following language shall be inserted as a new subsection (C).

C. Charges.

1. Retail Establishments which provide Recyclable Paper Bags or Compostable Plastic Bags shall charge for each such bag provided not less than an amount established by Regulations promulgated by the Commissioner. The Checkout Bag charge shall be retained by the Retail Establishment.
2. Any charge for a Checkout Bag shall be separately stated on a receipt provided to the customer at the time of sale and shall be identified as the "Checkout Bag Charge" thereon.

Amendment Number 8B:

Section 8.67.040 Requirements. The following language shall be inserted as a new subsection (C).

C. Charges.

1. Retail establishments may provide a Checkout Bag at no charge, or charge a fee for Checkout Bags, as they so desire. Retail establishments are strongly encouraged to make Reusable Bags available for sale to customers at a reasonable price.
2. Any charge for a Checkout Bag shall be separately stated on a receipt provided to the customer at the time of sale and shall be identified as the "Checkout Bag Charge" thereon.

Amendment Number 9:

Section 8.67.040 Requirements. The previously named subsection (C) shall be renamed subsection (D) and the number "7" shall be deleted and the number "6" shall be inserted.

Amendment Number 10:

Section 8.67.050 Effective Date.

The language “hundred and eighty (180) days” shall be deleted with the language “year” inserted after the word “one.”

Amendment Number 11:

Section 8.67.060 Exemptions. The entirety of subsection (A) shall be deleted and the following language shall be inserted:

A. The Commissioner may exempt a Retail Establishment from the requirements of this Chapter for a period of two years upon a finding by the Commissioner that the requirements of this chapter would cause undue hardship to a Retail Establishment. Any exemption granted by the Commissioner pursuant to this section shall expire after two (2) years. A retail establishment may re-apply when the exemption expires. An “undue hardship” shall only be found in;

Amendment Number 12:

Section 8.67.060 Exemptions. Subsection (A)(3) shall be deleted in its entirety and replaced with the following language as a new subsection (B).

B. The Commissioner may also exempt a Retail Establishment from the requirements of this Chapter for a period up to six (6) months, upon a finding by the Commissioner that a Retail Establishment requires additional time in order to draw down existing inventory of single–use plastic checkout bags or Checkout Bags that are not permitted by this Chapter or Regulations.

Amendment Number 13:

Section 8.67.060 Exemptions.

Subsections (B), (C) and (D) shall be renamed (C), (D) and (E), respectively.

