

October 23, 2018

To the Select Board:

We will be offering at this evening's public meeting some language changes to the Single Use Carryout Bag Ordinance provided to you earlier. As a result of further canvassing of SWH businesses, it became clear to us that the provision for charging an escalating fee for carryout paper bags was going to cause significant problems at this time. As a result, we have removed that provision from what we are proposing as final language to be put to a town vote. The changes are indicated below, and a copy of the proposed final ordinance is attached, with the new text highlighted.

We apologize for any complications caused by this change, but feel it is in the best interests of the community.

Southwest Harbor Plastics Project
MDI Plastics Citizens Initiative

SECTION 4. RESTRICTION ON SINGLE-USE CARRYOUT BAGS

Except as provided below, no Store as defined above, shall provide **or sell** a Single-Use Carryout Bag to a customer at a checkout stand, cash register, point-of-sale or other point of departure for the purpose of transporting any goods or merchandise out of the establishment.

~~Nothing in this ordinance shall be construed to prohibit Customers from using bags of any type that the Customer brings into the Store for their own use.~~

SECTION 5. PERMITTED BAGS

~~A. A Store may make available for sale to a customer a paper Single-use Carryout Bag for a mandatory minimum charge of five cents (\$0.05) per bag. The charge will increase to ten cents (\$0.10) per bag one year after the effective date of this Section. The charge will increase to fifteen cents (\$0.15) per bag two years after the effective date of this Section.~~

~~B. All monies collected by a Store for paper Single-use Carryout Bags under this Section shall be retained by the Store and used by the Store for any lawful purpose.~~

~~C. All Stores shall post signage at each point of sale clearly indicating the per bag charge for paper Single-use Carryout Bags. This requirement shall not apply to restaurants.~~

~~D. Notwithstanding this section, no Store may make available for sale a paper Single-use Carryout Bag unless the amount of the sale of the Single-Use Carryout Paper Bag is separately itemized on the sale receipt.~~

~~E. No Store shall rebate or otherwise reimburse a customer any portion of the minimum charge for any paper Single-use Carryout Bag.~~

~~F. Customers are encouraged to bring Reusable Bags to Stores, which may choose to provide a rebate for such.~~

A. A Store may, at its discretion, make a Reusable Bag or a paper bag available to the customer either for free or for a fee at the checkout stand, cash register, point of sale or other point of departure for the purposes of transporting food or merchandise out of the establishment. Businesses shall keep any proceeds from the sale of Reusable Bags and paper bags at point of sale.

B. Customers are encouraged to bring Reusable Bags to Stores, which may choose to provide a rebate for such.

C. Customers may use bags of any type that they bring into the Store for their own use.