

Summary of Proposed Southwest Harbor Plastics Ordinances

Passed at a Special Town Meeting, November 13, 2018

Effective: April 22, 2019 (Earth Day)

SINGLE USE CARRYOUT BAGS

- Definitions** **Store:** commercial enterprise selling food and/or merchandise:
grocery/convenience stores, markets, pharmacies, restaurants, take-outs,
temporary and seasonal businesses, other retailers, etc.
exceptions: nonprofit and religious organizations
Reusable bag: cleanable, at least 18-pound capacity; if plastic: greater than 4 mil
Produce/Product bags: no handles, carry produce/meats/seafood to point of sale
Single-use carryout bag: paper or plastic, provided at point of sale for carrying
food/merchandise out of the store —
exceptions: reusable bags, produce/special-product bags, prescription bags,
customer-supplied bags
- Prohibited** **Plastic** single-use carryout bags, as defined above, provided by merchant for
carrying items out of a store
- Permitted** **Paper** single-use carryout bags, which a store may choose to charge for;
the above-noted **exceptions** and **Customer-provided** bags of any sort
- Exemption** Situation deemed an emergency by Select Board
- Violations** First offense in 1-year period: warning
Second offense: \$100
Subsequent offenses: \$200 (all payable w/in 15 days, appealable to Superior Court)

POLYSTYRENE FOAM FOOD SERVICE CONTAINERS

- Definitions** **Prepared food:** food or beverages served or sold at an establishment having been
either previously prepared elsewhere or prepared at the establishment
Establishment: includes, but is not limited to, retail vendors of food, restaurants,
take-outs, schools, hospitals, religious institutions, governmental institutions,
community centers, markets, temporary and/or seasonal vendors and on-site events
Food packager: a person who places food in packaging material for retail sale
Polystyrene foam: blown polystyrene and expanded and extruded polystyrene
foams, but not clear polystyrene ("oriented" polystyrene)
- Prohibited** Retail sale or packaging of prepared food or beverages in polystyrene foam food
containers
Retail sale of polystyrene foam food or beverage containers
- Permitted** Items pre-packaged elsewhere
Uncooked meat and seafood
Items to be shipped elsewhere
- Exemption** Situation deemed an emergency by Select Board
- Violations** First offense in 1-year period: warning
Second offense: \$100
Subsequent offenses: \$200 (all payable w/in 15 days, appealable to Superior Court)