

Single-Use Plastic Carryout Bag Regulations: Comparison of State and MDI municipalities

bold red: differs from general pattern

Parameter	STATE	Bar Harbor	Mt. Desert	SW Harbor	Tremont
Single Use Carry-out Plastic [1]	ban	ban	ban	ban	ban
allow comp, biodeg	--	no	no	no	no
allow prescriptions	yes	yes	yes	yes	yes
allow others	many [2]	-	-	-	-
Produce	ok	ok	ok	ok	ok
Product	ok	ok	ok	ok	ok
Paper (state incl.plastic reusables)	chg: ≥5¢ [3]	opt,w-w/o chg	opt,w-w/o chg	opt,w-w/o chg	opt,w-w/o chg
who keeps \$	store	store	-	store	store
Re-usable	ok	ok	ok	ok	ok
cloth, fiber, plastic	--	c,f,p	c,f,p	c,f,p	c,f,p
repeat use	≥75	+	+	+	+
washable	+	+	+	+	+
cleanable/disinfectable	+	+	+	+	+
plastic min thick	4 mil	4.0 mil	3.0 mil	4.0 mil	4.0 mil
plastic min strength	18	18	18	18	18
rebate for use	-	ok	-	-	may
store can provide	-	opt, w/wo chg	opt,w-w/o chg	opt,w-w/o chg	opt,w-w/o chg
Customer-supplied	ok	ok	ok	ok	ok
Provider (+:included, -:excluded)	retail estab	store	store	store	store
restaurants, hospitals	+r	+r	+r	+r	+r
nonprofit, religious, government	--	--	-n -r	-n -r	-n -r
temporary, seasonal, on-site	+t +s	+t +s	+t +s	+t +s	+t +s
food < 2% & size <10K sq ft	paper,reuse [3]	-	-	-	-
Other definitions	many [4]	customer	customer	customer	customer & [5]
Exempt situations: decider	--	town council	select board	select board	select board
circumstance (unspecified)	--	emergency	-	emergency	health/safety
other temporary	-	-	on request	-	-
Violations: Enforcer (+=designee)	--	ceo+	town mgr+	town mgr+	town mgr+
delay enforcemt beyond eff. date	-	deplete:12/19	-	-	-
written warning	--	+	+	+	+
first in period (max)	≥100	100	100	100	100
subsequent in period (max)	≥100	200	200	200	200
definition of violation "period"	none	year	year	year	year
time span: multi-viols count as 1	1 day	1 day	1 day	1 day	1 day
payable	--	15d	15d	15d	15d
appeal: superior court	--	30d	30d	30d	--
Preemption	municipalities	-	-	-	-
Severability	-	+	+	+	+
Passed	06/17/19	01/15/19	05/08/19	11/13/18	05/14/19
Method	legislat, govnr	council	ann twn mtg	spec twn mtg	ann twn mtg
Vote	H:91-52;S:24-9	5-2	unanimous	75-4	126-39
Effective date	04/22/20	passage+30d	05/08/19	04/22/19	10/01/19

1. not excepted by any: restaurant carry-outs, previously used

2. also allowed: newspaper bags, dry-cleaning bags, garment bags, garbage bags, live-animal (fish, ants, etc) bags, vehicle tire bags, caustic chemical bags, food-pantry/soup-kitchen bags

3. paper bags must be from recycled material; charge also applies to plastic re-usable bags, exemptions from this charge include stores <10K sq ft of retail space and <2% gross is from food sales, restaurants, hunger relief orgs; —but they can charge if desired

4. other definitions: plastic, point of sale, post-consumer recycled material, recycled paper bag, restaurant, store, temporary business

5. definition: "Shall" is mandatory, and "may" is permissive