

Bag Ordinances in Maine as of December 31, 2018

Municipality	Population (2017)	When approved?	How approved? (What was the vote?)	Ordinance Title	Went into effect	What is SUCB?	Ban or fee?	Applicability	Who enforces?	Reusable characteristics	Violation policy	Exemptions	Can patrons bring any kind of bags?	Requirements for businesses
Bath	8,317	November 8, 2017	City Council (8-0)	Chap. 13, Refuse / Article 5: Single Use Carry-out Bags	April 22, 2018 (13-68)	Paper and thin plastic (13-64)	Plastic ban. Fee for paper: 5¢ (2018), 10¢ (2019) and 15¢ (2020) (13-65, A + B1)	All retail (food + general). Specifically incl. farmers markets (13-65 + 13-64)	City mgr. (13-67)	Repeated uses, can be C/D, 18 lbs. CC, 2.25 mils, has handles (13-64)	Written warning > \$250 > \$500 (13-67)	Generic exemptions (13-66)	Yes (13-65 (C))	Post signs about paper fee, sale of paper on receipt (13-65 B 3+4)
Belfast	6,752	August 15, 2017	City Council (4-0)	Chap. 14, Businesses / Article VII: Ban on the Use of Single-Use Carryout Bags	May 4, 2018 (358)	Thin plastic (352)	Plastic ban. No fee for paper. (353)	All retail vendors and establishments (352 & 353)	City mgr. (354)	50 uses, M/W or C/D, 4 mils thick, 18 lbs. carrying capacity (352)	Written warning > \$100 > \$250 (+ city's legal costs) (354)	Generic exemptions (357)	Yes (355)	None specifically
Blue Hill	2,665	April 7, 2018	Annual town meeting (139-56)	Single Use Plastic Bag Ordinance	2 months after vote — June 7, 2018 (10)	Thin plastic (3)	Plastic ban. (4) Business choice to charge for paper. (5A)	All retail. Includes restaurants, markets, seasonal vendors, etc. (3)	CEO (7 (A))	Repeated use, cloth fiber or plastic, 18 lbs CC and 4 mils thick (3)	Written warning > \$100 > \$200 (7 (A) and (B))	Generic exemptions (6)	Yes (5 (B))	None specifically
Brunswick	20,619	March 20, 2017	Town Council (8-1)	Municipal Code of Ordinances: Chapter 6, Single Use Carryout Plastic Bags	Sept. 1, 2017 (6.1.05)	Thin plastic (6.1.101)	Plastic ban. Silent on paper. (6.1.102)	Any and all retail. Restaurants not covered. (6.1.101 and 6.1.102)	CEO (6.1.104)	Repeated use, 75 uses minimum, 4 mils, 18 lbs. CC, M/W or C/D (6.1.101)	Written warning > \$250 > \$500 (6.1.104)	Generic exemptions (6.1.103)	Not addressed	None specifically
Camden	4,855	November 6, 2018	Citizen referendum (2,145-1,050)	Single-Use Bag Ordinance	April 30, 2019	Paper and thin plastic, incl. compostable & biodegradable	Plastic ban. Paper, biodegradable or compostable for 10¢	Grocery store, food marts, drug stores, etc. Specifically exempts restaurants.	Police Department	Repeated uses, M/W or C/D, minimum 75 uses, 4 mils thick if plastic, 18 lbs. CC	Written warning > \$100 > \$250 (+ town's legal costs)	Dry cleaning bags, produce/product bags	Yes	Signage, list on receipt, 3-year record keeping, store keeps money collected
Cape Elizabeth	9,313	November 6, 2017	Town Council (4-1)	Chapter 11, Health and Sanitation / Article IV, Single Use Carryout Bags	Dec. 6, 2017 (in text of ordinance file)	Paper and thin plastic (11-4-2 (a))	Stores can provide SUCB to customers for 5¢ or more. (11-4-3)	All retail. Specifically includes farm stands. (11-4-2 (d) & 11-4-3)	Town mgr. (11-4-5)	75 uses minimum, 2.25 mm, 18 lbs. carrying capacity, M/W or C/D (11-4-2 (c))	Written warning > \$100 > \$250 (11-4-5)	Generic exemptions (11-4-4)	Not addressed	Stores "must put signage clearly" showing SUCB fee (11-4-3 (d))
Damariscotta	2,144	November 6, 2018	Citizen referendum (692-509)	Chapter 203, Ban on Use of Single Use Plastic Carryout Bags	March 1, 2019 (203.10)	Non-reusable plastic bags (203.4)	Plastic ban. No fee for paper. (203.5 (a))	Any and all retail. Includes restaurants. (203.3)	CEO (203.7)	M/W or C/D, at least 4 mils thick, 18 lbs. CC and 125 uses (203.4)	Written warning, then follows town's set policy on fines (203.7)	Generic exemptions (203.6 (a)) Produce/product bags (203.4)	Yes (203.6 (b))	None specifically
Ellsworth	7,973	N/A	N/A	Ordinance Regulating Single Use Carryout Plastic Bags	N/A	Non-reusable plastic bags (1-4)	Plastic ban. Business choice to charge for paper or reusable. (1-5, a and b)	All businesses and retailers (1-3, 1-4)	City mgr. (1-8)	M/W, C/D, minimum 60 uses, 18 lbs. CC, 4 mils min. (1-4, a through e)	Written warning > \$250 > \$500 (+ city's legal costs if it wins) (1-7)	Generic exemptions (1-6)	Yes (1-7)	Businesses keep \$, if charged, from paper bag @ POS location (1-5 (b))
Falmouth	12,162	January 11, 2016	Town Council (7-0)	Chapter II-8 Licenses, Permits and Business Regulations / Article II-8-12	April 1, 2016 (8-375)	Paper and thin plastic (8-369)	5¢ fee for any type of SUCB. (8-371, A + B)	Only applies to stores of 10,000 SF or more (and also see exemptions) (8-369 + 8-371)	Town mgr. (8-374)	Repeated uses, M/W or C/D, 18 lbs. carryin capacity, 4 mils thick (8-369)	Written warning > \$250 > \$500 (8-374)	Restaurants, dry cleaners, nurseries and greenhouses (8-370)	Yes (8-372)	Post signs for bag fee, 3 year record keeping (8-371 + 8-373)
Freeport	8,456	June 14, 2016	Citizen referendum (804-501)	Chapter 55 - Single Use Carry-Out Bags	Sept. 12, 2016 (55-108)	Paper and thin plastic (55-103)	Plastic ban. 5¢ fee for paper. (55-104)	Grocery/food marts (other retail, restaurants exempt) (55-103)	Town mgr. (55-107)	Repeated uses, M/W or C/D, 75 uses minimum, 18 lbs. CC, no mil req. (55-103)	Written warning > \$250 > \$500 (55-107)	Generic exemptions (55-105)	Yes (55-104 (g))	Signage, list on receipt, 3-year record keeping (55-104)
Kennebunk	11,380	June 14, 2016	Citizen referendum (1,480-845)	Single Use Carry Out Bag Ordinance	Oct. 14, 2016 (Section 8)	Thin plastic (less than mils) (Section 3)	Plastic ban. Paper or reusable bag can be given free or for \$. (Section 4)	All retail establishments (Section 4)	Town mgr. (Section 6)	Repeated uses, min. of 3 mils, can be cleaned/disinfected (Section 3)	Written warning, then follows town's set policy on fines (Section 6)	Non-profit, religious, dry clean, newspapers, meat/prod. (Sec. 5)	Not addressed	None specifically
Manchester	2,567	June 12, 2018	Citizen referendum (passes by "substantial margin," according to newspaper account)	Single-Use Plastic Carry-Out Bags	July 1, 2018 (Section 9)	Paper and thin plastic (Section 5-A)	Plastic ban. Silent on any fee for paper. (Section 6-A)	Grocery store, food marts, drug stores, etc. (focus on food) (Section 5(d))	Town mgr. (Section 8)	Repeated uses, M/W or C/D, 75 uses minimum, 18 lbs. CC, no mil req. (Sec. 5(c))	Written warning > \$250 > \$500 (Section 8)	Generic exemptions (Section 7)	Yes (Section 6(b))	None specifically
Newcastle	1,736	November 6, 2018	Citizen referendum (756-419)	Single Use Plastic Carryout Bags and Foam Food Containers Ban Ordinance	March 1, 2019	Non-reusable plastic bags	Plastic ban. No fee for paper.	Any and all retail. Specifically includes restaurants and street vendors.	Town admin.	M/W or C/D, at least 4 mils thick, 18 lbs. CC and 125 uses	Written warning > \$250 > \$500	Generic exemptions	Yes	None specifically
Portland	66,882	June 16, 2014	City Council (6-3)	Chapter 12, Garbage, Wastes and Junk / Article IX - Waste Reduction	April 15, 2015 (12-236)	Paper and thin plastic (12-231)	5¢ fee for any type of SUCB. (12-232)	Grocery/food marts (retail less than 2% food sales is exempt) (12-231)	City mgr. (12-235)	Repeated uses, M/W or C/D, 75 uses min. 18 lbs. CC, 2.25 mils (12-231)	Written warning > \$250 > \$500 (12-235)	Generic exemptions (12-233)	Not addressed	Signage, list on receipt, 3-year record keeping (12-232 & 12-234)
Rockland	7,186	March 12, 2018	City Council	Chapter 14 Sewers, Drains & Solid Waste / Section 14 - 106, Ban on the Use of Plastic Single-Use Carryout Shopping Bags	Jan. 1, 2019 (in text of ordinance file)	Defines both paper & plastic but applies to plastic (14-106 (3))	Plastic ban, paper allowed (14-106 (4))	All retail establishments (14-106 3E and 4A)	City mgr. (14-106 (5))	50 uses, M/W or C/D, 4 mils, 18 lbs. CC (14-106 (3)(D))	Written warning, then follows city's set policy on fines (14-106 (5))	None identified	Yes (14-106 (6))	None specifically
Saco	19,485	April 3, 2017	City Council (7-0)	Chapter 171, Single Use Bags	May 3, 2017, w/ six-month delay for fines (171-108)	Thin plastic (171-104)	Plastic ban. No fee for paper. (171-105)	Any and all retail businesses (171-105)	City admin. (171-107)	Cloth, fiber, or M/W fabric, w/ handles, made for reuse (171-104)	Written warning > \$250 > \$500 (171-107)	Generic exemptions (171-106)	Yes (171-105)	Business must post sign if it does not provide some type of bag (171-105)
South Portland	25,483	September 21, 2015	City Council (7-0)	Chapter 9, Garbage and Refuse / Article VI Single-Use Bags	March 1, 2016 (9-751)	Paper and thin plastic (9-746)	5¢ fee for any type of SUCB. (9-747)	Grocery/food marts (retail less than 2% food sales is exempt) (9-746)	City mgr. (9-750)	Repeated uses, 75 uses minimum, 18 lbs. CC, 2.25 mils, M/W or C/D (9-746)	Written warning > \$250 > \$500 (9-750)	Generic exemptions (9-748)	Not addressed	Signage, list on receipt, 3-year record keeping (9-747 + 9-749)
Southwest Harbor	1,777	November 13, 2018	Special town meeting (75-4)	Single Use Carryout Bag Ordinance	April 22, 2019 (Section 10)	Paper and non-reusable plastic (Section 3)	Plastic ban. Paper or reusable fee is up to individual businesses (Sections 4, 5)	Any & all retail, incl. restaurants. Non-profits & religious orgs explicitly exempt (Section 3)	Town mgr. (Section 7)	Repeated uses, M/W or C/D, 18 lbs. CC, 4 mil thick if plastic (Section 3)	Written warning > \$100 > \$200 (Section 7 (B))	In a situation deemed to be an emergency (Section 6)	Yes (Section 5, C)	Keep/use any fees collected at store in the store (Sect. 5 (A))
Topsham	8,778	November 8, 2016	Citizen referendum (3,062-2,876)	Bag Fee Ordinance	May 7, 2017 (Section 6)	Paper and thin plastic (Section 1)	Minimum fee of 5¢ for any type of SUCB. (Section 2)	Grocery/food marts (retail less than 2% food sales is exempt) (Section 1)	Town mgr. (Section 5)	Repeated uses, 75 uses minimum, 18 lbs. CC, 4 mils, M/W or C/D (Section 1)	Written warning > \$250 > \$500 (Section 5)	Generic exemptions & SNAP (first year) (Section 3)	Not addressed	Signage, list on receipt, 3-year record keeping (Sections 2 & 4)
Waterville	16,600	November 6, 2018	Citizen referendum (3,052-2,906, recount flips to fail, unresolved as of 12/12/2018)	Ordinance Regulating Carryout Plastic Shopping Bags	April 22, 2019 (1-9)	Plastic film (1-4)	Plastic ban. Fee on paper up to business. (1-5)	All large stores (10,000 SF or more), minus the specific exemptions (Sections 1-2, 1-5, etc.)	CEO (1-8)	M/W, C/D, handles, minimum 60 uses, 18 lbs. CC, 4 mils min. (1-4, a through f)	Written warning > \$250 > \$500 (+ city's legal costs if it wins) (1-8)	Eateries, churches, nonprofits, farmers market (1-6)	Yes (1-7)	Businesses keep \$, if charged, from paper bag @ POS location (1-5 (c))
York	13,088	November 3, 2015	Citizen referendum (1,649-1,151)	Single-Use Plastic Carry Out Bag Ordinance	March 3, 2016 (Section 8)	Thin plastic (Section 3)	Plastic ban. Fee on paper up to business (Section 4)	All retail establishments (Sections 3 and 4)	CEO (Sec. 6 (A))	Repeated uses, 3 mils, clean/disinfect, with handles (Section 3)	Written warning > \$50 > \$100 (Section 6 (B))	Non-profit, religious, dry clean, newspapers, meat/prod. (Sec. 5)	Not addressed	None specifically

Comparisons

- ### Type of Ban
- Plastic ban: 12/20
 - Fee for any SUCB: 5/20
 - Fee for paper: 3/20

- ### Applicability
- All retail: 12/20
 - All retail except where food sales < 2%: 3/20
 - All retail 10,000 square feet and greater: 2/20
 - Just food stores: 3/20

- ### Who Enforces
- City/Town manager or administrator: 14/16
 - Code Enforcement Officer: 5/20
 - Police Department: 1/20

- ### When Approved
- 2014: 1
 - 2015: 2
 - 2016: 4
 - 2017: 5
 - 2018: 7

- ### How Approved
- Town or City Council: 9/20
 - Citizen vote/referendum: 9/20
 - Vote at town meeting: 2/20

Notes to Text

SUCB
Single Use Carryout Bag

Exemptions
"Generic exemptions" means provisions of the ordinance can be waived in the event of an emergency or when there are threats to public health, safety or welfare, generally

Reusable Characteristics

- M/W: Bag is machine washable, for cleaning
- C/D: Means bag can be cleaned/disinfected
- CC: Carrying capacity

Updated by Ellsworth Assistant City Planner Steve Fuller on Dec. 31, 2018