

DISTRIBUTION OF SINGLE-USE PLASTIC BAGS, FOOD SERVICE PRODUCTS, AND POLYSTYRENE FOOD CONTAINERS ON TOWN PROPERTY

24.00 PURPOSE:

The Town of Exeter recognizes that limiting the distribution and subsequent disposal of single-use plastics through reduction is necessary to protect human health, to preserve the natural environment, and to promote sustainable and ethical practices regarding material waste.

24.01 DEFINITIONS

For the purpose of this Section, the following definitions apply:

2401.01 *Distribution:* The act of selling, providing or supplying products for use by customers or intended recipients at a point of sale, gathering, event, or activity.

2401.02 *Human Service Organization:* An organization focused on providing services to people in order to help them stabilize their lives and find self-sufficiency through guidance, counseling, treatment, and/or the provision of basic needs

2401.03 *Reusable Bag:* a bag specifically designed for re-use, capable of being used one hundred and sixty (160) times and has stitched or woven handles. Reusable Bags include woven reusable plastic bags.

2401.04 *Single-Use Compostable Food Service Products:* a bag, bottle, food container, cup, utensil, straw or other similar food service product that is composed of one hundred percent (100%) Polylactic Acid (typically derived from plant-based starch such as corn) and provided by a vendor to a customer for the purpose of transporting or consuming food.

2401.05 *Single-Use Plastic Bag:* a bag that is made predominantly of polyethylene plastic derived from petroleum and provided at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or other goods. Trash bags used for disposing of waste are excluded.

2401.06 *Single-Use Plastic Food Service Products:* a bottle, food container, cup, utensil, straw or other similar food service product that is made predominantly of polyethylene plastic derived from either petroleum or natural gas, and provided by a vendor to a customer for the purpose of transporting or consuming food.

2401.07 *Single-Use Polystyrene Container:* a container or cup composed of synthetic aromatic hydrocarbon polymers that is made from the monomer styrene (often called Styrofoam) and provided by a vendor to a customer for the purposes of transporting food.

24.02 DISTRIBUTION OF SINGLE USE PLASTICS ON TOWN PROPERTY

No person shall distribute a prohibited single use disposable item at any town facility, town property, town-managed or sponsored event, or activity authorized through special permits issued under the authority of the Town of Exeter Select Board unless otherwise allowed under EXCEPTIONS 24.03.

Prohibited Single Use Disposables:

1. Single-Use Plastic Bags.
2. Single-Use Plastic Food Service Products.
3. Single-Use Polystyrene Containers.

24.03 PRODUCT EXCEPTIONS:

1. Reusable Bags
2. Single-Use Compostable Food Service Products
3. Packaging materials required for food safety reasons added at the site of the business or a processing facility. Examples: wrapping around meats, seafood, lettuce mix or other perishable products.
4. Products where alternatives to prohibited items do not exist, until an alternative is identified.

24.04 ORGANIZATIONAL EXCEPTIONS:

1. All town departments/vendors may distribute their remaining inventory through December 31, 2023
2. Items used by emergency responders or human service non-profit organizations.
3. Prohibited Single Use Containers brought by staff/customers themselves
4. Exeter Parks and Recreation Department will work with the Sustainability Committee to develop a transition plan, implementing acceptable alternatives as they are identified with an objective of meeting financial and sustainability goals.

24.05 OVERSIGHT AND ENFORCEMENT

Subject to the exceptions above, the following shall apply:

1. Reports of non-compliance with this ordinance will be directed to the Conservation and Sustainability Planner who will work with the permittee/Town Department to find replacement products.
2. If reasonable replacements have been identified but infractions continue, the Town considers this a violation of this ordinance, and written warning will be issued. Town Departments will meet with the Town Manager and Conservation and Sustainability Planner to seek alternative solutions to achieve compliance with this ordinance.
3. Upon a second or subsequent infraction of this ordinance, the Town interprets this as a direct violation of the vendor permit and cause for refusal to approve use permit.