



Town of Nantucket



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June 25, 2020

TO WHOM IT MAY CONCERN:

I, Nancy L. Holmes, duly elected Clerk of the Town and County of Nantucket, hereby certify that the June 25, 2020 ANNUAL TOWN MEETING adopted **Article: 72** at the June 25, 2020 adjourned session when "...the adoption of all articles not heretofore acted upon as recommended by the Finance Committee, or as recommended by the Planning Board, was duly motioned, seconded, and voted in accordance with the motions recommended by the Finance Committee or, in the absence of a Finance Committee motion, then in accordance with the motions as recommended by the Planning Board, as printed in the Finance Committee Report, with technical amendments brought forward during the course of the meeting..."

ARTICLE 72

(Bylaw Amendment: Single-Use Plastics)

To see if the Town will vote to amend Chapter 124A (Single-Use Plastics) as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by ~~strikeout~~; these methods to denote changes are not meant to become part of the final text; non-substantive changes to the numbering of this bylaw shall be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

Chapter ~~124A~~ **125A**. Single-Use Plastics

Article I. Regulation of Sale, Distribution and Commercial Use of Certain Single-Use Plastics

§ ~~124A~~ **125A**-1. Definitions and purpose.

A. Definitions:

COMMERCIAL USE

~~Using the petroleum-based plastic products listed herein~~ **Use** by a business, directly/indirectly for financial gain or convenience.

PETROLEUM-BASED PLASTIC

~~Plastics~~ **Plastic materials** manufactured using petroleum-derived polymers. ~~Plant-based~~ **Compostable plastics** as defined by ASTM International are exempted from this bylaw.

.....

§ 124A 125A-2. Sale, distribution and commercial use of petroleum-based single-use plastic products.

It shall be unlawful to sell, distribute or ~~otherwise~~ commercially use the following single-use petroleum-based plastic products in the Town and County of Nantucket on or after June 1, 2020:

- A. Straws and drink stirrers;
- B. ~~Six-pack can and bottle flexible yokes~~ Flexible can and bottle yokes;
- C. ~~Single-use drinking~~ Drinking cups and lids;
- D. Plates, bowls and ~~noncompostable~~ eating utensils;
- E. Drinking water in ~~single-serve polyethylene terephthalate (PET)~~ plastic or non-recyclable containers of one liter (34 ounces) or less; and
- F. Single-use, non-recyclable coffee beverage pods.

§ 124A 125A-3. Exemptions for emergencies and other.

- A. Drinking water. Sales occurring after a declaration of an emergency adversely affecting availability and/or quality of drinking water to Nantucket residents by the Emergency Management Director or other duly authorized Town, Commonwealth or United States official shall be exempt from this bylaw until seven calendar days after such declaration has ended.
- B. Medical packaging and medically required usage are exempted providing no recyclable alternatives are available.
- C. ~~Plant-based~~ Compostable plastics are exempted from this bylaw.

(Select Board)

FINANCE COMMITTEE MOTION: Moved that Chapter 124A (Single-Use Plastics) of the Code of the Town of Nantucket is hereby amended as follows *(NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text; non-substantive changes to the numbering of this bylaw shall be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket):*

Chapter 124A 125A. Single-Use Plastics

Article I. Regulation of Sale, Distribution and Commercial Use of Certain Single-Use Plastics

§ 124A 125A-1. Definitions and purpose.

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VOTE: The vote on the motion pursuant to Article 72 as moved by the Finance Committee, was by 4/5^{ths} Vote, Yes: 139, No: 9 The motion was adopted.

Nancy L. Holmes, CMC
Town & County Clerk