

Summary of proposed amendment to section 12-72 to ARTICLE IX. of Chapter 12 of the Revised Ordinances of Newton Massachusetts, 2017

Section 12-72 was passed in 2019 by the city council to ban polystyrene foam, packing peanuts, and plastic stirrers in Newton. Since then, the number of single use plastics has continued to proliferate, with growing impacts on our wastestream and on the environment. Our tolerance of single use plastics also runs counter to our efforts to decrease fossil fuel use, since most plastics are made from fossil fuels. The expanded sustainable packaging ordinance aims to keep more non-recyclable items out of the waste stream, and where possible, encourage reduction and reuse.

Black plastic, plastic lined takeout containers, plastic cutlery, single-use condiment packs, plastic balloon sticks, plastic ear swabs are all items that cannot be recycled and for which there are readily available alternatives. Single use plastic water bottles can easily be replaced with reusable water bottles. The city is working to add water filling stations to new and renovated public buildings to facilitate reuse.

Once this ordinance is passed, experts from the Newton Sustainable Materials Commission and Green Newton can assist Health and Human Services in developing educational materials, assist in sourcing alternative products, and answer questions. This would be similar to the operation of the City of Newton's volunteer Energy Coaches.

#### Title

- The title of this Section 12-72 has been changed to reflect the broader mandate of this ordinance

#### Definitions

- A definition of "black plastic" has been added
- The definition of "Compostable" has been redefined.
- A definition of "single use plastic water bottle" has been added.

#### Prohibited items

1. The prohibition of takeout containers has been expanded from polystyrene foam containers. Only containers that are reusable, compostable, or recyclable are allowed. For continuity we have left in the reference to polystyrene foam containers and added to this sentence "black plastic" given the prevalent use of black plastic takeout containers. The black plastic takeout containers are not recyclable and are not accepted at any Materials Recovery Facility in Massachusetts.
  - a. Note that we have looked at pricing and availability of alternatives to black plastic, and there are numerous recyclable alternatives at similar pricing.

2. This item prohibiting plastic stirrers is unchanged.
3. Food establishments often distribute, by default, utensils and straws when they are not needed by the customer, especially with takeout orders. Many customers eat their takeout at home and do not have need for these plastic utensils. Prohibiting these utensils will both save the food establishments money and reduce waste. Customers that need utensils may still request them for takeout orders. Restaurants may have dispensers available for customers to select their own utensils and straws, though utensils should not be in pre-packaged sets.
4. Similar with condiment packages - ketchup, mustard, mayonnaise, etc. Many customers have ketchup, mustard etc at home and do not need these extra condiment packages. They may still be made available upon request.
5. Single use plastic water bottles are an unnecessary item in most instances. Newton has high quality, MWRA tap water, likely of better and higher quality than bottled water. Our residents have an easy, cheap, and readily available alternative to single use bottled water. Arlington recently passed a single use plastic water bottle ban, becoming the 20th municipality in MA to do so. As noted above, Newton has been a leader in the past, as one of the initial municipalities in MA to pass a plastic bag ban. We should join the 20 other MA cities and towns who have banned plastic water bottles. Newton would be the largest municipality to do so and would raise the bar for the 330 other cities and towns in the state.
6. These single use items (plastic balloon sticks, plastic ear swabs, plastic floss sticks,) are prevalent and are often seen littering our streets. Cosmetics may contain plastic microbeads and glitter, which end up in the waste stream and in the marine ecosystem. While these items may seem small in comparison to other items, some or all of these have been banned by other communities, most recently Brookline. For all of these there are readily available and inexpensive alternatives, and there is no reason to continue to rely on and use these plastics. Single use plastic ear swabs, for example are #4 on a list of worst single use plastics from the World Wildlife Fund Australia (<https://www.wwf.org.au/news/blogs/10-worst-single-use-plastics-and-eco-friendly-alternatives>).
7. Balloons that are released often find their way, eventually, into our waterways – rivers, lakes, and the ocean - harming marine life. Helium balloons are #3 on the WWF list referenced above.
8. This item was previously limited to foam polystyrene, and has been amended with edits similar to item #1.
9. Similar to the existing Sec 12-72.

10. Many municipalities allow customers to use their own containers for leftover food from dine-in meals, i.e. for their doggy bag. The food service workers would not be expected to touch the containers or to take them into any area where food is being prepared. Our understanding is that the current food codes in the state allow this, and the intent here is to be explicit in order to raise awareness among both customers and restaurant owners.
11. Restaurants that have dishwashers should use reusable dishware (plates, bowls, utensils) and not dishware that is thrown away. The non-profit, Plastic Free Restaurants ([www.plasticfreerestaurants.org](http://www.plasticfreerestaurants.org)), will provide funding to restaurants for the purchase of reusable dishware to replace their use of throwaway dishware. This is the type of resource that our restaurants may be unaware of, but that we can educate them about. The non-profit projects that over time, the use of reusables will save the food establishments money.
12. Similarly, there are services that now provide reusable takeout containers. Recirclable is one such local company, and they are quite interested in expanding in Newton. They have recently been adopted at Judith's Kitchen and Grape Leaf, and they are in discussion with other local restaurants. We continue to introduce them to additional restaurants.

Below are Massachusetts municipalities with existing bans on items in this amended ordinance. This list continues to grow and may be incomplete.

- The following require that all food service ware, including utensils, be recyclable or compostable:
  - Andover, Brookline, Concord, Manchester-by-the-Sea, Northampton, and Williamstown
- The following have banned single use plastic water bottles:
  - Aquinnah (retail), Arlington (municipal and retail), Bourne (municipal), Brewster (municipal and retail), [Brookline](#) (municipal), Chatham (municipal), Chilmark (retail), [Concord](#) (retail), Eastham (retail), Falmouth (retail), [Great Barrington](#) (retail), Harwich (municipal and retail), Lincoln (retail), [Nantucket](#) (retail), Oak Bluffs (retail), Orleans (municipal and retail), Provincetown (retail), Rockport (retail), Sudbury (retail), Tisbury (retail), Truro (municipal), Wellfleet (municipal and retail), West Tisbury (retail), and Yarmouth (municipal).
  - Note that the following have banned *all* single-serve plastic beverage bottles in their retail ban (including coffee, carbonated and energy drinks)
    - West Tisbury, Aquinnah, Chilmark, Oak Bluffs, and Tisbury.
- The following have banned plastic straws (this list may be incomplete):
  - Lincoln, Lexington, Attleboro, Buckland, Chelmsford, Essex, Gloucester, Harwich, Nantucket, Provincetown, Rockport and Swampscott

- Balloon releases are banned in (this list may be incomplete):
  - Chatham, Everett, Nantucket, and Provincetown
  
- Plastic balloon sticks, plastic ear swabs, etc
  - Various of these items have been banned by Brookline, Nantucket (including flushable wipes)

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