

WELLFLEET RECYCLING COMMITTEE
Minutes for February 15, 2022 at 3:00 PM
Virtual Zoom Meeting, Recorded

Members present: Nancy Najmi, Christine Shreves, Lydia Vivante, Jane Sharp, Jaya Karlson, Olivia Kraus.

Christine Shreves called the meeting to order at 3:06 PM.

Today's meeting was convened to recommend changes to ***Section 49: Commercial Single Use Plastic Water Bottle Ban Amendment warrant article.***

At the January 4, 2022 Select Board meeting, Ryan Curley proposed amending the Commercial Single Use Plastic Water Bottle Ban to include other beverages:

Section 49.—Commercial Single-Use Plastic Non-Alcoholic Beverage Water Bottle Ban.

Section 1: Sale of Single-use Plastic Water Bottles

~~Effective on September~~~~May~~ 1, 2023, ~~the Commercial Single Use Plastic Water Bottle Ban will be amended as printed. Effective May 1, 2023~~ it shall be unlawful to sell ~~bottled non-alcoholic beverages~~ ~~non-carbonated, unflavored drinking water~~ in single-use plastic bottles of less than one gallon in the Town of Wellfleet.

Enforcement of this regulation will begin ~~on May~~September 1, 2023.

Section 2. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

Section 3. Exemptions

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency Management Director or other duly authorized Town, County, Commonwealth or Federal official) affecting the ability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

Section 4. Enforcement

Enforcement of this article shall be the responsibility of the Town Administrator or his/her designee.

The Town Administrator shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate. Any establishment conducting sales in violation of this article shall be subject to a non-criminal disposition fine as specified in G.L. Chapter 40

21D. The following penalties apply:

- First violation: Written Warning
- Second violation: \$150.00 fine.
- Third and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Wellfleet. All businesses will be routinely inspected until the Town Administrator deems the inspection to no longer be required.

The Wellfleet Recycling Committee felt that the amendment was an excellent idea and researched other broader plastic bottle bans. Lydia Vivante and Christine Shreves developed the following recommendation, distributed it to the Recycling Committee members and sought input at today's meeting:

Selectboard warrant article to amend Section 49: Commercial Single Use Plastic Bottle Ban

Recycling Committee Recommendation

The Selectboard amendment, as written, would ban milk, fruit juices, cider, and iced tea in plastic containers of less than one gallon.

We do not think plastic milk, juice, cider, or iced tea bottles in take-home plastic bottle sizes should be included in this [amended ban](#).

Please consider retaining the plastic water bottle paragraph as is, and adding a separate paragraph for the sale of non-alcoholic carbonated and/or flavored beverages.

A ban on plastic water bottles less than 1 gallon is appropriate since [tap](#) water is readily available.

A ban on plastic beverage bottles of less than 21 oz, as NYC did in their municipal city plastic bottle ban, would target single-serve soda and beverage bottles specifically. Another option is to ban bottles less than 34 oz (less than 1 quart or 1 liter), as W. Tisbury and other MVY towns have done.

Section 49. Commercial Single Use Plastic Bottle Ban

1: Sale of Single-use Plastic Water Bottles

Effective on September 1, 2021, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Wellfleet. Enforcement of this regulation will begin September 1, 2021.

Section 2. Sale of Single Use Plastic Flavored Beverage Bottle Ban

Effective on May 1, 2023, it shall be unlawful to sell carbonated and/or flavored beverages in single-use plastic bottles of less than ?????. Enforcement of this regulation will begin May 1, 2023.

Section 3. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

The discussion focused on editing ambiguous language in an effort to eliminate the use of plastic bottles, especially as other less environmentally harmful alternatives were available. The size limitation of 21 oz was agreed upon as an amount that would not affect families purchasing quarts of milk and juices. It was also noted that if we changed the wording from “carbonated and/or flavored beverages” to simply “beverages” we would prohibit the sale of alcoholic nips in plastic containers which are a regular litter problem.

Further discussion questioned the need for a “single-use” designation if we were going to recommend a specific volume limitation. Jaya and Jane felt that businesses would use a loop-hole of marketing smaller plastic bottles as multi-use (because you can reseal them), even if they were smaller than 21 ounces. The current commercial water bottle ban uses the “single-use” designation and Nancy and Christine questioned whether the Select Board would raise an issue if it were eliminated. Lydia pointed out that we want the full article to use consistent wording, and Christine reminded us of efforts throughout Cape Cod to use the same terminology for plastic reduction initiatives.

Nancy moved that we accept the following recommendation to change Section 49 part 2 to read as follows:

2. Sale of Single Use Beverage Bottle Ban

Effective on May 1, 2023, it shall be unlawful to sell beverages in single-use plastic bottles of less than 21 oz. Enforcement of this regulation will begin May 1, 2023.

Lydia seconded the motion and the vote was 4-2 in favor of accepting the recommendation. Jane and Jaya felt strongly that the single-use designation was a loop-hole that we should avoid. The committee looked at the full bottle ban and decided to revise the recommendation as follows:

Section 49. Commercial Plastic Bottle Ban

1: Sale of Plastic Water Bottles

Effective on September 1, 2021, it shall be unlawful to sell non-carbonated, unflavored drinking water in plastic bottles of less than one gallon in the Town of Wellfleet. Enforcement of this regulation will begin September 1, 2021.

Section 2. Sale of Plastic Beverage Bottle Ban

Effective on May 1, 2023, it shall be unlawful to sell beverages in plastic bottles of less than 21 oz. Enforcement of this regulation will begin May 1, 2023.

Section 3. Definitions

A plastic beverage bottle is a beverage container made from any type of plastic resin.

Jane moved we approve the above recommendation, removing the term “single-use” from the commercial plastic beverage bottle ban. Jaya seconded and all voted in favor 6-0.

Christine and Lydia will send the strike through edits to article 49 to the town.

Meeting was adjourned at 3:59 PM.