

Town of Sudbury

Board of Health

Sudbury Health Department
275 Old Lancaster Road
Sudbury, MA 01776
978-440-5479
Health@sudbury.ma.us

Calendar Year 2025

To: Sudbury Food Establishments
RE: 2025 Food Permit Renewal

Attached please find your renewal Food Establishment permit application. The permit fee schedule is attached below. **Your current permit expires on December 31, 2024.**

Your permit will not be renewed if there are any outstanding fees or citations, these require a separate check.

The following items **MUST** be submitted with your application packet:

- 1) Completed application
- 2) Application fee. Checks are to be payable to the "Town of Sudbury"
NOTE: A separate check **MUST** be issued for any outstanding fees or citations
- 3) The following certificates must be submitted for current Person(s) In Charge (PIC):
 - a. Serve Safe Food Safety Manager Certificate
 - b. Allergen Awareness Certificate
 - c. Choke Saver Certificates (required for 25 seats and up)
- 4) Worker's Compensation Insurance Affidavit
- 5) A current copy of your Worker's Compensation Insurance Declaration page

Please note that incomplete and late applications incur DOUBLE FEES as a late fee charge. Submit completed applications and permit fees no later than December 30th, 2024.

If you have any questions or concerns, please do not hesitate to contact us at 978-440-5479.
Thank you for your attention to this matter.

Sincerely,

Vivian Zeng
Health Director
Sudbury Board of Health

Adopted October 24, 2023

Permit/License	Fees
Food	
Restaurants/Food Service	
• Food Service Restaurant - Less Than 50 Seats	\$350.00
• Food Service Restaurant – 50 – 99 Seats	\$600.00
• Food Service Restaurant – 100 – 149 Seats	\$725.00
• Food Service Restaurant – 149 – 199 Seats	\$850.00
• Food Service Restaurant – 200 – 249 Seats	\$975.00
• Food Service Restaurant - 250 – 299 Seats	\$1,125.00
• Food Service Restaurant – 300 +	\$1,350.00
Bakery (No Seating)	\$200.00
Caterer	\$200.00
Farmers Market	
• Seasonal (Per Stall)	\$50.00
• Weekly (Per Stall)	\$25.00
Frozen Desert Machine (per machine)	\$50.00
Food Truck (Seasonal)	\$200.00
Food Truck (One Day/Temporary)	\$75.00
Ice Cream Truck	\$200.00
Kitchen	
• Commercial/Satellite (Ghost/Cloud/Commissary Kitchens)	\$200.00
• Residential	\$100.00
Retail	
• Convenience Stores	\$200.00
• Limited	\$50.00
Grocery Store/Full Retail Market	\$600.00
Special Processes Requiring HACCP (Per Process)	\$200.00

Unless otherwise indicated, all permits are applicable for one year only and expire on December 31st of every year.

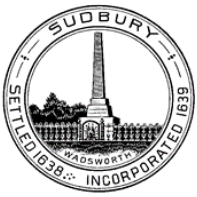
In order for a permit or license renewal to be considered by the Sudbury Health Department, it must be:

- submitted with all required documentation and attachments;
- complete and accurate;
- inclusive of payment in full.

Any outstanding fines/fees must be paid in full prior to processing a permit renewal application.

A surcharge for a late license/permit renewal will result in a DOUBLE FEE.

An inspection following noncompliance for Operating Without a Permit will result in a DOUBLE FEE.



TOWN OF SUDBURY HEALTH DEPARTMENT

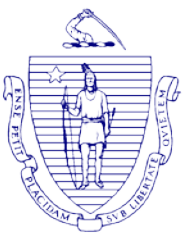
275 Old Lancaster Road
Sudbury, MA 01776
978-440-5479
Health@sudbury.ma.us

FOR BOARD OF HEALTH USE ONLY				
<u>Date Received</u>	<u>Date Inspected</u>	<u>Approved By</u>	<u>Permit # Issued</u>	<u>Fee</u>
_____	_____	_____	_____	_____

Food Establishment Permit Application

1) Establishment Name:	
2) Establishment Address:	
3) Establishment Mailing Address (if different):	
4) Establishment Telephone #:	Emergency #:
5) Applicant Name and Title:	
6) Applicant Address:	
7) Applicant Telephone No:	Email address:
8) Owner Name and Title (if different from applicant):	
9) Owner Address (if different from applicant):	
10) Establishment Owned By: <input type="checkbox"/> An association <input type="checkbox"/> A corporation <input type="checkbox"/> An individual <input type="checkbox"/> A partnership <input type="checkbox"/> Other Legal entity _____	11) If a corporation or partnership, give name, title and home address of officers or partners: <u>Name:</u> <u>Title:</u> <u>Address:</u> _____ _____ _____ _____
12) Person Directly Responsible for Daily Operations (Owner, Person in Charge, Supervisor, Manager etc.)	
Name & Title :	_____
Address:	_____
Telephone No:	Fax:
Emergency Telephone No:	_____
13) District Or Regional Supervisor (if applicable)	
Name & Title :	_____
Address:	_____
Telephone No:	Fax:

14) Source of Water _____ Sewage Disposal	15) Rubbish Disposal Co. _____ Rendering Co. (For Grease)
16) Days and Hours of Operation:	17) No. of Food Employees
18) Name of Person In Charge Certified in Food Protection Management: <i>Required as of 10/1/2001 in accordance with 105 CMR 590.003(A). Please attach copy of certificate.</i>	
19) Person Trained In Anti-Choking Procedures (if 25 seats or more): <input type="checkbox"/> Yes <input type="checkbox"/> No	
20) Location: <i>(check one)</i> <input type="checkbox"/> Permanent Structure <input type="checkbox"/> Mobile Reg.#: _____ Base of Operation: _____	21) Establishment Type <i>(check all that apply)</i> <input type="checkbox"/> Retail (sq.ft) <input type="checkbox"/> Caterer <input type="checkbox"/> Food Service (Seats) <input type="checkbox"/> Food Delivery <input type="checkbox"/> Food Service-Takeout <input type="checkbox"/> Mobile Food <input type="checkbox"/> Food Service-Institution <input type="checkbox"/> Mobile Food Walk-on (Meals/Day) <input type="checkbox"/> Commissary (Beds) <input type="checkbox"/> Bakery <input type="checkbox"/> Frozen Dessert Manufacturer Other <i>(Describe):</i> _____ _____
22) Length of Permit: <i>(check one)</i> <input type="checkbox"/> Annual <input type="checkbox"/> Seasonal/Dates <input type="checkbox"/> _____ Temporary/Dates/Time	23) Food Operations: <i>(check all that apply):</i> Definitions: TCS – <i>time /temperature controlled for safety foods</i> Non-TCS - <i>no time/temperature controls required</i> RTE- <i>ready-to-eat foods (Ex. Sandwiches, salads, muffins which need no further processing)</i>
<input type="checkbox"/> Commercially Pre-Packaged Non-TCS foodss <input type="checkbox"/> Commercially Pre-Packaged TCSs <input type="checkbox"/> Preparation of Non-TCSs <input type="checkbox"/> Reheats Commercially Processed Food for service within 4 hours <input type="checkbox"/> Customer Self-Service Of Non-TCS and Non-Perishable Foods Only <input type="checkbox"/> Delivers Food Within 1 Hour of Preparation <i>To Be Completed by the Board of Health</i> Total Permit Fee: _____ Payment is due with application	<input type="checkbox"/> TCS Cooked To Order <input type="checkbox"/> Preparation of TCS For Hot And Cold Holding For Single Meal Service <input type="checkbox"/> Sale of Raw Animal Foods Intended to be Prepared by Consumer <input type="checkbox"/> Customer Self-Service <input type="checkbox"/> Ice Manufactured and Packaged for Retail Sale <input type="checkbox"/> Juice Manufactured and Packaged for Retail Sale <input type="checkbox"/> Offers RTE TCS in Bulk Quantities <input type="checkbox"/> Retail Sale of Salvage, Out-of Date or Reconditioned Food
	<input type="checkbox"/> Hot TCS Cooked and Cooled or Hot Held for More Than a Single Meal Service <input type="checkbox"/> TCS and RTE Foods Prepared For Highly Susceptible Population Facility <input type="checkbox"/> Vacuum Packaging/Cook Chill <input type="checkbox"/> Use Of Process Requiring a Variance and/or HAACP Plan <input type="checkbox"/> Offers Raw or Undercooked Food of Animal Origin <input type="checkbox"/> Prepares Food/Single Meals for Catered Events or Institutional Food Service
I, the undersigned, attest to the accuracy of the information provided in this application and I affirm that the food establishment operation will comply with 105 CMR 590.000 and all other applicable law. I have been instructed by the board of health on how to obtain copies of 105 CMR 590.000 and the federal 2013 Food Code and 2015 supplement.	
24) Signature of Applicant: _____ Pursuant to MGL Ch. 62C, sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid state taxes required under law.	
25) Federal ID: _____	
26) Signature of Individual or Corporate Name: _____	



**The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 Lafayette City Center
 2 Avenue de Lafayette, Boston, MA 02111-1750
 www.mass.gov/dia**

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: _____

Address: _____

City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

- 1. I am a employer with _____ employees (full and/ or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ **Permit/License #** _____

Issuing Authority (check one):

- 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board
- 5. Selectmen's Office 6. Other _____

Contact Person: _____ **Phone #:** _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "**every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required.**" Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

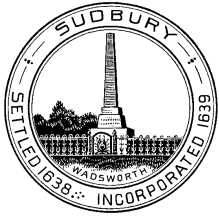
The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette,
Boston, MA 02111-1750

Tel. (857) 321-7406 or 1-877-MASSAFE

Fax (617) 727-7749

www.mass.gov/dia



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Board of Health

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Summary of Food Allergen Awareness Memo (October 2024)

Background: In 2009, Massachusetts implemented food allergen awareness requirements for retail food establishments under MGL Ch 140, S. 6B. These establishments must comply with the 105 CMR 590.000, State Sanitary Code Chapter X, for food safety and allergen awareness.

Recent Updates:

- As of January 1, 2023, sesame has been added to the FDA's list of major allergens.
- The Massachusetts Department of Public Health (DPH) has approved new training courses and updated posters to reflect these changes.
- The updated materials focus on preventing cross-contact with allergens, including sesame, and are available on the Massachusetts government website.

New Training Requirements (Effective October 7, 2024):

- Approved training courses must meet one or more of the following:
 1. Accredited by ANSI's National Accreditation Board and meet DPH-specified allergen awareness content.
 2. Approved by Food Allergy Research & Education (FARE) under their FAREcheck program.
 3. If not accredited or approved, courses must include an interactive video, an exam, and cover the required allergen awareness content.

Person in Charge (PIC) Requirements:

- Every establishment must have a certified food protection manager who has completed allergen awareness training.
- The PIC must be on-site during operating hours, ensuring that all employees are trained in allergen awareness relevant to their roles.

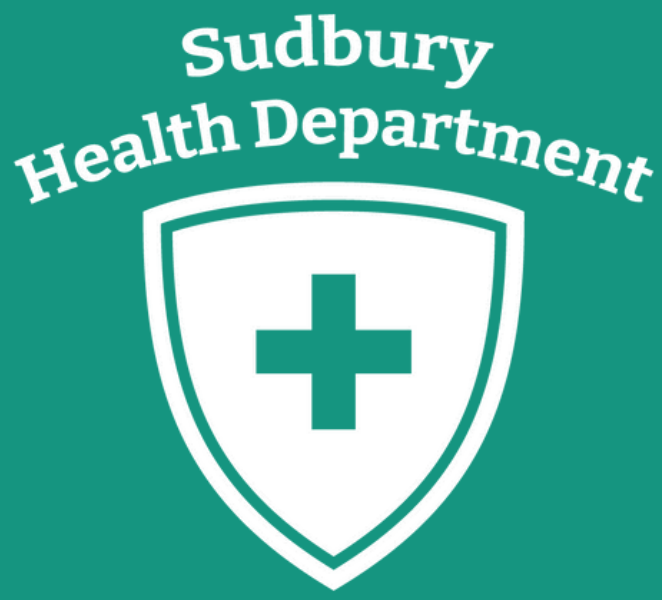
Poster Requirements:

- Food establishments must display a DPH-approved [poster](#) that includes sesame as a major allergen. Posters must be at least 8.5 by 11 inches, and establishments can use the DPH template or create their own as long as they meet content standards.

Resources and Training:

- The updated guidance and training materials are available at: [Massachusetts Food Allergen Awareness Guidance](#).

For further inquiries, contact the DPH Food Protection Program at fpp.dph@mass.gov or (617) 983-6765.



POLYSTYRENE CONTAINERS

The Town of Sudbury banned the use of polystyrene containers in 2021, and it is important for food establishments to comply as soon as possible.

What is banned?

- Disposable food containers made of polystyrene
- Meat/fish trays and egg cartons made of polystyrene
- Packing materials, including packing peanuts, made of polystyrene

What is allowed?

- You may REUSE polystyrene packing materials for shipping or transport, as long as packing materials are not sent to a customer
- You may RECEIVE shipments from outside the Town of Sudbury that include polystyrene packaging

Exemptions

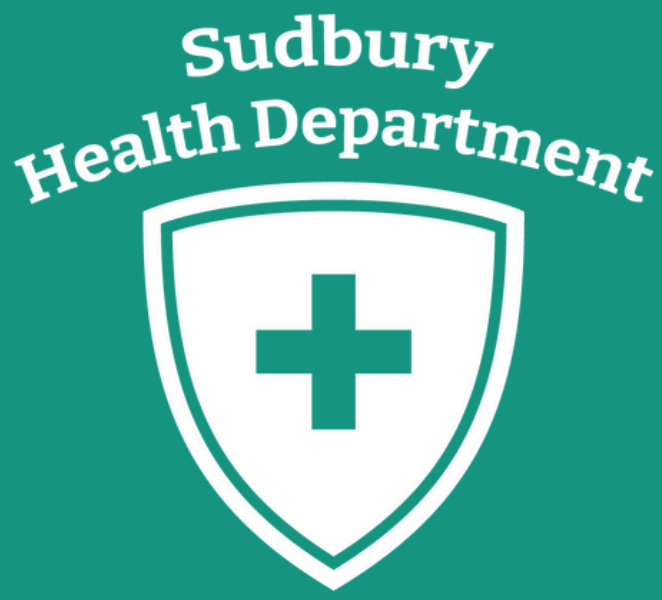
- There are no exemptions at this time

For more information, please visit:
<https://ecode360.com/38702943#38702943>

POLYSTYRENE CONTAINERS



Polystyrene containers can be either foam or clear plastic. The rules apply to any polystyrene food ware (to-go containers, cups and lids, bowls, plates, cutlery).



DISPOSABLE PLASTIC ITEMS

The Town of Sudbury banned the use of disposable plastic straws, stirrers, and splash sticks in 2021. It is important for food establishments to comply as soon as possible.

What is banned?

- Disposable plastic straws, stirrers, or splash sticks

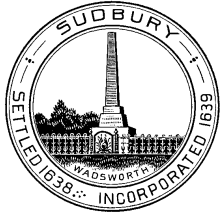
What is allowed?

- Reusable straws, stirrers, and splash sticks
- Recyclable, biodegradable, or compostable items
- You may provide disposable items when a customer specifically requests it
- Customers may select disposable items from self-service dispensers

Exemptions

- There are no exemptions at this time.

For more information, please visit:
<https://ecode360.com/38702984#38702984>



Town of Sudbury

Board of Health

DPW Office Building
275 Old Lancaster Road
Sudbury, MA 01776
978 440-5479

January 23rd, 2018

Dear Sudbury Business Owner,

We are writing to make sure you are aware of the specific provisions of the new bylaw bans on shopping bags and water bottles that will apply to all Sudbury merchants. The bylaws were approved by Sudbury Town Meeting with the goals of reducing litter, encouraging recycling, and reduce plastics in the environment to create a more environmentally sustainable community. For your reference, a frequently asked questions document is included with this letter and the full text of the bylaw is available on our website: <http://Sudbury.ma.us/health/>.

BAG BAN

Timing: The bylaw will take effect on June 30th, 2018.

Plastic Bags: The new bylaw prohibits the distribution of single-use, plastic check out bags that are less than 4 mils thick. The bylaw does not prohibit thin film bags typically without handles such as plastic produce bags, newspaper bags, dry cleaning bags, dog waste bags, garbage bags, or other plastic film product.

Paper Bags- The new bylaw requires that all paper shopping bags must be 100% recyclable and made with at least 40% post-consumer recycled material (already and industry standard). Paper bags must be labeled with this information to comply with the bylaw. Please note that paper shopping bags with non-recyclable string or ribbon handles are prohibited.

Reusable Bags- This bylaw outlines specifications for bags that may be distributed or sold as “reusable”. The purpose of these specifications is to avoid distribution of bags that are not truly reusable. The Board of Health, Sustainable Sudbury and the Sudbury community is committed to long-term public promotion of reusable bags as the best solution for our environment.

WATER BOTTLE BAN

Timing: The bylaw will take effect on June 30th, 2018.

Water Bottles: The bylaw prohibits the sale of non-reusable polyethylene terephthalate (PET) bottles of 1 liter (34 ounces) or less containing noncarbonated, unflavored, drinking water in the Town of Sudbury. Water may be provided for free in any form.

Exemptions: In the event of a declaration of an emergency by the Emergency Management Director, water bottles may be sold until seven days after the declaration.

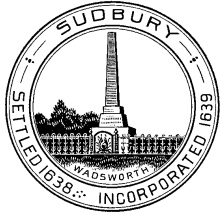
ENFORCEMENT- The Sudbury Health Department will enforce the bylaws through written warning notices and fines for continued non-compliance. Health Department Director may grant an extension for compliance if the laws causes undue hardship or if the business needs more time to draw down existing inventory.

We would be glad to answer any questions about the bylaw requirements and we look forward to working with you to build a more sustainable future for our community.

Sincerely,

Vivian Zeng
Director of Public Health
Sudbury Health Department

Encl. What you need to know about the new Sudbury Bylaws Banning Plastic Shopping Bags and Water Bottles



Town of Sudbury

Board of Health

DPW Office Building
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978 440-5479

What You Need to Know about the New Sudbury Bylaws Banning Plastic Shopping Bags and Water Bottles

What does the new bylaw say about plastic bags?

- No thin film plastic check-out bags less than 4 mils thick may be distributed by retailers in Sudbury. Check-out bag means a bag provided to a customer at the point of sale.
- *Still allowed:* produce bags, dry cleaning bags, newspaper bags, garbage bags, dog-waste bags, and other thin film plastic products such as plastic wrap.
- All retail businesses are covered by the bylaw. However, the Board of Health requests that *all* business owners refrain from distributing plastic bags.

What does the new bylaw say about paper bags?

- Must be 100 percent recyclable, e.g. no non-recyclable string or ribbon handles, no heavily inked surfaces, no glossy coating.
- Must have at least 40 percent post-consumer recycled content.
- Must be labeled to show that the bag is 100 percent recyclable and is made of 40 percent recycled material.

What does the new bylaw say about reusable bags?

- Must be sewn with stitched handles and designed for multiple uses.
- Constructed to carry 25 pounds over a distance of 300 feet.
- Must be machine washable.
- Must be made of natural fibers or durable, non-toxic plastic (not polyethylene or polyvinyl chloride) that is greater than 4 mils thick.

When does the new bylaw take effect?

- For all stores, the bylaw will take effect on **June 30th, 2018**.

How will the bylaw be enforced?

The Board of Health will enforce the bylaw. Health Department Director Bill Murphy may grant a six month extension for compliance if the law causes undue hardship to a business, or if a business needs more time to draw down an inventory of bags. Businesses not in compliance will initially receive a written warning notice, followed by a \$50 fine for a second violation after the notice, a \$200 fine for a second violation and for any subsequent violations.

Why does the town need a new bylaw for shopping bags?

Plastic bags harm the environment. The bylaw is intended to reduce litter and to ensure that most shopping bags distributed in town can be recycled. The Sudbury Community is committed to long-term public outreach and education to promote reusable bags in Sudbury. Reusable bags are the best solution for our environment. Thirty-seven communities in Massachusetts have now passed laws to regulate plastic bags.

What does the new by-law say about water bottles?

The bylaw prohibits the sale of non-reusable polyethylene terephthalate (PET) bottles of 1 liter (34 ounces) or less containing noncarbonated, unflavored, drinking water in the Town of Sudbury. Water may be provided for free in any form.

Does this apply to cases of 24 bottles or more?

Yes. Any water bottle 1 liter or less, however packaged, cannot be sold.

What if there is a public health or other declared emergency?

In the event of a declaration of an emergency by the Emergency Management Director, water bottles may be sold until seven days after the declaration.

How will this bylaw be enforced?

The Board of Health will enforce the bylaw. Health Department Director Bill Murphy may grant a six month extension for compliance if the law causes undue hardship to a business, or if a business needs more time to draw down an inventory of bags. Businesses not in compliance will initially receive a written warning notice, followed by a \$25 fine for a second violation after the notice, a \$50 fine for a second violation and for any subsequent violations.

Where can I find out more about the Sudbury bag and bottle bylaw?

Go to our website at: <https://sudbury.ma.us/health/> or
Contact: health@sudbury.ma.us; (978) 440-5480

ARTICLE XXXIV

PLASTIC BAG BAN

ATM 5/2/2017

SECTION 1. FINDINGS AND PURPOSE

Plastic check-out bags have a significant impact on the marine and terrestrial environment, including but not limited to: 1) harming marine and terrestrial animals through ingestion and entanglement; 2) polluting and degrading the terrestrial and marine environments; 3) clogging storm drainage systems; 4) creating a burden for solid waste disposal and recycling facilities; 5) requiring the use of non-renewable fossil-fuel in their composition. Studies have shown that even alternative “compostable” or “biodegradable” bags require very specific and controlled conditions in order to biodegrade, and have potentially negative environmental effects similar to conventional plastic bags. Such bags should therefore be subject to the same restrictions as conventional plastic check-out bags.

The purpose of this Bylaw is to protect the Town’s unique natural beauty and irreplaceable natural resources by reducing the number of single-use plastic checkout bags that are distributed in the Town of Sudbury and to promote the use of reusable bags.

SECTION 2. DEFINITIONS

The following words shall, unless the context clearly requires otherwise, have the following meanings:

“Check-out bag” shall mean a bag provided by a store to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or check out area of the store.

“Health Agent” shall mean the Health Agent for the Sudbury Board of Health or his/her designee.

“Recyclable paper bag” shall mean a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag (1) the word “recyclable” or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being made from post-consumer recycled content and the percentage of postconsumer recycled content in the bag.

“Reusable Check-out bag” shall mean a sewn bag with stitched handles that is specifically designed for multiple reuse and that (1) can carry 25 pounds over a distance of 300 feet; (2) is machine washable; and, (3) is either (a) made of natural fibers (such as cotton or linen); or (b) made of durable, non-toxic plastic other than polyethylene or polyvinyl chloride that is generally considered a food-grade material that is more than 4 mils thick.

“Retail Establishment” shall mean any business facility that sells goods directly to the consumer whether for or not for profit, including, but not limited to, retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses.

“Thin-Film, Single-Use Plastic Check-Out Bags” shall mean those bags typically with handles, constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric), if said film is less than 4.0 mils in thickness.

SECTION 3. REGULATED CONDUCT

- a. No Retail Establishment in the Town of Sudbury shall provide Thin-Film, Single-Use Plastic Check-Out Bags to customers after June 30, 2018, for Retail Establishments with a floor area equal to or exceeding 3,500 square feet or with at least two locations under the same name within the Town of Sudbury that total 3,500 square feet or more.
- b. If a Retail Establishment provides or sells Check-Out Bags to customers, the bags must be one of the following:
 1. Recyclable paper bag; or
 2. Reusable Check-Out bag. For reusable bags, public information advising customers to sanitize reusable bags to prevent food-borne illness must be displayed at point of checkout.

SECTION 4. EXEMPTION

Thin-film plastic bags typically without handles which are used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items, and other similar merchandise are not prohibited under this bylaw.

SECTION 5. ENFORCEMENT

Health Agents shall have the authority to enforce this bylaw. This bylaw may be enforced through any lawful means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the General Bylaws. Violations of this bylaw are punishable by a fine of up to \$300 per violation.

If non-criminal disposition is elected, then any Retail Establishment that violates any provision of this bylaw shall be subject to the following penalties:

First Offense: written warning

Second Offense: \$50 penalty

Third and subsequent offense: \$200 penalty

SECTION 6. EXEMPTIONS

The Board of Health may exempt a Retail Establishment from the requirements of this bylaw for a period of up to six months upon a finding by the Director that (1) the requirements of this section would cause undue hardship; or (2) a Retail Establishment requires additional time in order to draw down an existing inventory of thin-film, single-use check-out plastic bags.

SECTION 7. REGULATIONS

The Board of Health may adopt and amend rules and regulations to effectuate the purposes of this bylaw.

SECTION 8. SEVERABILITY

If any provision of this bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby.”

ARTICLE XXXV

THE REGULATION OF SALE AND USE OF BOTTLED WATER

[ATM 5/2/2017](#)

SECTION 1. FINDINGS AND PURPOSE

Plastic “disposable” water bottles made of polyethylene terephthalate (PET) contribute hazards to human health, societal economies, wildlife, and the environment. Examples of these problems include:

1. Americans discard more than 30 million tons of plastic a year. Only 8 percent of that gets recycled. The rest ends up in landfills, is incinerated, or becomes the invasive species known as 'litter.' The amount of solid waste created by one-use plastic water bottles is staggering.
2. Chemicals leached by plastics are in the blood and tissue of nearly all of us. Exposure to them is linked to cancers, birth defects, impaired immunity, endocrine disruption and other ailments.
3. There are thousands of landfills in the United States. Buried beneath each one of them, plastic leachate full of toxic chemicals is seeping into groundwater and flowing downstream into lakes and rivers.
4. Manufacturers' additives in plastics, like flame retardants, BPAs and PVCs, can leach their own toxicants. These oily poisons repel water and stick to petroleum-based objects like plastic debris.
5. Entanglement, ingestion and habitat disruption all result from plastic ending up in the spaces where animals live. In our oceans alone, plastic debris outweighs zooplankton by a ratio of 36-to-1. Plastic cannot biodegrade; it breaks down into smaller and smaller pieces over time, but is still plastic.
6. In the face of a growing global water crisis, water bottling corporations are turning water into a profit-driven commodity when it needs to be regarded as a human right.

The town of Sudbury has high quality tap water, and provides regular governmental reports on its quality. The recommended eight glasses of water a day, at U.S. tap rates equals about \$.49 per year; that same amount of bottled water is about \$1,400.

The purpose of this Bylaw is to protect the town’s beauty, reduce litter, protect the health of present and future generations, and save the citizens of the Town money that is needlessly spent on packaged water from distant sources in one-use bottles.

SECTION 2. REGULATED CONDUCT

It shall be unlawful to sell non-reusable polyethylene terephthalate (PET) bottles of 1 litre (34 ounces) or less containing uncarbonated, unflavored drinking water in the Town of Sudbury on or after the effective date of this bylaw. Water may be provided for free in any form. Proposed effective date of this bylaw: June 30, 2018

In the event of a declaration (by Emergency Management Director, other duly-authorized Town, Commonwealth, or United States official) of an emergency affecting the availability and/or quality of drinking water to Sudbury residents, citizens and officials shall be exempt from this bylaw until seven days after such declaration has ended.

SECTION 3. ENFORCEMENT

Health Agents shall have the authority to enforce this bylaw. This bylaw may be enforced through any lawful means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the General Bylaws.

Violations of this bylaw are punishable by a fine of up to \$300 per violation.

If non-criminal disposition is elected, then any person that violates any provision of this bylaw shall be subject to the following penalties:

First Offense: written warning

Second Offense: \$25 penalty

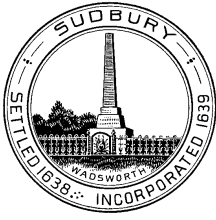
Third and subsequent offense: \$50 penalty

SECTION 4.

If the Town Manager determines that the cost of implementing and enforcing this Bylaw has become unreasonable, then the Town Manager shall so advise the Board of Selectmen and the Board of Selectmen shall conduct a Public Hearing to inform the citizens of such costs. Subsequent to the Public Hearing, the Board of Selectmen may continue this Bylaw in force or may suspend it permanently or for such length of time as the Board may determine.

SECTION 5.

If any provision of this bylaw shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this bylaw, which shall remain in full force and effect.



Town of Sudbury

Board of Health

Sudbury Health Department
275 Old Lancaster Road
Sudbury, MA 01776
978-440-5478
Health@sudbury.ma.us

RE: Acknowledgement and Understanding of the following Sudbury Bylaws:

- Bag and Bottle Ban
- Polystyrene (Styrofoam) Ban
- Plastics Ban

Food Vendors/Establishments,

Please see the highlighted links to the Sudbury Bylaws [prohibiting the sale of water in bottles sized 1 liter or less](#). The use of [thin gaged plastic bags](#). The use of serving containers or cups made of [styrofoam](#). The use of [plastic straws, stirrers, lids, cups and other disposable plastics](#). We ask that you read the by-laws, fill out the information below and sign and date acknowledging that you fully understand and will adhere to the by-law restrictions.

I acknowledge that I have read and understand the conditions of the bylaws and will remain compliant while conducting business within the Town of Sudbury Massachusetts.

Name of Business

Name of Event

Location of Event

Print Name

Signature

Date: _____

Submit this signed document with application and other required paperwork.