

RETAIL STORE

An establishment that offers the sale and display of merchandise within a building.

TOWN BUILDING OR PREMISES

A building or land owned or used by the Town for municipal or school purposes.

§ 83-3. Use regulations.

Except as expressly set forth in this bylaw, Single-Use Plastic Beverage Straws and Stirrers shall not be distributed or sold at Food Establishments, Retail Stores, or Town Buildings and Premises with a floor area of 10,000 square feet or more in the Town of Lexington on or after January 1, 2020. Single-Use Plastic Beverage Straws and Stirrers shall not be distributed or sold at Food Establishments, Retail Stores, or Town Buildings and Premises with a floor area of less than 10,000 square feet in the Town of Lexington on or after July 1, 2020.

§ 83-4. Exceptions.

A. In the event that compliance with this bylaw is not feasible by January 1, 2020, for a Food Establishment or Retail Store or a Town Building or Premises, (or by July 1, 2020 for Food Establishment or Retail Store or a Town Building or Premises with a floor area less than 10,000 square feet,) because of either unavailability of alternative straws and stirrers or economic hardship, the Town Manager or Town Manager's designee may grant a waiver of not more than six months upon application of the owner or owner's representative. The Town Manager or Town Manager's designee may provide one additional six-month waiver upon showing of continued infeasibility or hardship, as set forth above.

B. A Food Establishment or Retail Store or a Town Building or Premises may, when requested and when Reusable or Compostable straws are either not feasible or not available, distribute Single-Use Plastic Straws for persons who request such straws for health-related reasons.

§ 83-5. Enforcement process.

Enforcement of this bylaw shall be the responsibility of the Town Manager or Town Manager's designee. The Town Manager or Town Manager's designee shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate. Any Food Establishment, Retail Store, or Town Building or Premises selling or distributing Single-Use Plastic Beverage Straws or Stirrers in violation of this bylaw shall be subject to a noncriminal disposition fine as specified in Section 1-6 of the Town Bylaws under MGL c. 40, § 21D. Any such fines shall be paid to the Town of Lexington.

(Revised 3/25/19)