



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR  
MARTIN J. WALSH

A Temporary Executive Order Concerning Exemption of Certain Businesses from the City of Boston Plastic Bag Ordinance

Whereas, a Public Health Emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”) is in effect in the City of Boston pursuant to declaration of the Boston Public Health Commission dated March 15, 2020, in full force and effect until April 27, 2020, unless circumstances warrant an extension by the Interim Executive Director;

Whereas, on March 10, 2020, Governor Baker declared that there exists within the Commonwealth of Massachusetts a state of emergency due to the outbreak of COVID-19;

Whereas, on March 23, 2020, Governor Baker issued an Order Assuring the Continued Operating of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gatherings of More Than 10 People;

Whereas, under the aforementioned Order it is important that certain businesses deemed essential, including those that sell or provide food, medicine, and other necessities to the public, be able to continue operating;

Whereas, as part of their ongoing efforts to serve the public effectively during this public health crisis, grocery stores and other entities that sell or provide food, medicine, and other necessities, may require additional flexibility in providing checkout bags or in acquiring supplies of bags to use to facilitate carry out or checkout by patrons;

Whereas, in order to provide such essential businesses with that additional flexibility to meet their operating needs during this public health crisis, limited and temporary exemptions from the application of City of Boston Code, Chapter XVII, Section 17-20<sup>1</sup>, An Ordinance Regarding the Reduction of Plastic Bags in Boston (the “Ordinance”), are warranted;

Whereas, Section 17-20.5 of the Ordinance grants to the Chief of Environment, Energy and Open Space (“Chief”), or her/his/their designee, the authority to grant exemptions from the requirements of the Ordinance under certain conditions, and the Commissioner of the Inspectional Services Department (“Commissioner”) is currently the Chief’s designee;

Whereas, the Ordinance itself serves important environmental goals to support the quality of life for Boston residents, and therefore any exemption from its application should be limited and temporary;

**NOW, THEREFORE**, pursuant to the authority vested in me as chief executive officer of the City of Boston by St. 1948, c. 452, § 11, and every other power hereto enabling, I hereby order and direct as follows:

I. POLICY

The Chief and Commissioner are directed to exercise their authority under the Ordinance to grant temporary exemptions from the requirements of the Ordinance to all retail establishments that qualify as “Essential Businesses” under the Governor’s Order dated March 23, 2020, and shall deem this public health crisis to constitute circumstances or situations unique to such businesses such that they are entitled to an exemption under Section 17-20.5(a)(1) of the Ordinance. The Chief and Commissioner shall deem all such Essential Businesses to have applied for this exemption by virtue of the issuance of the Governor’s Order dated March 23, 2020. The length of the temporary exemption granted shall be for the entire duration of the Public Health Emergency declared by the Boston Public Health Commission on March 15, 2020, including any extension to said declaration.

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<sup>1</sup> The text of the Ordinance states that it will be inserted into the City Code at Section 17-19, but due to the earlier adoption of another ordinance it was inserted at Section 17-20.

II. DURATION

This Executive Order shall take effect on March 24, 2020, and shall be in effect until the last day of the Public Health Emergency declared by the Boston Public Health Commission on March 15, 2020.

This order shall take effect immediately.

SIGNED THIS 24th DAY OF MARCH, 2020.

  
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Martin J. Walsh  
Mayor of Boston