

Upper Merion Township  
Montgomery County, PA

NOTICE

Notice is hereby given that the Board of Supervisors of Upper Merion Township, at their regular Business meeting on July 13, 2023 at 7:00 PM in the Upper Merion Township Municipal Building, 175 W. Valley Forge Rd, King of Prussia, PA, will consider and take action on the following proposed Ordinance summarized as follows:

Upper Merion Township  
ORDINANCE NO.  
(summary)

AN ORDINANCE OF UPPER MERION TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP CODE TO CREATE A NEW CHAPTER, SINGLE-USE PRODUCT REGULATIONS, TO REGULATE THE DISTRIBUTION AND USE OF SINGLE-USE CARRY-OUT BAGS, SINGLE-USE PLASTIC STRAWS, SINGLE-USE PLASTIC UTENSILS, AND EXPANDED POLYSTYRENE FOOD SERVICE PRODUCTS; TO PROMOTE AND FACILITATE REUSABLE BAG, STRAW, UTENSIL, AND CONTAINER USE; AND TO ADD FINDINGS, DEFINITIONS, FEES, REQUIREMENTS, ENFORCEMENT, PENALTIES, AND EXEMPTIONS RELATING TO THE DISTRIBUTION AND USE OF SINGLE-USE CARRY-OUT BAGS, REUSABLE BAGS, SINGLE-USE PLASTIC STRAWS, SINGLE-USE PLASTIC UTENSILS, AND EXPANDED POLYSTYRENE FOOD SERVICE PRODUCTS.

Section 1. Adds New Chapter to the Code of the Township of Upper Merion, “Single-Use Product Regulation” and new subsections regarding:

Section 1. Purpose and Findings. Provides for the purpose of the ordinance to reduce single use plastics that impact the environment and pollute the Township.

Section 2. Definitions. Provides definitions for terms used in the Chapter

Section 3. Single-Use Plastic bags. Prohibits commercial establishments from providing single use plastic bags to customers effective 1/1/2024.

Section 4. Recycled Paper Bags. Prohibits commercial establishments from providing non-recycled paper bags to customers effective 1/1/2024; requires a \$.10 charge per recycled paper bag, requires proper receipting and prohibits the waiving, rebating or reimbursement of the fee.

Section 5. Single-Use Plastic Straws. Prohibits commercial establishments from providing single use plastic straws to customers effective 1/1/2024.

Section 6. Expanded Polystyrene Food Service Products. Prohibits commercial establishments from providing expanded polystyrene food service products customers effective 1/1/2024.

Section 7. Single-Use Plastic Utensils. Prohibits commercial establishments from providing single use plastic utensils to customers effective 1/1/2024.

Section 8. Reusable bags. Permits commercial establishments to charge for reusable bags at a cost of not less than \$.10. Allow for establishments to retain charges; requires proper receipting; permits customers to use own bag or no bag and prohibits the waiving, rebating or reimbursement of the fee.

Section 9. Temporary Signage Requirements. Requires commercial establishments to post signage 60 days after ordinance enactment and for 6 months after effective date of the single-use plastic restrictions; permitted bag types; charge for recycled paper bags and other information required by Township regulation.

Section 10. Exemptions. Permits and exemption of the requirements for a period of one year upon proper request.

Section 11. Enforcement. Permits for the enforcement of this Chapter by the Township; establishes provisions for warnings for violations and establishes per offense penalties for violations.

Section 2. Provides for a severability provision.

Section 3. Provides for a repealer

Section 4. Provides for an effective date.

Section 5. Failure to enforce provision

The full text of the ordinance is available for review in the office of the Township Secretary, 175 W. Valley Forge Rd, King of Prussia, Pa., during normal business hours, org M-F, 8:15 AM to 5PM; the Township website at [www.umtownship.org](http://www.umtownship.org); the Township Library, Montgomery County Law Library, 2 East Airy Street, Norristown, and in the offices of the Times Herald Newspaper, 390 Eagleview Boulevard, Exton, PA 1934.

All interested persons may appear and be heard at the scheduled meeting. Any individual wishing to participate in the meeting and needing an auxiliary aid, service or other accommodation should contact the Township Administrative office at 610-265-2600 at least 48 hours in advance of the meeting to determine how the Township can best provide assistance.

Anthony T. Hamaday  
Township Secretary