



Municipalities now Prohibited from Banning Plastic Bags

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Foster Swift Municipal Law News

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A new law signed by Lt. Governor Brian Calley will prohibit counties, townships, cities and villages in Michigan from adopting or enforcing ordinances that regulate in any way the use, disposition or sale of certain containers, most notably, plastic bags. The ban on such regulation applies to "auxiliary containers" which are defined as bags, cups, bottles, or other packaging that is designed to transport or carry merchandise from food service or retail facilities. This includes common plastic and paper bags provided by retail stores. Under the new law, municipalities may no longer ban such containers or require retailers to charge customers a fee for using them.

The law does not apply to recycling programs nor does it prohibit ordinances that regulate littering. Additionally, municipalities may still regulate the use of such containers on property owned by the municipality.

The law will take effect at the end of March 2017.

If you have any questions about the new law, please contact a **Foster Swift municipal attorney**.

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