

**City of Northampton  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-Two*

*Upon the recommendation of Councilor Rachel Maiore*

**22.168 An Ordinance Amending Section 272-18 C. Exemptions**

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to remove the limit on the number of additional 6-month exemption periods allowed under Section 272-18 C. Exemptions.

Be it Ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

The Code of Ordinances shall be and hereby is amended as follows:

In section 272-18, by deleting in subsection C (1) the phrase “two (2)” as follows:

C. Exemptions.

- (1) The Mayor's designee may exempt a food or retail establishment from the requirements of this ordinance for a period of up to one (1) year, upon a finding by the Mayor's designee that the requirements of this ordinance would cause undue hardship to the establishment. The Mayor's designee may approve ~~two (2)~~ additional 6-month periods upon the showing of a continued undue hardship. An “undue hardship” shall only be found in:
  - (a) Circumstances or situations unique to the particular food or retail establishment such that there are no reasonable alternatives to plastic products or materials banned in this ordinance that are necessary to the establishment's operations; or
  - (b) Circumstances or situations unique to the food or retail establishment such that compliance with the requirements of this ordinance would deprive a person of a legally protected right; or
  - (c) Circumstances where a food or retail establishment requires additional time in order to draw down an existing inventory of plastic products or materials banned in this ordinance.

(2) The council shall request a report from the Mayor in November of 2023 regarding enforcement and compliance.