



Rules & Ordinances Meeting Feb 11, 2026

Members Present: Councilor Nicole Gardner, Chair; Councilor Lisa Feltner, Vice Chair; and Councilor John Gannon, Secretary

Also present: Councilor Vinnie Piccirilli; Mia Kania, Sustainability Planner, Department of Community Development & Planning; Max Woolf, Charles River Regional Chamber; John “JD” Donohue, Donohue’s Restaurant.

Committee Chair Gardner called the meeting to order at 7:00pm and introduced the other committee members present. The meeting agenda was to continue discussion of a draft ordinance relative to food and beverage single-use items, commonly known as “Skip the Stuff,” which is part of a nationwide campaign by waste reduction advocates.

Chair Gardner began by explaining the procedural history relative to the amended ordinance, namely

- On October 7, 2025, the Committee on Rules and Ordinances approved a draft of the Skip the Stuff ordinance and recommended sending it to the City Council.
- On November 12, 2025, the City Council accepted the Committee’s report and moved the ordinance forward.
- On December 9, 2025, City Council President Sideris said the Council would delay a final vote so the City Attorney could review the ordinance. He also noted that the original referral focused only on reducing the use of single-use plastics, and the current draft ordinance included a materials ban. For that reason, the ordinance was sent back to the Committee to allow more input from local business owners.
- Before this meeting, the City Attorney provided an amended version of the ordinance.

Chair Gardner then welcomed members of the public to provide their comments. JD Donohue, owner of Donohue’s Bar & Grill, stated his concerns with the ordinance. He is concerned that compliance in finding alternatives for materials that would be banned would increase costs to local businesses, including his own. He showed various take-out packaging materials used by his and other businesses that would be banned. He also said that eliminating the typical plastic pre-bundled package containing a knife, fork, spoon and napkins and instead giving customers only the utensils they wanted would create a higher risk of cross-contamination, creating health effects.

Max Woolf of the Charles River Regional Chamber said that the Chamber has seen “Skip the Stuff” work well in other communities. He stated that the three other chamber municipalities, Wellesley, Newton and Needham, have adopted versions of the ordinance. He noted that the materials ban provided for by the Watertown ordinance could increase business costs and possibly reduce the amount of local taxes produced by Watertown restaurants. He is also concerned about the potential for excessive fines being imposed on restaurants for the violations of the ordinance.

Mia Kania, Sustainability Planner with the City's Department of Community Development & Planning stated that the City plans a six-month education campaign for both restaurants and patrons on what the ordinance means for them. She also discussed health concerns arising from the use of black plastics for food.

Councilor Piccirilli stated that he was surprised that the "skip the stuff" referral resulted in a proposed ordinance that also included a ban on food service materials. He feels the ordinance should just address reducing the original intent which is to reduce the use of unwanted single use plastic utensils and foodware accessories, and condiments. He feels the ordinance should be limited to skip the stuff.

Council Gardner next commenced a review of each section of the ordinance. Councilor Feltner made a motion to strike Section 118.5 Restricted Packaging in its entirety. Councilor Gardner stated her preference that specific revisions to the ordinance proceed on a consensus basis, rather than a call for a formal vote on each change deemed appropriate by the Committee.

The Committee then engaged in a detailed review and robust discussion of amendments to the ordinance, reaching a consensus on the final language. Key changes from the last version are:

- The provisions to prohibit single use food containers and packaging materials made in whole or part from foam polystyrene, black plastic, and materials lined with polyethylene or other petroleum based plastics was removed.
- It was agreed that cup lids would not be defined as a single-use food accessory; the rationale was the safety of patrons getting hot beverages
- The definition of a Food Establishment was amended to refer to the State Sanitary Code and Retail Food Code, on the advice of counsel.
- Food establishments will receive verbal and written warnings for the first two offenses, and the fines will be \$50 for the 3rd offense, \$100 for the 4th offense, and \$200 for the 5th offense and all subsequent offenses.

Councilor Gannon asked whether city ordinance enforcement personnel have the technology to track subsequent offense violations leading to higher fines. Councilor Gardner researched this following the meeting and was assured by the Health Director that they have what they need.

Action Item: Councilor Feltner made a motion to adopt the ordinance amendments and to refer the ordinance to the City Council. Councilor Gannon seconded. The vote was 3-0.

Councilor Gannon made a motion to adjourn, which was seconded by Councilor Feltner. The vote was 3-0. The meeting adjourned at 9:07pm

Respectfully submitted (along with ordinance draft),

John Gannon, Secretary

WHEREAS, Implementing Watertown’s “Resilient Watertown” Climate Plan is a top priority of the City Council and the Community; and,

WHEREAS, a part of the effort to improve the environment is to reduce waste and,

WHEREAS, single use plastics have a significant impact on the environment through their carbon footprint and contribution to excess waste; and,

WHEREAS, the reduction of single use plastics in circumstances where they are not necessary is a valid and effective waste reduction strategy; and,

WHEREAS, substitution of reusable materials for non-recyclable single-use plastics will also reduce waste.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown that the Watertown Code of Ordinances is hereby amended by adding new Title XI, Chapter 118, entitled “Skip the Stuff”, as follows:

Chapter 118

SKIP THE STUFF

118.1 Purpose

The ordinance is to reduce the overall environmental impact of the City of Watertown, its residents, and its businesses. Single use plastic has a significant impact on the environment through its carbon footprint, and impact on waste systems. The provisions of this Ordinance will reduce the amount of single use plastic used throughout the City.

118.2 Definitions

For the purpose of this Section 118, the following definitions apply:

A. **Condiment:** A single-use packet containing relishes, spices, sauces, confections, or seasonings, and similar ingredients, that requires no additional preparation, and that is used on food or beverages, including, but not limited to, ketchup, mustard, mayonnaise, soy sauce, sauerkraut, salsa, syrup, jam, jelly, salad dressings, salt, sugar, sugar substitutes, pepper, and chili pepper.

B. **Food Establishment:** A retail establishment that stores, prepares, services, vends, or otherwise provides food for human consumption, including, but not limited to, any establishment requiring a permit to operate in accordance with the State Sanitary Code Chapter X- Minimum Sanitation Standards for Food Establishments, 105 CMR 590 (the Retail Food Code), as it may be amended from time to time.

C. **Full-Service Food Establishment:** A food establishment where customers are seated at a table and where orders are taken and served by waitstaff at the tables.

D. **Online Food Ordering Platform:** The digital technology provided on a website or mobile application through which a consumer can place an order for pick-up or delivery of Prepared Food. Such

platforms include those operated directly by Food Establishments, by companies that provide delivery of prepared meals to consumers, and by online food ordering systems that connect consumers to Food Establishments directly.

E. **Prepared Food:** Food or beverages serviced, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, poured, or otherwise prepared (collectively “prepared”) for individual customers or consumers. Prepared Food does not include raw eggs or raw, butchered meats, fish, and/or poultry sold from a butcher case, a refrigerator case, or similar retail appliance.

F. **Single-Use:** Items designed to be used once and then discarded and not designed for repeated use and sanitizing.

G. **Single-Use Foodware Accessory:** Single-use items provided alongside Prepared Food served in single-use plates, containers, or cups, including but not limited to utensils as defined herein, tongs, chopsticks, straws, stirrers, splash sticks, cocktail sticks, and toothpicks, cup sleeves, cup trays, and food trays.

H. **Utensil:** Forks, spoons, knives, sporks, chopsticks, or other instruments used to serve food or to eat food.

I. **Reusable Food and Beverage Serviceware:** Containers, bowls, plates, trays, cups, glasses, utensils, takeout containers, and other items used to contain and consume beverages and prepared food that are manufactured and designed to be washed and sanitized and used repeatedly over an extended period of time.

118.3 Prohibited use and distribution of single-use food and beverage serviceware.

Food Establishments are prohibited from providing Single-Use Foodware Accessories, including in takeout and delivery orders, whether orders are placed online, via phone, or in person, except as follows:

- A. Single-Use Foodware Accessories may be provided specifically upon the request of the consumer:
 - By asking directly;
 - By selecting the items in an online food ordering platform; or,
 - In response to an inquiry by the food establishment.
- B. Single-Use Foodware Accessories, including plastic Utensils, may not be wrapped in plastic or offered as bundled sets.
- C. Food Establishments may have Single-Use Foodware Accessories available at self-service stations. The self-service station may include a Single Item Dispenser. These stations must comply with the Massachusetts Retail Food Code (105 CMR 590.00).

118.4 Options with Online Food Ordering Platforms

Online Food Ordering Platforms must provide Food Establishments with a method to list each Single-Use Foodware Accessory and Condiment that is offered by the Food Establishment, such that customers can specifically request the Single-Use Accessories and Condiments that they wish to have included with their order.

118.5 Restrictions on Full Service Food

Full Service Food Establishments must utilize only Reusable Food and Beverage Serviceware for dine-in customers.

118.6 Exemptions

A. Food Establishment may seek an exemption from the requirements of this Ordinance as follows:

- The Food Establishment must file a request for an exemption in writing with the Director of Public Health.
- The request must state specifically which section and products they are seeking an exemption from and state reasons why application of the specific requirement would cause undue hardship.
- The Director may waive any specific requirement of this Ordinance for a period of not more than six months, but, upon subsequent applications, may extend exemptions for an additional six-month period.
- The Director will issue a final decision in writing within 30 days of receipt of a written request for an exemption.

118.7 Enforcement

The Director of Public Health and/or his/her designee shall have the authority to administer and enforce this Ordinance. This Ordinance and any resulting rules and regulations may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition in accordance with the provisions of G.L. c. 40, §21D pursuant to Chapter 35, § 35.05 of the City Code of Ordinances.

118.8 Effective Date

This Ordinance will take effect six months after passage to allow time for the City Administration to conduct an education campaign focused on food establishments and consumers.

118.9 Penalty

A. Any person who violates any provision of this Ordinance shall be issued a verbal and written warning for the first two offenses, then fined as follows:

- \$50 for the third offense
- \$100 for the fourth offense
- \$200 for the fifth offense and each subsequent offense

B. Each day the violation continues may constitute a separate offense.

C. Nothing in this section shall be deemed to limit the use of other lawful methods of abating violations of this section, including but not limited to application for equitable relief from a court of law.

WHEREAS, ~~i~~Implementing Watertown’s “Resilient Watertown” Climate Plan is a top priority of the City Council and the Community; and,

WHEREAS, ~~a~~A part of the effort to improve the environment is to reduce ~~trash~~waste; and,

WHEREAS, ~~s~~Single use plastics have a significant impact on the environment through their carbon footprint and contribution to excess waste; and,

WHEREAS, the reduction of single use plastics in circumstances where they are not necessary is a valid and effective waste reduction strategy; and,

WHEREAS, substitution of reusable materials for non-recyclable single-use plastics will also reduce waste.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown that the Watertown Code of Ordinances is hereby amended by adding a new Title X, Chapter 117, entitled “Skip the Stuff”~~be added to the of the Watertown Code of Ordinances~~, as follows:

Chapter 117

SKIP THE STUFF ~~ORDINANCE~~

117.01 Purpose

~~This~~The purpose of this ~~chapter~~Ordinance is to reduce the overall environmental impact of the City of Watertown, its residents, and its businesses. Single use plastic has a significant impact on the environment through its carbon footprint, and impact on waste systems. The provisions of this ~~O~~rdinance will reduce the amount of single use plastic used throughout the City.

117.2 Definitions

For the purpose of this Section 117, the following definitions apply:

- A. **Condiment:** A single-use packet containing relishes, spices, sauces, confections, or seasonings, and similar ingredients, that requires no additional preparation, and that is used on food or beverages, including, but not limited to, ketchup, mustard, mayonnaise, soy sauce, sauerkraut, salsa, syrup, jam, jelly, salad dressings, salt, sugar, sugar substitutes, pepper, and chili pepper.
- B. **Foam polystyrene:** A non-biodegradable petrochemical thermoplastic made from aerated forms of polystyrene and includes several methods of manufacture. Expanded polystyrene (EPS) or extruded polystyrene (XPS) are forms of polystyrene and are included within this definition.
- C. **Food Establishment:** A retail establishment that stores, prepares, services, vends, or otherwise provides food for human consumption, as defined by the Watertown Zoning Ordinance, Table of Uses.

- D. **Full-Service Food Establishment:** A food establishment where customers are seated at a table ~~either by waitstaff or themselves,~~ and where orders are taken and served by waitstaff at the tables.
- E. **Online Food Ordering Platform:** The digital technology provided on a website or mobile application through which a consumer can place an order for pick-up or delivery of Prepared Food. Such platforms include those operated directly by Food Establishments, by companies that provide delivery of prepared meals to consumers, and by online food ordering systems that connect consumers to Food Establishments directly.
- F. **Prepared Food:** Food or beverages serviced, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, poured, or otherwise prepared (collectively “prepared”) for individual customers or consumers. Prepared Food does not include raw eggs or raw, butchered meats, fish, and/or poultry sold from a butcher case, a refrigerator case, or similar retail appliance.
- G. **Single-Use:** Items designed to be used once and then discarded and not designed for repeated use and sanitizing.
- H. **Single-Use Foodware Accessory:** Single-use items provided alongside Prepared Food served in single-use plates, containers, or cups, including but not limited to utensils as defined herein, tongs, chopsticks, ~~napkins,~~ straws, stirrers, splash sticks, cocktail sticks, and toothpicks, cup lids, cup sleeves, cup trays, and food trays.
- I. **Utensil:** Forks, spoons, knives, sporks, chopsticks, or other instruments used to serve food or to eat food.
- J. **Reusable Food and Beverage Serviceware:** Containers, bowls, plates, trays, cups, glasses, ~~forks, spoons, knives~~Utensils, takeout containers, and other items used to contain and consume beverages and prepared food that are manufactured and designed to be washed and sanitized and used repeatedly over an extended period of time.

117.3 Prohibited use and distribution of single-use food and beverage serviceware

Food Establishments are prohibited from providing Single-~~Use~~ Foodware Accessories, including in takeout and delivery orders, whether orders are placed online, via phone, or in person, except as follows:

- A. Single-~~Use~~ Foodware Accessories may be provided specifically upon the request of the consumer:
 1. By asking directly;
 2. By selecting the items in an online food ordering platform; or,
 3. In response to an inquiry by the food establishment.
- B. Food Establishments may have Single-~~Use~~ Foodware Accessories available at self-service stations. The self-service station may include a Single Item Dispenser. These stations must comply with the Massachusetts Retail Food Code (105 CMR 590.00)

117.4 Options with Online Food Ordering Platforms

Online Food Ordering Platforms must provide Food Establishments with a method to list each Single-Use Foodware Accessory and Condiment that is offered by the Food Establishment, such that customers can specifically request the Single-Use Accessories and Condiments that they wish to have included with their order.

117.5 Restricted Packaging

- A. Single-Use Foodware Accessories, including plastic ~~forks, spoons and knives~~ Utensils, may not be wrapped in plastic or offered as bundled sets.
- B. To ensure that single use food containers and packaging materials are recyclable, retail establishments are prohibited from selling or distributing single use food containers and packing materials made in whole or in part from:
 - 1. Foam polystyrene;
 - 2. Plastic that is completely or substantially black in color; ~~or,~~
 - 3. ~~Lined with polyethylene or other petroleum-based plastics.~~
- C. A retail or food establishment may establish if a specific item is allowable under Section 117.05B by providing written documentation to the Director of Public Health that the items ~~is-are~~ recyclable from ~~their-a~~ City-permitted waste/recycling hauler and associated Materials Recovery Facility (“MRF”), or compostable from their commercial organics hauler and associated compost end site.
- D. If the Director of Public Health determines that compliance with Section 117.05B is not feasible due to industry-wide unavailability of compliant items, the Director may suspend enforcement of this provision for all food and retail establishments until the Director determines that the supply of compliant items has been sufficiently restored.

117.6 Restrictions on Full Service Food

Full Service Food Establishments must utilize only Reusable Food and Beverage Serviceware for dine-in customers.

117.7 Exemptions

A Food Establishment may seek an exemption from the requirements of this Ordinance as follows:

- A. The Food Establishment must file a request for an exemption in writing with the Director of Public Health.
- B. The request must state specifically which section and products they are seeking an exemption from and state reasons why application of the specific requirement would cause undue hardship.
- C. The Director may waive any specific requirement of this Ordinance for a period of not more than six months, but, upon subsequent applications, may extend exemptions for an additional six-month period.
- D. The Director will issue a final decision in writing within 30 days of receipt of a written request for an exemption.

117.8 Enforcement

The Director of Public Health and/or his/her designee shall have the authority to administer and enforce this Ordinance. This Ordinance and any resulting rules and regulations may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition in accordance with the provisions of G.L. c. 40, §21D pursuant to Chapter 35, § 35.05 of the City Code of Ordinances.

117.9 Effective Date

This Ordinance will take effect six months after passage to allow time for the City Administration to conduct an education campaign focused on food establishments and consumers

117.99 Penalty

- A. Any person who violates any provision of this ~~chapter~~ Ordinance shall be issued a verbal warning for the first offense, then fined as follows:
 - 1. \$100 for the second offense
 - 2. \$200 for the third offense
 - 3. \$300 for the fourth offense and each subsequent offense
- B. Each day the violation continues may constitute a separate offense.
- C. Nothing in this section shall be deemed to limit the use of other lawful methods of abating violations of this section, including but not limited to application for equitable relief from a court of law.