

# Planning & Sustainability • City of Northampton

resilience | regeneration | design | conservation | placemaking | mobility | accessibility | community development | historic | zoning | GIS | agriculture

---

Keith Benoit, Community Development Planner • KBenoit@NorthamptonMA.gov • 413-587-1288

City Council Office  
City Hall, Room 16  
210 Main Street  
Northampton, MA 01060

December 8, 2020

Hello City Council Members,

The Disability Commission was asked by the City Council to review and make recommendations to the City's Draft "Plastic Reduction & Sustainability Ordinance" by December 10, 2020, which are outlined immediately below.

- Allow for an Exemption for any person to request a bendable plastic straw at food establishments as part of a reasonable accommodation under the Americans with Disabilities Act (ADA) without inquiry into whether they have a disability, the nature of it, or to show documentation
- Allow for an Exemption for any person to request a plastic bag at a retail or food establishment as part of a reasonable accommodation under the ADA without inquiry into whether they have a disability, the nature of it, or to show documentation

The Disability Commission is an advisory board for the City and is comprised of people with disabilities, family members of people with disabilities, an elected official, Office of Planning & Sustainability staff, and people who are concerned for the welfare of people with disabilities. Some of the Commission's members have firsthand knowledge why the banning of plastic straws and bags could be detrimental to the lives of people the disabilities.

First, the use of non-plastic straws are not as useable for many people with disabilities. It is very difficult for people without fine motor control or tremors to get the straw properly to their mouth without a bendable plastic straw. Secondly, the materials could cause harm. Glass, acrylic, bamboo, or metal could be very injurious to people with tremors or people lacking fine motor control. Additionally, these alternative materials could cause an allergic reaction or cause extreme discomfort for people with temperature sensitivities. Paper straws can dissolve during use and the materials could go down someone's throat, creating a choking hazard or cause skin irritation.

On top of the damaging effects, a plastic straw ban would have a deleterious effect on the quality of life for people with disabilities. If people chose to bring their own straws to food establishments because plastic was not offered, they would need to ensure that they always had their plastic straws on them. This is in addition to all of the medical considerations they must make each day and how they will navigate through the physical space that has yet to fully accommodate their mobility challenges. This can make planning the day exhausting and being spontaneous difficult. Buying reusable straws for some people with disabilities could make them cost-prohibitive. Additionally, cleaning reusable straws can be very challenging for people with disabilities or an additional consideration for their caretakers.



The proposed ban on plastic bags can be just as harmful to the quality of life. For instance, paper does not have the same strength to hold items, especially in wet conditions. It is also especially important to consider that people with disabilities travel times between their destinations are longer, maybe involving different transportation methods, so the paper bags will likely lose their structural integrity more often. Second, the loops on the plastic bags can be use to hook around items to keep the bag in place or kept tied down so that items to not get lost.

The request for bendable plastic straws at food establishments by people with disabilities should be granted without delay and without any inquiry by employees into the nature of their disability or a request for documentation. It would be illegal to do so and it can be humiliating for the person being asked to prove themselves.

The Disability Commission recognize the need for reducing the use of single-use plastics, but the needs of people with disabilities should be considered. They need not feel ashamed of their necessity for bendable plastic straws or plastic bags.

We welcome your comments back on our proposal and any questions you may have. We would be more than happy to speak in front of City Council, if you would like someone from the Disability Commission to speak.

Best Regards,

Jeremy Macomber-Dubs, Chair

Emma Cornwell, Vice-Chair