

MYERS INDUSTRIES INC  
Form 8-K  
December 24, 2009

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

**FORM 8-K**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934**

**Date of Report (Date of earliest event reported): December 18, 2009**

**MYERS INDUSTRIES, INC.**

(Exact name of registrant as specified in its charter)

**Ohio**

(State or other Jurisdiction of  
Incorporation)

**1-8524**

(Commission File Number)

**34-0778636**

(IRS Employer Identification No.)

**1293 South Main Street, Akron, OH**

(Address of Principal Executive Offices)

**44301**

(Zip Code)

Registrant's telephone number, including area code: **(330) 253-5592**

(Former name or former address if changed since last report.)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

**Item 5.03. Amendment to Bylaws**

On December 18, 2009, the Board of Directors of Myers Industries, Inc. (the Company ) amended its Amended and Restated Code of Regulations to require advance notice to the Company of any shareholder's intent to either submit a proposal for consideration by the shareholders of the Company or to nominate a candidate for election as a director of the Company.

The full text of the amendment is attached as Exhibit 3.1 to this Current Report on Form 8-K and the description of its terms above is qualified in its entirety by reference to the terms of the amendment.

**Item 9.01. Exhibits**

3.1 Amendment to Amended and Restated Code of Regulations of Myers Industries, Inc., effective December 18, 2009.

**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**Myers Industries, Inc.**

(Registrant)

**DATE:** December 23, 2009

**By:** **/s/ Donald A. Merrill**

Donald A. Merrill  
Vice President, Chief Financial Officer  
and Corporate Secretary