EMERGENCY ORDER NO. 01-2020

issued by the Town Manager on March 24, 2020 in the

TOWN OF CARBONDALE, COLORADO

concerning temporary abatement of disposable paper bag fee requirements

WHEREAS, on March 17, 2020, pursuant to the Colorado Disaster Emergency Act, C.R.S., Section 24-33.5-701, et seq., the Carbondale Town Manager has previously issued a Declaration of Local Disaster Emergency with regard to the ongoing COVID-19 health crisis, which Declaration was subsequently ratified by the Town’s Board of Trustees at a special meeting on March 17, 2020 pursuant to adopted Resolution No. 6-2020; and

WHEREAS, Resolution No. 6-2020 further provides that “the Town Manager is directed and authorized to continue coordination with internal and external partners and to direct Town staff as appropriate and necessary to address the local disaster emergency”; and

WHEREAS, C.R.S. Section 31-15-401(1)(b) provides additional authority to the Town to “do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease”; and

WHEREAS, the Town of Carbondale presently has an ordinance in place (codified in the Town Municipal Code at Section 7-7-10 et seq.) that requires grocers to collect and remit to the Town a disposable paper bag fee, in part to encourage consumers to utilize reusable bags;

WHEREAS, concerns have recently been expressed to the Town Manager regarding possible additional public health risks that may be posed by the continued consumer use of reusable bags during the ongoing COVID-19 outbreak; and

WHEREAS, the Town Manager has determined that it would be appropriate, and in the interests of the public health, safety and welfare, for the Town to take immediate action to temporarily suspend its disposable paper bag fee collection and remittance requirements in order that grocers may temporarily supply disposable paper bags to customers free of charge due to current risks associated with transmission of COVID-19;

NOW, THEREFORE, THE TOWN MANAGER OF THE TOWN OF CARBONDALE HEREBY FURTHER ORDERS AND DECLARES AS FOLLOWS:

Section 1. The Town’s disposable bag fee collection and remittance requirements set forth in
Section 7-7-10 et seq. of the Carbondale Municipal Code are hereby temporarily suspended as of the date of this Order. Until further notice, regulated grocers are permitted to provide disposable paper bags to customers free of charge. The Town Finance Director is hereby authorized and directed to communicate and coordinate with affected parties to facilitate the temporary abatement of the disposable paper bag fee collection and remittance requirements.

Section 2. This Order shall remain in effect until the next regularly scheduled meeting of the Board of Trustees which is presently scheduled to take place on April 14, 2020, at which time the Town Manager intends to request the Board of Trustees to ratify this Order and determine that the Town’s disposable paper bag fee collection and remittance requirements shall continue to be suspended for so long as the Town’s Declaration of Local Disaster Emergency issued on March 17, 2020 remains in effect.

Dated: March 24, 2020, Time: 1:40 p.m.

THE TOWN OF CARBONDALE, a Colorado Home Rule Municipality

Jay Harrington, Town Manager