

CITY COUNCIL COMMUNICATION FORM

FROM: Jennifer Bock, Assistant City Attorney

THROUGH: Dan Foote, City Attorney

DATE: March 31, 2020

ITEM: EMERGENCY ORDINANCE: An emergency ordinance temporarily suspending ordinance #2699 pertaining to disposable bags. (Bock)

_____ DIRECTION
_____ INFORMATION
 _____ ORDINANCE (Emergency, single reading)
_____ MOTION
_____ RESOLUTION
_____ PROCLAMATION

I. REQUEST/ISSUE & BACKGROUND INFORMATION:

The City Council adopted Ordinance No. 2699 in May 2019 to ban plastic bags and impose a fee on disposable paper bags. The ordinance had broad support and was implemented successfully across the City.

On March 16, 2020, the City made a Declaration of Disaster Emergency related to the presence of COVID-19 in Colorado. Since that declaration, Routt County has confirmed community spread of the virus in Steamboat Springs and the Governor has issued an executive order requiring Coloradans to stay at home unless they are conducting essential business. In his executive order announcement, the Governor also mentioned that local governments should consider allowing plastic bags for purposes of slowing the spread of COVID-19. Several members of the public have likewise urged the Council to allow plastic bags in grocery stores.

II. SUMMARY AND ALTERNATIVES:

- Adopt the emergency ordinance to suspend the City's disposable bag regulations.
- Decline to adopt the ordinance.

III. STAFF RECOMMENDATION:

Staff recommends that Council adopt the emergency ordinance.

IV. FISCAL IMPACT:

Temporary decline in fees collected for paper bags.

V. LEGAL ISSUES:

The City Charter at Section 7.7 allows City Council to adopt emergency ordinances on a single reading for the preservation of public health, welfare, peace, safety, or property.

Such emergency ordinances are approved by a majority vote of the Council Members present at any meeting at which the said emergency ordinance is introduced.

Staff has enumerated in the ordinance facts showing the urgency and need for the emergency ordinance as required by the Charter.

Emergency ordinances take effect upon passage and may not be in effect longer than ninety (90) days after passage.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

The suspension will only be in effect for ninety (90) days, and Council may act to reinstate the ordinance sooner should the public health emergency resolve in the near term.

VII. CONSISTENCY WITH COUNCIL GOALS AND POLICIES:

n/a

ATTACHMENTS:

Attachment #1: Ordinance No. 2699

Attachment #2: Public comments received to date