

**TOWN OF SILT
ORDINANCE NO. 4
SERIES OF 2023**

AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING TITLE 3 OF THE SILT MUNICIPAL CODE TO PROVIDE FOR THE CLARIFICATION OF THE REMITTANCE SCHEDULE OF THE BAG FEE IMPOSED BY THE STATE OF COLORADO.

WHEREAS, the Town of Silt, Colorado (the "Town"), is a municipal corporation duly organized and operating as a home-rule municipality under its Town Charter and the Constitution and laws of the State of Colorado; and

WHEREAS, Article XX, Section 6 of the Colorado Constitution, the right to enact, administer and enforce sales and use taxes is clearly within the constitutional grant of power to the Town and is necessary to raise revenue with which to conduct the affairs and render the services performed by the Town; and

WHEREAS, by HB21-1162 the Management of Plastic Products Act, the Colorado General Assembly adopted a \$0.10 fee per bag provided by a retailer to go into effect January 1, 2023, of which \$0.06 will be remitted to the local government in which the retailer is located; and

WHEREAS, it was discovered that due to a scrivener's error, the remittance of the fee in the statute commences April 1, 2024, more than a year after the bag fee goes into effect; and

WHEREAS, it is within the Town's home rule powers to require remittance to commence within a reasonable time of the bag fee being collected; and

WHEREAS, the Board of Trustees has determined that the following amendments to Title 3 of the code are in the best interests of the Town

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO:

SECTION 1

1. The Board of Trustees incorporates the foregoing recitals as conclusions, facts, determinations, and findings.


2. A new Section 3.12.160 of the Silt Municipal Code is hereby adopted as set forth below:

Sec. 3.12.160. – Remittance of Bag Fee.

Every affected retailer or vendor shall be liable and responsible for the payment of the fee assessed in C.R.S. § 25-17-505(1)(a) as provided in C.R.S. § 25-17-505(3)(d)(I) and shall remit the fee on a quarterly basis with first remittance to be due 20 days past the third quarter of 2023.

INTRODUCED, READ, AND APPROVED ON FIRST READING this 24th day of April 2023, at 7:00 PM in the Town Hall, Town of Silt, Colorado.

PASSED, APPROVED ON SECOND READING, ADOPTED, AND ORDERED PUBLISHED following a continued public hearing this 8th day of May 2023.

TOWN OF SILT

Mayor Keith B. Richel

ATTEST


Town Clerk Sheila M. McIntyre, CMC

