

**CITY OF RIFLE, COLORADO**  
**ORDINANCE NO. 24**  
**SERIES OF 2022**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING  
CHAPTER 4 OF THE RIFLE MUNICIPAL CODE TO PROVIDE FOR THE  
CLARIFICIATION OF THE REMITTANCE SCHEDULE OF THE BAG FEE  
IMPOSED BY THE STATE OF COLORADO.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, pursuant to 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 City and is necessary to raise revenue with which to conduct the affairs and render the services performed by the City; 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 City’s home rule powers to require remittance to commence within a reasonable time of the bag fee being collected; and

WHEREAS, the City Council finds and determines that the following amendments to Chapter 4 of the Code are in the best interest of the public health, safety and welfare of the citizens of Rifle.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The foregoing recitals are incorporated by reference as findings and determinations of the City Council.
2. A new Section 4-2-60 of the Rifle Municipal Code is hereby adopted as set forth below:

**Sec. 4-2-60. – Remittance of Bag Fee.**

Every retailer or vendor shall be liable and responsible for the payment of the fee assessed in C.R.S. § 25-17-505(1)(a) commencing on January 1, 2023 as provided in

C.R.S. § 25-17-505(3)(d)(I) and shall remit the fee on the same schedule as they remit sales and use taxes.

INTRODUCED on December 7, 2022 read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado on December 21, 2022 passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk