



Legislation Text

File #: 22-1545, Version: 1

**Other/Miscellaneous Request Template (Appointments; ROW; Code Changes; Zoning Action, etc.)**

**Date Submitted: 11-28-2022**

**Requesting Agency: Climate Action, Sustainability and Resiliency  
Division:**

**Subject Matter Expert Name: Grace Rink  
Email Address: Grace.Rink@denvergov.org  
Phone Number:**

**Item Title & Description:**

*(Do not delete the following instructions)*

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

**A bill for an ordinance amending Article XX of Chapter 2 of the Denver Revised Municipal Code to clarify fees and restrictions on disposable bags and polystyrene food containers.**

Amends Article XX, Chapter 2 of the Denver Revised Municipal Code to clarify requirements of the fee on disposable bags and to align the minimum requirements with changes in state law. The Committee approved filing this item at its meeting on 11-30-2022.

**Affected Council District(s) or citywide? Citywide**

**Executive Summary with Rationale and Impact:**

*Detailed description of the item and why we are doing it. This can be a separate attachment.*

- This request will amend the existing Fee on Disposable Bags to align with requirements of the state law HB 21-1162, the Plastic Pollution Prevention Act, which imposes a fee on disposable bags in the same amount as Denver's fee, but differs in some ways. Specifically, the proposed changes to Denver's ordinance are intended to:
  - o Clarify definitions of stores and materials
  - o Exempt restaurants from bag fee/ban but include farmers markets
  - o Allow CCD to require periodic reporting on retailer's use of their share of the fee revenue through rules & regs
  - o Adopt the state's timeline for banning plastic bags and polystyrene containers
  - o Articulate the enforcement process, penalties, and appeals

**Address/Location (if applicable): N/A**

**Legal Description (if applicable):**

**Denver Revised Municipal Code (D.R.M.C.) Citation (if applicable):  
Article XX, Chapter 2**

**Draft Bill Attached? Yes**