

**TOWN OF ERIE  
ORDINANCE NO. 15-2020**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF  
ERIE CONSENTING TO THE APPLICABILITY OF THE BOULDER  
COUNTY COMMERCIAL WASTE HAULER LICENSING ORDINANCE  
WITHIN THE TOWN AND AMENDING TITLE 4 OF THE ERIE  
MUNICIPAL CODE ACCORDINGLY**

**WHEREAS**, on December 5, 2019, the Boulder County Board of County Commissioners adopted Boulder County Ordinance 2019-3, entitled the Boulder County Commercial Waste Hauler Ordinance, which ordinance currently applies only in the unincorporated areas of Boulder County;

**WHEREAS**, pursuant to C.R.S. § 30-15-401(8), the Board of Trustees may consent to the application of the Boulder County Commercial Waste Hauler Ordinance within the Town;

**WHEREAS**, the Boulder County Commercial Waste Hauler Ordinance imposes licensing, reporting and service requirements on commercial waste haulers;

**WHEREAS**, the purposes of the Boulder County Commercial Waste Hauler Ordinance are to reduce waste, encourage recycling and obtain information for the tracking and planning of waste diversion; and

**WHEREAS**, the Board of Trustees finds that it is in the best interest of the Town and the public health, safety and welfare to consent to the application of the Boulder County Commercial Waste Hauler Ordinance within the Town.

**NOW BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF  
ERIE, COLORADO, AS FOLLOWS:**

Section 1. The Boulder County Commercial Waste Hauler Ordinance, as amended, shall apply within the Town, and all commercial waste haulers operating in the Town shall comply with the Boulder County Commercial Waste Hauler Ordinance, as amended.

Section 2. Title 4 of the Erie Municipal Code is hereby amended by the addition of the following new Chapter 13:

**Chapter 13  
COMMERCIAL WASTE HAULERS**

**4-13-1: PURPOSE AND APPLICABILITY:**

A. The purposes of this Chapter are to reduce waste, encourage recycling and obtain information for the tracking and planning of waste diversion in the Town.

B. Pursuant to C.R.S. § 30-15-401(8), the Town hereby consents to the applicability of the Boulder County Commercial Waste Hauler Ordinance, as amended, within the Town.

C. This Chapter shall apply to all commercial waste haulers operating in the Town. For purposes of this Chapter, the term "commercial waste hauler" shall have the same meaning as "hauler" in the Boulder County Commercial Waste Hauler Ordinance, as amended.

**4-13-2: LICENSING, REPORTING AND SERVICE REQUIREMENTS:**

Each commercial waste hauler operating in the Town shall comply with the licensing, reporting and service requirements of the Boulder County Commercial Waste Hauler Ordinance, as amended, and all regulations adopted thereunder.

**4-13-3: VIOLATION AND PENALTY:**

A. Violation: It is a violation of this Chapter for any commercial waste hauler to violate any provision of the Boulder County Commercial Waste Hauler Ordinance, as amended.

B. Penalty: A violation of this Chapter shall be subject to the noncriminal penalty set forth in Section 1-4-4.A. of this Code. Each day of violation shall be deemed a separate offense.

Section 2. Severability. If this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 4. Effective Date. This Ordinance shall take effect 30 days after publication following adoption.

**INTRODUCED, READ, PASSED AND ORDERED PUBLISHED THIS 10<sup>TH</sup> DAY OF MARCH, 2020.**

**PUBLISHED IN FULL ON THE 18<sup>TH</sup> DAY OF MARCH, 2020.**

**TOWN OF ERIE, COLORADO  
A Colorado Municipal Corporation  
s/s: Jennifer Carroll, Mayor  
s/s: Heidi Leatherwood. Town Clerk**