

**ORDINANCE NO. 6  
SERIES OF 2021**

**AN EMERGENCY ORDINANCE OF THE BOARD OF TRUSTEES  
OF THE TOWN OF CARBONDALE, COLORADO,  
RELAXING AND REPEALING LOCAL FACE COVERING REQUIREMENTS  
WITHIN THE TOWN OF CARBONDALE**

**WHEREAS**, on May 11, 2021, pursuant to C.R.S. Section 31-15-401, the Town of Carbondale adopted Ordinance No. 5 Series of 2021 for purposes of establishing modified regulations for face coverings to limit the spread of COVID-19, which modified regulations were intended to align with revised statewide requirements promulgated by the Colorado Department of Public Health and Environment (“CDPHE”) pursuant to Public Health Order 20-38 and Governor Polis pursuant to Executive Order D 2021 095; and

**WHEREAS**, since the Town’s adoption of Ordinance No. 5, Series of 2021, the Centers for Disease Control and Prevention (CDC) has updated and amended its recommendations concerning masks, and the State of Colorado has proceeded to issue updated and amended restrictions concerning face coverings pursuant to Second Amended Public Health Order 20-38 issued by CDHPE on May 14, 2021 and Executive Order D 2021 103, also issued by Governor Polis on May 14, 2021 (the “May 14, 2021 State Mask Orders”); and

**WHEREAS**, pursuant to the May 14, 2021 State Mask Orders, although masks will continue to be required in certain settings, including on public transportation, within jail facilities, and in certain educational settings, the State’s prior mask requirements pertaining to other public spaces and businesses have been relaxed at this time; and

**WHEREAS**, pursuant to Section 3-7 of the Carbondale Home Rule Charter, the Board of Trustees is authorized to adopt and enforce such emergency ordinances as may be required to protect the public health, safety, and welfare; and

**WHEREAS**, Section 3-7 of the Carbondale Home Rule Charter further authorizes the Board to immediately implement an emergency ordinance by a vote of a quorum plus one so long as (1) the ordinance states that it is an emergency ordinance and (2) it describes the nature of the emergency;

**WHEREAS**, the Board of Trustees now wishes to repeal the Town’s local mask regulations to the extent that they are now inconsistent with the May 14, 2021 State Mask Orders.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO**, as follows:

**Section 1: Repeal of Ordinance No. 5., Series of 2021.**

Effective immediately upon adoption of this Ordinance by affirmative vote of at least a quorum of the Board of Trustees plus one, the Board of Trustees hereby repeals the terms of Ordinance No. 5, Series of 2021 in its entirety.

**Section 2: Continued Monitoring and Recommendations.**

The terms of all applicable requirements adopted by the State of Colorado or Garfield County Public Health continue to apply within the Town of Carbondale. Carbondale residents are encouraged to continue to monitor the local public health situation by viewing emergency updates and public health statistics on the Garfield County Public Health website, <https://www.garfield-county.com/public-health/novel-coronavirus>. The Board of Trustees will also continue to monitor the local public health situation and may take further action to implement or amend public health requirements should circumstances change. The Board of Trustees also encourages all Carbondale citizens to continue to follow all five containment strategies that have shown to be effective in slowing the spread of the COVID-19 virus, including:

- a. Wash your hands;
- b. Wear a mask while indoors and continue to remain at least 6 feet away from non-household contacts who are not fully vaccinated;
- c. Avoid large crowds;
- d. Stay home when sick and seek testing for COVID-19 right away; and
- e. Isolate or quarantine if you test positive or have been in close contact with someone who tests positive.

**Section 3: Effective Date.**

Because the Board of Trustees finds that it is necessary to adopt this ordinance as an emergency ordinance to protect the general health, safety and welfare of the citizens of the Town by aligning local mask requirements with current statewide requirements, this ordinance shall become effective immediately upon passage.

INTRODUCED, READ AND PASSED by a vote of 6 to 1 this 18th day  
of May, 2021.

THE TOWN OF CARBONDALE

  
Dan Richardson, Mayor

ATTEST:

  
Cathy Derby, Town Clerk