

**ORDINANCE # \_\_\_\_\_**

**AN ORDINANCE OF THE MONTE VISTA CITY COUNCIL REGULATING THE  
POSSESSION OF FIREARMS IN MONTE VISTA CITY BUILDINGS  
AND MEETING LOCATIONS**

**WHEREAS**, the Colorado General Assembly, in its latest session, enacted Senate Bill 24-131 – which prohibits carrying firearms in “sensitive spaces” as recognized by the United States Supreme Court in the case of New York State Rifle and Pistol v. Brown, 597 U.S. 1 (2022); and

**WHEREAS**, the open and concealed carrying of a firearm in such spaces is prohibited, (which include certain state and local government buildings and property, buildings used for court proceedings, schools, licensed childcare centers, polling places, ballot drop boxes and other places where ballot counting, and related election activities are taking place); and

**WHEREAS**, Senate Bill 24-131 includes an “opt-out” provision authorizing a local government to enact an ordinance regulation or other law that permits a person to carry a firearm at certain local government spaces specified in the bill; and

**WHEREAS**, the Monte Vista City Council recognizes that the Second Amendment to the United States Constitution protects the right of persons to keep and bear arms; and

**WHEREAS**, the Monte Vista City Council also finds that the “open carry” of firearms in City Hall has a distracting and intimidating effect upon city staff and City Council’s ability to govern at public meetings;

**NOW THEREFORE**, be it ordained by the City Council of the City of Monte Vista, Colorado that the following subsection is added to Section 8-13-40 of the Monte Vista Municipal Code:

Sec. 8-13-40. Concealed Weapons.

*(e) Pursuant to the provisions of C.R.S. 18-12-105.3(4)(b), it shall not be a violation of C.R.S. 18-12-105.3(3) for any person to carry concealed a firearm in any municipal building or municipal parking lot adjacent to City buildings as long as such persons have complied with the provisions of C.R.S. 18-12-201, et Seq., regarding permits to carry concealed weapons; provided further nothing in this subsection is intended to allow firearms in those places specified in C.R.S. 18-12-105.3(1)(c) (firearms in judicial buildings or portions of City Hall devoted to judicial proceedings). “Open carry” of firearms in all public buildings is prohibited, (except for law enforcement officers).*

*(f) Any persons who desire to avail themselves of “concealed carry” provisions of this subsection shall obtain a concealed carry permit as authorized by the provisions of C.R.S. 18-12-201, et Seq., and shall have such permit current and with them at all times while exercising their rights on city property pursuant to the above subsections (e).*

**DONE** and **SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Dale Becker, Mayor

**ATTEST:**

\_\_\_\_\_  
Unita Vance, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Eugene L. Farish, #2557  
Monte Vista City Attorney

**READINGS**

Approved and passed First Reading: \_\_\_\_\_.

First Publication: \_\_\_\_\_.

Passed Second and Final Reading: \_\_\_\_\_.

Second and Final Publication: \_\_\_\_\_.

**Certification**

I hereby certify that the within Ordinance was introduced, read in full, approved and adopted at the special meeting of the City Council of the City of Monte Vista, Colorado on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and published by title in the Monte Vista Journal, a legal newspaper in the City of Monte Vista on \_\_\_\_\_.

\_\_\_\_\_  
Unita Vance, City Clerk