

ORDINANCE NO. 06-2024

AN ORDINANCE OF THE TOWN OF GARDEN CITY AMENDING ARTICLE 8, CHAPTER 10 OF THE GARDEN CITY MUNICIPAL CODE PERTAINING TO FIREARMS ON TOWN PROPERTY

WHEREAS, the Colorado General Assembly recently enacted Senate Bill 24-131 (“SB24-131”), which prohibits carrying a firearm in “sensitive spaces” recognized by the United States Supreme Court in the *N.Y. State Rifle & Pistol Ass’n v. Bruen* case, 597 U.S. 1 (2022); and

WHEREAS, the sensitive spaces addressed in SB24-131, where the open and concealed carrying of a firearm is prohibited as of July 1, 2024, include certain local government buildings and property; courthouses or buildings used for court proceedings; and polling places, ballot drop boxes, and other places where ballot counting and related election activities are taking place; and

WHEREAS, SB24-131 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 Board of Trustees recognizes and affirms that the Second Amendment to the United States Constitution protects the right of persons to keep and bear arms, and the Supreme Court of the United States has held that states and local governments may, consistent with the Second Amendment, regulate the carrying firearms in sensitive places; and

WHEREAS, the Board of Trustees finds and determines that permitting individuals to carry firearms on Town property is necessary for the immediate preservation of the public peace, health, and safety.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GARDEN CITY, COLORADO AS FOLLOWS:

Section 1. Amendment of Article 8, Chapter 10 - Weapons. The following section is added to Article 8 of Chapter 10 of the Garden City Municipal Code:

10-8-60 - Permissive carry of firearms in municipal buildings.

- (a) Pursuant to C.R.S §18-12-105.3(4)(b), it shall not be a violation of C.R.S. §18-12-105.3(1)(b) or any successor section of the Colorado Revised Statutes for an individual to carry a firearm in any Municipal building or its adjacent property including parking lot.
- (b) (1) Nothing herein shall permit the carrying of a firearm in violation of C.R.S. §18-12-105.3(1)(c) within the Community Center or any successor building used for Garden City Municipal Court sessions, including adjacent parking areas, while such building is used for court proceedings.

(2) During times when this prohibition is in effect, a sign stating the following will be conspicuously posted on the entryways of such building with a size font that is clearly legible:

PROCEEDINGS OF THE TOWN OF GARDEN CITY MUNICIPAL COURT ARE CURRENTLY UNDERWAY.

PURSUANT TO 18-12-105.3(1)(c), COLORADO REVISED STATUTES, ALL FIREARMS, ARE CURRENTLY PROHIBITED WITHIN THIS BUILDING AND ADJACENT PROPERTY, INCLUDING PARKING LOTS.

THIS PROHIBITION APPLIES TO ALL FIREARMS, EVEN THOSE CARRIED BY A CONCEALED FIREARM CARRY PERMIT.

Section 2. Severability. If any clause or provision of this ordinance is held to be invalid or unenforceable, the invalidity or unenforceability of the clause or provisions will not affect the validity of any of the remaining clauses or provisions of this ordinance.

Section 3. Effective Date. This Ordinance shall take effect thirty (30) days after publication as required by law.

PASSED, ADOPTED AND APPROVED THIS 15th DAY OF OCTOBER, 2024.

TOWN OF GARDEN CITY

By: _____
Mayor

ATTEST:

Town Clerk