

**TOWN OF JOHNSTOWN, COLORADO**  
**ORDINANCE NO. 2024-264**

**AN ORDINANCE AMENDING SECTION 10-191 AND SECTION 10-196  
OF THE JOHNSTOWN MUNICIPAL CODE CONCERNING CARRYING  
FIREARMS IN PUBLIC SPACES**

**WHEREAS**, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

**WHEREAS**, the Town Council is vested with authority to administer the affairs of the Town; and

**WHEREAS**, Article X of Chapter 10 of the Johnstown Municipal Code (“Code”) regulates offenses related to weapons and Section 10-196 contained therein regulates the carrying of concealed weapons; and

**WHEREAS**, during the 2024 legislative session, the Colorado General Assembly enacted Senate Bill 24-131 prohibiting, with limited exception, the carrying of firearms, including concealed handguns, on property and in buildings where, among others: (i) the chambers of a local government’s governing body is located; (ii) a meeting of the local government’s governing body is located; (iii) the office of the Mayor, a Councilmember or the Town Manager is located; and (iv) judicial proceedings are located (collectively, “Public Spaces”); and

**WHEREAS**, the legislation, codified at §§ 18-12-105.3 and 18-12-214, C.R.S., allows a local government to opt out of the restrictions with respect to all the Public Spaces except for where judicial proceedings are located; and

**WHEREAS**, as permitted by the legislation, the Town Council desires to amend Section 10-196 of the Code to opt-out, with exception, of the prohibition on the carrying of firearms in Public Spaces for persons with valid concealed carry permits; and

**WHEREAS**, the Town Council finds, determines and declares that this Ordinance is promulgated under the general police power of the Town and is in the best interests of the Town.

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, AS FOLLOWS:**

**Section 1.** Section 10-191 of the Johnstown Municipal Code shall be amended to add the definition of *Firearm* and *Handgun* in alphabetical order as follows:

**Sec. 10-191. Definitions.**

The following definitions apply to this Article:

...

*Firearm* shall have the meaning set forth in § 18-12-101, C.R.S., as amended from time to time, and shall include handguns.

...

*Handgun* shall have the meaning set forth in § 18-12-202(4), C.R.S., as amended from time to time.

...

**Section 2.** Section 10-196 of the Johnstown Municipal Code shall be repealed and readopted in full to read as follows:

**Sec. 10-196. Carrying a weapon.**

- (a) It is unlawful for any person to knowingly carry a concealed knife or a concealed firearm; provided, however, that it shall be an affirmative defense that the defendant was:
  - (1) A person in his or her own dwelling or place of business or on property owned or under his or her control at the time of the act of carrying;
  - (2) A person in a private automobile or other private means of conveyance who carries a firearm or knife for lawful protection of his, her or another's person or property while traveling or for any legal purpose; or
  - (3) A person who, prior to the time of carrying a concealed handgun, had been issued a valid concealed handgun permit pursuant to state law.
- (b) It is unlawful for any person to carry a firearm on property and in a building where: (i) the Town Council chambers is located; (ii) a meeting of the Town Council is occurring; or (iii) the office of the Mayor, a Town Councilmember or the Town Manager is located, except that:
  - (1) A person who has been issued a valid concealed handgun permit pursuant to state law may carry a concealed handgun on property and in the public portion of a building where the Town Council chambers is located or where a meeting of the Town Council is occurring; and
  - (2) An employee who has been issued a valid concealed handgun permit pursuant to state law may carry a concealed handgun in the secure portion of the building where employee offices are located on the condition that such employee complies with rules and regulations promulgated by the Town Manager related to the carrying of such concealed handgun.
- (c) It is unlawful for any person to carry a firearm in a building where Johnstown Municipal Court proceedings or other judicial proceedings are conducted at any time during, and for one hour before and after, such proceedings, except that:
  - (1) An employee who has been issued a valid concealed handgun permit pursuant to state law may carry a concealed handgun in the secure portion of the building where employee offices are located on the condition that such employee complies with rules and regulations promulgated by the Town Manager related to the carrying of such concealed handgun.
- (d) This section does not apply to law enforcement personnel, peace officers certified by the peace officers standards and training board, members of the United States armed forces or Colorado National Guard, security personnel retained by the Town, defense counsel

personnel or court officials if such persons are carrying or possessing a firearm in the performance of their official duties.

**Section 3. Severability.** If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and, to this end, the provisions and parts of this Ordinance are declared to be severable.

**Section 4. Publication; Effective Date.** This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado ("Charter") and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance are available at the office of the Town Clerk.

**INTRODUCED, AND APPROVED** on first reading by the Town Council of the Town of Johnstown, Colorado, this 18<sup>th</sup> day of November, 2024.

**TOWN OF JOHNSTOWN, COLORADO**

**ATTEST:**

By: \_\_\_\_\_

Meghan Martinez, Town Clerk

By: \_\_\_\_\_

Michael P. Duncan, Mayor

**PASSED UPON FINAL APPROVAL AND ADOPTED** on second reading by the Town Council of the Town of Johnstown, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**TOWN OF JOHNSTOWN, COLORADO**

**ATTEST:**

By: \_\_\_\_\_

Meghan Martinez, Town Clerk

By: \_\_\_\_\_

Michael P. Duncan, Mayor