

Ordinance 1478, Series 2024 was passed at the City Council Regular Meeting on Thursday June 27, 2024.

**CITY OF WOODLAND PARK, COLORADO**  
**ORDINANCE NO. 1478**  
**(Series 2024)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND PARK,  
COLORADO, PERTAINING TO FIREARMS ON CITY PROPERTY AND  
DETERMINING AN EMERGENCY WITH RESPECT THERETO**

**WHEREAS**, the City of Woodland Park, Colorado ("City") has been duly organized and is validly existing as a Home Rule City under Article XX, Section 6 of the Colorado Constitution and the City Charter;

**WHEREAS**, pursuant to Section 7.7 of the City Charter, an ordinance which is declared therein to be an emergency ordinance necessary for the immediate preservation of public health, safety, or property requires the unanimous vote of Council members present at the regular meeting at which it is introduced without the requirements of publication, public hearing, and second reading approval; and

**WHEREAS**, pursuant to Section 7.7 of the City Charter, the facts showing such urgency and need shall be specifically stated in the ordinance itself and an emergency ordinance shall not be in effect longer than ninety (90) days after passage and shall not be extended as an emergency ordinance; and

**WHEREAS**, in the most recent legislative session the Colorado General Assembly enacted, and Governor Polis signed, Senate Bill 24-131 ("SB24-131 ") which goes into effect on July 1, 2024 and prohibits the carrying of a firearm in "sensitive spaces" recognized by the United States Supreme Court in *N. Y State Rifle & Pistol Ass'n v Bruen*, 597 U.S. 1 (2022); and

**WHEREAS**, SB24-131 establishes that the sensitive spaces where open and concealed carrying of a firearm will be prohibited as of July 1, 2024 include certain state and local government buildings and property; courthouses or buildings used for court proceedings; schools, colleges, universities, seminaries, and licensed childcare centers; 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**, City Council 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**, City Council finds and determines that permitting City Council members, appointed officials, City employees, and other individuals within City Hall and the Ute Pass Cultural Center who hold a valid concealed carry permit issued pursuant to Colorado law to carry

a concealed handgun within City Hall, Council Chambers, on City Hall property, the Ute Pass Cultural, and the Ute Pass Cultural Center property is necessary for the immediate preservation of the public peace, health, and safety as follows:

- (a) *Self-Defense:* Allowing City officials, employees, and other individuals within City Hall and the Ute Pass Cultural Center with a valid concealed carry permit to carry a concealed handgun at City Hall and the Ute Pass Cultural Center is essential to self-defense and enables individuals to protect themselves in case of an immediate danger to life and safety;
- (b) *Deterrence:* Allowing City officials, employees, and other individuals within City Hall and the Ute Pass Cultural Center with a valid concealed carry permit to carry a concealed handgun at City Hall and the Ute Pass Cultural Center may act as a deterrent against potential attackers and individuals with malicious intent and could dissuade individuals from attempting violent acts against citizens and officials at City Hall and the Ute Pass Cultural Center;
- (c) *Permit Holder Training:* Individuals who hold a valid permit to carry a concealed handgun under part 2 of article 12 of Title 18, C.R.S., have undergone stringent background checks and have completed required training on the responsible, defensive carrying of a handgun;
- (d) *Equality and Uniformity:* City officials and employees should have the same right to protect themselves at their place of employment and governance as they have in their homes and as other citizens may have in private places of employment;
- (e) *Emergency Preparedness in Rural and Remote Areas:* City Hall and the Ute Pass Cultural Center are located in a rural area where substantial law enforcement resources and presence is limited, and allowing City officials and employees and other individuals within City Hall and the Ute Pass Cultural Center who hold a valid concealed carry permit to carry a concealed handgun at City Hall and the Ute Pass Cultural Center can provide an additional layer of security and emergency preparedness for employees, officials, and visitors, particularly where emergency response times may be prolonged in comparison to urban settings; and

**WHEREAS**, City Council finds and determines that the continuing and uninterrupted ability for City officials, employees, and other individuals who hold a valid concealed carry permit to carry a concealed handgun at City Hall and the Ute Pass Cultural Center, with certain exceptions, after SB24-131 goes into effect on July 1, 2024, is necessary for the immediate preservation of public health, welfare, peace, and safety; and

**WHEREAS**, in furtherance of the above-recited compelling interests, the City Council desires to enact this ordinance, as authorized by SB24-131, on an emergency basis for a period of no longer than ninety (90) days pursuant to Charter Section 7.7 to ensure that City officials, employees, and other individuals within City Hall and the Ute Pass Cultural Center with a valid

concealed carry permit may continue, without interruption, to lawfully carry a concealed handgun at City Hall and the Ute Pass Cultural Center on and after July 1, 2024; and

**WHEREAS**, enacting this ordinance on an emergency basis for a period of ninety (90) days will allow City Council and staff to draft a similar permanent ordinance that will be set on a City Council meeting agenda for first and second reading prior to the expiration of the emergency ordinance in order to permit public comment and input into a finalized version of the same; and

**WHEREAS**, Title 9 of the City's Municipal Code addresses public peace, morals, and welfare and Chapter 9.70 therein contains regulations and restrictions regarding dangerous or deadly weapons; and

**WHEREAS**, in light of the foregoing, City Council finds it is appropriate to implement amendments to Chapter 9.70, dangerous or deadly weapons, on an emergency basis by the amendment of section 9.70.080, Exceptions.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO, AS FOLLOWS:**

**Section 1.** The foregoing recitals are incorporated herein as conclusions, facts, determinations, and findings by City Council.

**Section 2.** Section 9.70.080, Exceptions, of Chapter 9.70, Dangerous or Deadly Weapons, is hereby amended to read as follows:

**9.70.080 - Exceptions.**

**A.** Nothing in Sections 9.70.010 through 9.70.070 shall be construed to forbid any enforcement officer of the various law enforcement agencies of the city, the United States government, or the state of Colorado, or any sheriff or his deputies, or any regular, special or ex officio peace officer from carrying, wearing or using such weapon as shall be necessary in the proper discharge of his duties.

**B.** ~~Nothing in Sections 9.70.010 through 9.70.070 shall be construed to forbid City officials, City employees, and other individuals within City Hall and the Ute Pass Cultural Center who hold a valid concealed carry permit issued pursuant to C.R.S. § 18-12-201, et seq. to carry a concealed handgun at City Hall, City Hall property, the Ute Pass Cultural Center, and the Ute Pass Cultural Center property including, but not limited to, the chambers or galleries where City Council Chambers are located and meetings of the City Council are conducted, the official office of any elected or appointed official or of City Staff, and the adjacent parking areas.~~

**C.** ~~Carrying a firearm, whether loaded or not loaded, in a building or portion of a building, including adjacent parking areas, used for municipal court proceedings (1) while municipal court is in session, or (2) while law enforcement personnel, defense~~

**counsel personnel or municipal court personnel are engaged in any activities in connection with a municipal court proceeding remains prohibited by state statute, except for law enforcement or security personnel for such building or portion of a building used for such municipal court proceedings.**

**Section 3. Severability.** The provisions of this ordinance are severable and the invalidity of any section, phrase, clause, or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

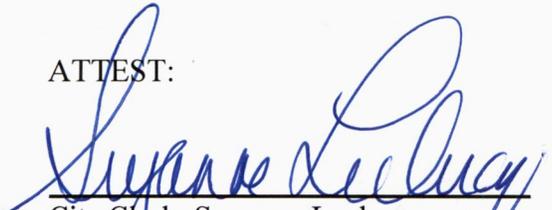
**Section 4. Effective Date.** This Ordinance shall take effect immediately upon passage.

**INTRODUCED, READ, AND PASSED BY CITY COUNCIL ON THIS 27<sup>TH</sup> DAY OF JUNE, 2024.**

City of Woodland Park

  
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Kelly Case, Mayor

ATTEST:

  
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City Clerk, Suzanne Leclercq