

Commissioner Griffin moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC13-173

RE: SHERIFF - Ordinance Adopting Policy Manual Part 6, Chapter 2, Section 3  
Regarding the Open Carrying of Fire Arms - First Reading

WHEREAS the provisions of Section 29-11.7-104, C.R.S. allow the designation of certain County buildings and specific areas within the County's jurisdiction as areas in which the open carrying of firearms is prohibited, and

WHEREAS recent instances of open carrying of firearms in certain County Buildings required a law enforcement response to address safety concerns of employees and customers, and the Sheriff requests the authority provided by this Ordinance to prevent or address similar incidents in the future.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby introduces and reads by title the Ordinance entitled "An Ordinance Adopting Policy Part 6, Chapter 2, Section 3 Open Carrying of Fire Arms," and

FURTHER RESOLVED, that a public hearing for consideration of the adoption of this Ordinance is hereby set for May 21, 2013.

FURTHER RESOLVED, that the Clerk to the Board shall have the ordinance published in full in the Golden Transcript at least 10 days before the public hearing.

Commissioner Tighe seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Faye Griffin	Aye
Commissioner Casey Tighe	Aye
Commissioner Donald Rosier, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: April 30, 2013

ORDINANCE

**An Ordinance Adopting Policy Part 6, Chapter 2, Section 3 Open Carrying of Firearms**

BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Colorado that the Policy 6.2.3 regarding Open Carrying of Firearms is hereby adopted with the following:

<b>Title:</b> Regulatory Policy Open Carrying of Firearms	<b>Policy No.</b> Part 6, Management and Use of County Property Chapter 2, Buildings, Facilities, and Grounds Section 3
	<b>Effective Date</b>
<b>Policy Custodian</b> County Administrator's Office	<b>Adoption/Revision Date</b>

**Adopting Resolution(s):** CC13-

**References (Statutes/Resos/Policies):** Section 29-11.7-104. C.R.S

**Purpose:** This Policy is enacted pursuant to Section 29-11.7-104, C.R.S., which allows the designation of certain County buildings or specific areas within the County's jurisdiction as areas in which the open carrying of firearms is prohibited.

**Policy:** The open carrying of firearms is prohibited in designated County Buildings in the County's Jurisdiction as follows:

A. Definitions

"County Buildings" means all buildings, facilities or grounds or other properties or specific areas within or on all buildings, facilities or grounds or other properties owned, leased, and/or used by Jefferson County, its elected or appointed officials, divisions, agencies, or employees, including the Public Trustee, the District Attorney for the First Judicial District, the Jefferson County Library, and other related offices and agencies.

B. Prohibition on the Open Carrying of Firearms in Designated County Buildings within the County's jurisdiction.

Through the adoption of this Ordinance, the Sheriff or his/her designee is hereby given the authority pursuant to C.R.S. § 29-11.7-104 to designate any County Building within the County's jurisdiction as an area in which the open carrying of firearms is prohibited. Prior to banning the open carrying of firearms in any County Building, the Sheriff shall conduct a threat assessment of the building to determine whether the ban on open carrying of firearms would be appropriate.

The Sheriff or his/her designee shall then notify the County Administrator of his/her intent to designate a County Building as an area in which the open carrying of firearms is prohibited. Following a designation by the Sheriff or his/her designee, the County Administrator or his/her designee will assure that the County Building is so designated in the Procedure accompanying this Policy and will have signs posted at the public entrances to the County Building informing the public that the open carrying of firearms is prohibited in that County Building. Each year the Sheriff or his/her designee will conduct a threat assessment of each designated County Building to ensure that any prior designations of areas in which the open carrying of firearms has been prohibited remains appropriate and as to whether any additional County Buildings need to be designated.

C. Penalty Assessment

1. Violations of any provision of this Policy shall be a Class 2 Petty Offense, and the penalty for a violation of any provision of this Policy shall be a fine of not more than three hundred dollars (\$300.00) for each separate violation.

2. The Jefferson County Sheriff's Office is further authorized to remove anyone from any County Building who is openly carrying a firearm in an area that has been posted as an area in which the open carrying of firearms is prohibited.

D. Procedure

All prosecutions for offenses under this Policy shall be by the District Attorney according to the applicable Colorado Rules of Criminal Procedure.

E. Severability

Should any section, clause, sentence, or part of this Ordinance be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect, impair or invalidate this Ordinance as a whole or any part thereof other than the part so declared to be invalid.

F. Public Health, Safety, and Welfare

The Board of County Commissioners hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public health, safety, and welfare.