

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. CC13-203

RE: Sheriff - Ordinance Adopting Policy Part 6, Chapter 2, Section 3
Regarding the Open Carrying of Firearms

The Board of County Commissioners (BCC) of Jefferson County hereby finds that the Open Carry of Firearms Policy is necessary for preserving the public peace and protecting the public health, safety and welfare of the citizens of Jefferson County.

Be It Ordained by the BCC of Jefferson County that the ordinance attached hereto is hereby adopted subject to the conditions set forth below and the Chairman of the BCC is authorized to authenticate the ordinance by his/her signature on the face thereof.

Be It Further Resolved that a public hearing for consideration of the adoption of this ordinance was held on May 21, 2013 at 8:00 a.m.

Be It Further Resolved that the Clerk and Recorder shall authenticate the ordinance by the Clerk's signature and shall have the ordinance published by title only, or entirely if any sections were amended after the first publication, in the Golden Transcript.

Be It Further Resolved that the Clerk and Recorder shall record this Ordinance in a book kept for that purpose.

Be It Further Resolved that this Ordinance, shall take effect immediately as 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 this ordinance is necessary to provide the Sheriff the authority to prevent or address similar incidents in the future for the immediate preservation of the public peace and protection of the public health, safety and welfare of the citizens of Jefferson County.

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

Commissioner Faye Griffin	Aye
Commissioner Casey Tighe	Aye
Commissioner Donald Rosier, Chairman	No

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

Dated: May 21, 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:

Title: Regulatory Policy Open Carrying of Firearms	Policy No. Part 6, Management and Use of County Property Chapter 2, Buildings, Facilities, and Grounds Section 3
	Effective Date May 21, 2013
Policy Custodian County Administrator's Office	Adoption/Revision Date May 21, 2013

Adopting Resolution(s): CC13-203

References (Statutes/Resos/Policies): Section 29-11.7-104. C.R.S, CC13-173

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 public buildings, facilities or grounds or other properties or specific areas within or on all buildings, facilities or grounds or other properties owned or leased... by Jefferson County for the use of its elected or appointed officials, divisions, agencies, or employees, and also those owned or leased by or for the use of the Public Trustee, the District Attorney for the First Judicial District, the Jefferson County Public 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 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 vulnerability assessment of the building to determine whether the ban on open carrying of firearms would be appropriate in accordance with criteria established by the Procedure accompanying this Policy.

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. In May of each year, the Sheriff or his/her designee will review with the Board of County Commissioners information regarding the status of designated buildings, whether the designations remain appropriate and/or whether additional building should be designated, and any issues that have arisen under this Policy.

This prohibition shall not apply to peace officers in the performance of their duties.

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.


The Ordinance became effective immediately as this ordinance is necessary to the immediate preservation of the public health, safety, and welfare.

JEFFERSON COUNTY BOARD OF
COUNTY COMMISSIONERS

By 

Donald Rosier, Chairman

I, Teri Schmaedecke, Deputy Clerk and Recorder of the County of Jefferson, do hereby attest and certify that the Ordinance set forth above was introduced, read and ordered published at a regular meeting of the Board of County Commissioners of the County of Jefferson, State of Colorado, on the 30th day of April 2013, and was adopted, approved and ordered published as amended at a regular meeting of the Board of County Commissioners of the County of Jefferson, State of Colorado, on the 21st day of May 2013.


Deputy Clerk and Recorder

