

TOWN OF GYPSUM, COLORADO

ORDINANCE NO. 11 SERIES 2024

AN ORDINANCE PROVIDING FOR THE CARRYING OF FIREARMS IN PUBLIC SPACES AND AMENDING TITLE 9 OF THE GYPSUM MUNICIPAL CODE

WHEREAS, the Town of Gypsum (“Town”) is a home rule municipality duly organized and existing under Articles XX of the Colorado Constitution and the Town’s Home Rule Charter effective October 21, 1982; and

WHEREAS, on May 31, 2024, Governor Polis signed Senate Bill 24-131 prohibiting the carrying of firearms and concealed handguns in (a) the chambers where a local government’s governing body is located; (b) a meeting where a local government’s governing body is located; and (c) the official office of an elected member or chief executive officer of a local governing body (collectively, “Sensitive Spaces”); and

WHEREAS, the second amendment to the United States constitution protects the right of persons to keep and bear arms; and

WHEREAS, Senate Bill 24-131, specifically the sections to be codified at §§ 18-12-105.3 and 18-12-214, C.R.S., allows local governments to regulate the carrying of firearms in Sensitive Spaces; and

WHEREAS, the Town Council of the Town (“Town Council”) desires to amend Title 9 of the Gypsum Municipal Code (“Code”) to permit the carrying of firearms, including concealed handguns, in public spaces, such public spaces to include but not be limited to Sensitive Spaces; and

WHEREAS, the Town Council hereby finds and determines that amending Title 9 of the Code, as described herein, is appropriate and necessary to the function and operation of the Town.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Gypsum, Colorado that:

Section 1. Adoption of Chapter 9.09 and Section 9.09.010 of Title 9 of the Gypsum Municipal Code. Chapter 9.09, Weapons, and Section 9.09.010 of the Gypsum Municipal Code, as more particularly set forth on “Exhibit A”, as attached hereto and incorporated herein by this reference, are hereby enacted and adopted in their entirety and by this reference ordained.

Section 2. Public Inspection. Copies of this ordinance and the Gypsum Municipal Code are available for public inspection at the office of the Gypsum Town Clerk.

Section 3. Public Hearing. A public hearing on this Ordinance shall be held on the 22nd day of October, 2024, at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

Section 4. Effective Date. This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 22nd day of October, 2024, at 7:00 p.m., at the Gypsum Town Hall, 50 Lundgren Blvd., Gypsum, Colorado.

Section 5. Severability. If any portion of this Ordinance, or the International Codes amended hereby, is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

INTRODUCED, READ AND ORDERED PUBLISHED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF GYPSUM ON THE 8TH DAY OF OCTOBER, 2024.

TOWN OF GYPSUM

Attest:

Becky Close, Town Clerk

EXHIBIT A
CHAPTER 9.09 OF THE GYPSUM MUNICIPAL CODE

Chapter 9.09 – Weapons

Chapter 9.09.010 – Carrying of firearms in public spaces.

- (1) Except as provided in Section 9.09.010(2), persons may carry firearms, including concealed handguns properly permitted and carried pursuant to §18-12-201, C.R.S., on the property or in any public building owned or leased by the Town, including but not limited to (a) the chambers or galleries where the Town Council is located; (b) meetings of the Town Council; and (c) the official office of any elected member of the Town Council or of the Town Manager.
- (2) Persons shall not carry firearms in the Town's Municipal Court chambers when court proceedings are in session. The Town shall notify the public when Municipal Court proceedings are in session by posting signs at the public entrances to the Town Hall notifying the public that the carrying of firearms is prohibited in the Municipal Court chambers while Court is in session.
- (3) For purposes of this Section 9.09.010, "firearm" shall be given the definition and construed in accordance with §18-12-101, C.R.S. as amended from time to time; and shall include the term "handgun," which shall have the definition and be and construed in accordance with §18-12-202(4), C.R.S.