

Ordinance denied on first Reading with a vote of 4-3.  
Ordinance fails. September 24, 2024.

**ORDINANCE NO. 1328  
SERIES 2024**

**AN ORDINANCE CONCERNING THE CARRYING OF FIREARMS IN CITY  
BUILDINGS PURSUANT TO SENATE BILL 24-131**

WHEREAS, On May 7, 2024, the Colorado General Assembly passed Senate Bill 24-131, which prohibits the carrying of firearms in certain “sensitive places,” which Senate Bill 24-131 was signed by the Governor and became effective July 1, 2024; and

WHEREAS, Section 2 of Senate Bill 24-131 is codified as C.R.S. § 18-12-105.3, which provides in pertinent part that a person shall not knowingly carry a firearm, whether loaded or not loaded, in any of the following locations, deemed “Sensitive Places,” including their adjacent parking areas: On the property of or within any building in which the chambers or galleries of a local government’s governing body are located, a meeting of the local government’s governing body is being conducted; or the official office of any elected member of a local government’s governing body or of the chief executive officer of a local government is located, unless permitted by a local government; and

WHEREAS, Senate Bill 24-131 specifically includes an “opt-out” provision that allows individual local governments to exercise their own discretion in deciding whether to allow possession of firearms by enacting their own rules that permit possession of firearms in Sensitive Places. See C.R.S. § 13-120-105.3(4)(b); and

WHEREAS, pursuant to the City Charter, the City, acting by and through its City Council, has the authority and the duty to adopt and enforce regulations that foster the health, safety and welfare of its citizens and the protection of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CORTEZ, COLORADO as follows:

**LAWFUL CARRYING OF FIREARMS IN SENSITIVE PLACES ALLOWED:**  
Pursuant to C.R.S. § 18-12-105.3(4)(b), the City Council hereby determines that it is in the best interest of the public health, safety and welfare to permit the lawful carrying of firearms in the property owned, operated, or controlled by the City of Cortez in which the chambers or galleries of the City’s governing body are located, a meeting of the City’s governing body is being conducted; or the official office of any elected member of the City’s governing body or of the chief executive officer of the City is located owned, operated, and controlled by the City of Cortez, Colorado.

**CARRYING OF FIREARMS REMAIN PROHIBITED IN CERTAIN LOCATIONS:**  
Nothing in this Ordinance is intended to allow firearms in those places specified in C.R.S. § 18-12-105.3(1)(c) (firearms in judicial buildings or portions of City Hall devoted to judicial proceedings – municipal courtroom). “Open carry” of firearms in all public buildings is

prohibited, (except for law enforcement officers), nor is it intended to allow firearms in election or polling related locations as specified in the Vote Without Fear Act, C.R.S. § 1-13-724.

REPEALER. All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon publication after final passage on Second Reading.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF CORTEZ that Ordinance No. 1328, Series 2024, is hereby presented and adopted on First Reading this 24<sup>th</sup> day of September, 2024, and that the public hearing for the Second and Final Reading of this Ordinance is set for the 8<sup>th</sup> day of October, 2024, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 24<sup>th</sup> DAY OF SEPTEMBER, 2024.

CITY OF CORTEZ

ATTEST:

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RACHEL B. MEDINA, MAYOR

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LINDA L. SMITH, CITY CLERK

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS  
8<sup>th</sup> DAY OF OCTOBER, 2024.

CITY OF CORTEZ

ATTEST:

\_\_\_\_\_  
RACHEL B. MEDINA, MAYOR

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LINDA L. SMITH, CITY CLERK

APPROVED AS TO FORM:

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J. PATRICK COLEMAN, CITY ATTORNEY