

ORDINANCE 8527

AN ORDINANCE REPEALING AND REENACTING SECTION 5-8-21, "OPEN CARRIAGE OF FIREARMS IN CARRYING CASES REQUIRED," B.R.C. 1981, TO PROHIBIT THE OPEN CARRYING OF FIREARMS IN PUBLIC PLACES; AND SETTING FORTH RELATED DETAILS.

THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, FINDS AND RECITES THE FOLLOWING:

A. The open carrying of firearms in public places is a dangerous activity that leads to confusion amongst the public and makes law enforcement's job more difficult.

B. The open carrying of firearms has been used to usurp the role of law enforcement or participate in unsanctioned and illegal militias. Open carrying has also been used to intimidate and infringe on the First Amendment rights and political participation of others.

C. The open carrying of firearms has enabled gun rampages in Colorado and elsewhere. In Colorado Springs, a resident reported to police that a suspicious person was open carrying a rifle, but because state law does not prohibit open carry, police were unable to take action until the gun carrier shot and killed three people.

D. Even when open-carry incidents do not end in shootouts as in Colorado Springs, the confusion they cause threatens public safety by diverting law enforcement resources and interfering with police responses to true emergencies.

E. A visible gun has been found to make people more aggressive; therefore, open carry makes it more likely that ordinary disagreements will turn into violent or lethal conflicts.

F. Colorado respects the ability of law-abiding citizens to carry firearms in public by allowing them to carry a concealed handgun in places where they are licensed to do so.

1 G. The City of Boulder finds it necessary to prohibit the open carrying of firearms in
2 order to protect the safety of its residents, conserve law enforcement resources and deter illegal
3 violence, and ensure that people are able to vote and exercise First Amendment rights without
4 fear of intimidation.

5 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER,
6 COLORADO:
7

8 Section 1. Section 5-8-21, "Open Carriage Of Firearms In Carrying Cases Required,"
9 B.R.C. 1981, is repealed and reenacted as follows:

10 **5-8-21. – Prohibition on Openly Carrying Firearms.**

- 11 (a) No person shall knowingly openly carry a firearm on or about their person in a
12 public place.
13 (b) This section shall not apply to:
14 (1) Any federal, state, or local law enforcement officer when engaged in official
15 duties.
16 (2) Any member of the United States Armed Forces or Colorado National
17 Guard when engaged in official duties.
18 (3) A person carrying a firearm when engaged in target shooting or when
19 engaged in lawful hunting activity.
20 (4) The carrying of a firearm on a person's own property, business, or dwelling
21 or on the property of another with permission from the property owner.
22 (5) The carrying of a firearm in a private motor vehicle or other private means
23 of conveyance while traveling in, into or through the city, as permitted by §
24 18-12-105.6, C.R.S.
25 (6) The carrying of an unloaded firearm in an opaque locked or enclosed case
that must be recognizable as a gun carrying case by a reasonable person. A
plain-shaped case must be clearly marked to be deemed recognizable under
this standard. A holster satisfies the requirement of a carrying case for a
pistol.
 (7) The carrying of a concealed handgun by a person with a valid permit to
carry issued or recognized pursuant to Title 18, Article 12, Part 2 of the
Colorado Revised Statutes, or the otherwise lawful use of a handgun by a
person with a valid permit to carry.
 (8) Private security guards acting in the course and scope of their duties.


1 (c) As is used in this section:

- 2 (1) "Public place" means a place to which the public or a substantial number of
3 the public has access, except for premises where firearms are lawfully sold
4 or repaired.


5 Section 2. This ordinance is necessary to protect the public health, safety, and welfare of
6 the residents of the city, and covers matters of local concern.

7 Section 3. The city council deems it appropriate that this ordinance be published by title
8 only and orders that copies of this ordinance be made available in the office of the city clerk for
9 public inspection and acquisition.

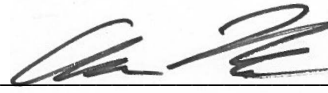
10 INTRODUCED, READ ON FIRST READING, AND AMENDED this 10th day of
11 May 2022.

12 
13 Aaron Brockett,
14 Mayor


15 Attest:

16 
17 Elesha Johnson,
18 City Clerk

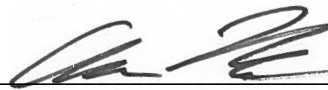
1 READ ON CONTINUED FIRST READING, AND ORDERED PUBLISHED BY
2 TITLE ONLY this 24th day of May 2022.

3
4 
5 Aaron Brockett,
Mayor

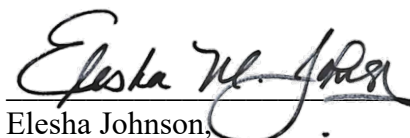
6 Attest:

7 
8 Elesha Johnson,
9 City Clerk

10 READ ON SECOND READING, PASSED AND ADOPTED this 7th day of June 2022.

11
12 
13 Aaron Brockett,
14 Mayor

15 Attest:

16 
17 Elesha Johnson,
18 City Clerk