

ORDINANCE 8528

AN ORDINANCE AMENDING CHAPTER 5-8, "WEAPONS," B.R.C. 1981, BY ADDING NEW DEFINITIONS, AND A NEW SECTION 5-8-40, "DISCLOSURE," B.R.C. 1981, REQUIRING ALL FIREARM DEALERS TO POST SIGNS AT ALL LOCATIONS WHERE FIREARMS TRANSFERS TAKE PLACE; AND SETTING FORTH RELATED DETAILS.

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

A. According to the Centers for Disease Control and Prevention's (CDC's) Fatal Injury Reports for 2015 through 2019, on average 38,826 people die in the United States as a result of firearms every year. Of these firearm deaths, 38% (14,583) are homicides and 60% (23,437) are suicides. An additional 483 deaths annually result from unintentional shootings. Firearms are the leading cause of death for children and teens in the United States.

B. An analysis of the National Emergency Department Sample indicates that there are twice as many gun injuries as gun deaths, an average of 76,127 nonfatal firearm injuries occur per year in the United States.

C. A meta-analysis published in the Annals of Internal Medicine found that access to a gun doubles a person's risk of death by firearm homicide, and triples a person's risk of death by firearm suicide.

D. A study published in the American Journal of Public Health concluded that access to a firearm during an incident of domestic violence leads to a fivefold risk of homicide to women by their intimate partner.

E. A study published in the American Journal of Preventive Medicine found that higher firearm ownership rates are associated with higher domestic firearm homicide rates among

1 both female and male victims. States in the highest quartile of firearms ownership had a 65%
2 higher domestic firearm homicide rate than states in the lowest quartile.

3 F. A study published in the American Journal of Public Health found a positive and
4 significant association between gun ownership and non-stranger firearm homicide rates, indicating
5 that gun ownership is associated with an increased likelihood of being shot and killed by a family
6 member or acquaintance.

7 G. A study published in the Journal of the American Medical Association found that
8 households that locked both firearms and ammunition were associated with a 78% lower risk of
9 self-inflicted firearm injuries and an 85% lower risk of unintentional firearm injuries among
10 children, compared to those that locked neither.

11 H. A study published in the New England Journal of Medicine of more than 26 million
12 California residents found that women who own a handgun are 35 times more likely to die by
13 firearm suicide than women who do not own one. Men who own a handgun are nearly eight times
14 more likely to die by firearm suicide than men who do not own a handgun. The study also found
15 that the risk of firearm suicide is most pronounced in the year following a person's first acquisition
16 of a handgun but remains elevated for at least 12 years thereafter.

17 I. A study published in the Journal of the American Medical Association found that
18 in King County, Washington, using data from 2011 to 2018, for every self-defense homicide, there
19 were 44 suicides, seven criminal homicides, and one unintentional death.

20 J. Research published in the Annals of Internal Medicine found that only 15% of
21 Americans believe that having a firearm in the home increases the risk of suicide, and fewer than
22 10% of gun owners with children believe that household firearms increase suicide risk.
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1 K. Research published in the American Journal of Preventive Medicine found that
2 nearly six-in-ten (57.6%) gun owners believe that a firearm makes their home safer, while only
3 2.5% believe that guns make their home more dangerous. The same study found that nearly four-
4 in-ten (39.2%) gun owners who believe that guns increase safety store their household firearm(s)
5 loaded and unlocked.

6 L. Research published in Injury Prevention found that people living in households with
7 firearms misperceive their risk of firearm injury as compared to people living in households
8 without firearms. Firearms owners, and non-owners living with firearm owners, are 60% and 46%
9 (respectively) less likely to worry about firearm injury as compared to respondents without guns
10 in the home, despite evidence that firearm access in the home is a strong risk factor for firearm
11 injury.
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13 M. A report by the Pew Research Center on Americans' attitudes towards firearms
14 found that three quarters (75%) of American gun owners say they feel safer with a gun in their
15 household than they would without a gun. The same study found that two-thirds (67%) of gun
16 owners cite protection as a major reason for owning a gun.

17 N. A study published in the Russell Sage Foundation Journal of the Social Sciences
18 found that almost two out of three-gun owners (63%) report that a primary reason they own their
19 gun is for protection against people. Among handgun owners, more than three quarters (76%) cite
20 protection against people as a major reason for owning their firearm(s).

21 O. The firearms industry actively promotes the misleading message to gun owners and
22 potential consumers that ownership and possession of a firearm makes a person and his or her
23 family safer.
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1 P. The firearms industry's print and online media frequently cites a 25-year-old study
2 estimating that Americans use firearms for self-protection approximately 2.5 million times per
3 year. This research has been the subject of widespread criticism that it is methodologically
4 unsound and that its conclusions do not square with measurable public health outcomes such as
5 hospital visits. Notwithstanding, the firearms industry uses this debunked research and a wide
6 range of other claims in advertising and online and other promotional materials to advance a
7 misleading narrative that defensive firearms use is widespread and that firearms are an effective
8 means of ensuring personal safety.

9 Q. Research by Yamane et al. identified a marked increase over time in print media
10 marketing of firearms and firearm-related products specifically for personal protection, home
11 defense, and concealed carry. In these advertisements, firearms and related products are
12 misleadingly marketed and portrayed as effective and/or important means of home-, family-,
13 and/or self-defense. Yamane et al. concluded that this marketing strategy is not only pervasive but
14 is now the dominant method by which firearms and related accessories are marketed in print media
15 to prospective purchasers.

16 R. The efficacy of point-of-sale messaging on consumer behavior is well known and
17 well documented. For example, several meta-analyses have found significant evidence that
18 exposure to point-of-sale tobacco marketing leads to increased smoking behavior. Studies have
19 also found a strong correlation between point-of-sale health warnings and consumer perception
20 and behavior. For example, one study found that point-of-sale tobacco health warnings in retail
21 establishments had a significant impact on consumer awareness of tobacco health risks and on
22 consumer behavior--namely, thoughts of quitting smoking. Another study found that calorie labels
23 on menus have a significant impact on ordering behavior, in particular for diners who are the least
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1 health conscious. A third study found that point of sale health warnings about sugar sweetened
2 beverages significantly lowered consumption.

3 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER,
4 COLORADO:

5
6 Section 1. Section 5-8-2, “Definitions,” B.R.C. 1981, is amended to read as follows:

7 **5-8-2. – Definitions.**

8 The following terms used in this eChapter have the following meanings unless the context
9 clearly requires otherwise.

10 . . .

11 Licensed firearms dealer means any person who is a licensed importer, licensed
12 manufacturer, or dealer licensed pursuant to 18 U.S.C. sec. 923, as amended, as a federally licensed
13 firearms dealer and has obtained all necessary state and local licenses to sell firearms in the state.

14 . . .

15 Sale means the actual approval of the delivery of a firearm in consideration of payment or
16 promise of payment.

17 . . .

18 Site means the facility or location where a sale and/or transfer of firearms is conducted.

19 Transfer means the intended delivery of a firearm from a dealer to another person without
20 consideration of payment or promise of payment including, but not limited to, gifts and loans.
21 “Transfer” does not include the delivery of a firearm owned or leased by an entity licensed or
22 qualified to do business in Colorado to, or return of such firearm by, any of that entity’s employees
23 or agents for lawful purposes in the ordinary course of business.

24 Section 2. A new Section 5-8-40, “Disclosure,” B.R.C. 1981, is added to read as follows:

25 **5-8-40. – Disclosure.**

- (a) At any site where firearm sales or transfers are conducted in the City of Boulder, a
licensed firearms dealer shall conspicuously display a sign containing the information
set forth in subsection (b) in any area where the sales or transfers occur.

Such signs shall be posted in a manner so that they can be easily viewed by persons to whom firearms are sold or transferred, and shall not be removed, obscured, or rendered illegible. If the site where the sales or transfers occur are the premises listed on the licensed firearms dealer's federal license(s), an additional such sign shall be placed at or near the entrance.

- (b) Each informational sign shall be at least eight and one-half inches high by eleven inches wide and feature black text against a white background and letters that are at least one-half inch high. The signs shall not contain other statements or markings other than the following text in English and Spanish:

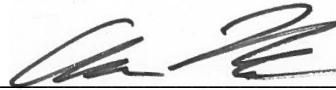
WARNING: Access to a firearm in the home significantly increases the risk of suicide, death during domestic violence disputes, and the unintentional death of children, household members, or others. If you or a loved one is experiencing distress and/or depression, call 1-844-493-8255. Posted pursuant to Section 5-8-40, B.R.C. 1981.

- (c) The City of Boulder shall make available a downloadable sign as described in subsection (b) of this section in English and Spanish and make such sign available on the City's website.
- (d) The Boulder Police Department is authorized to enforce this chapter consistent with subsection (e) of this section.
- (e) When violations of this section occur, a warning shall first be given to the licensed firearms dealer or other person in charge of the site. Any subsequent violation is subject to a fine of up to five hundred dollars (\$500). Each day upon which a violation occurs or is permitted to continue constitutes a separate violation.

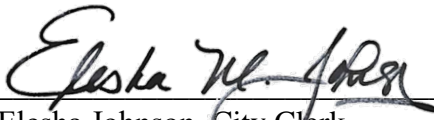
Section 3. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 4. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

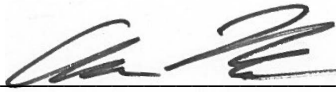
1 INTRODUCED, READ ON FIRST READING, AND CONTINUED this 10th day of
2 May 2022.

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4 
5 Aaron Brockett,
Mayor

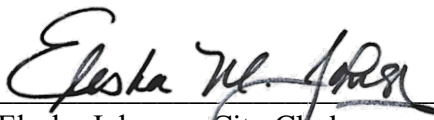
6 Attest:

7 
8 Elesha Johnson, City Clerk

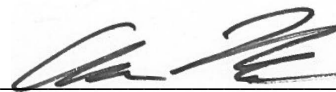
9
10 READ ON CONTINUED FIRST READING, AND ORDERED PUBLISHED
11 BY TITLE ONLY this 24th day of May 2022.

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13 
14 Aaron Brockett,
Mayor


15 Attest:

16 
17 Elesha Johnson, City Clerk

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

19
20 
21 Aaron Brockett,
Mayor

22 Attest:

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24 Elesha Johnson, City Clerk
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