

TOWN OF KERSEY

ORDINANCE NO. 2025-0003

AN ORDINANCE REGARDING CARRYING FIREARMS IN CERTAIN PLACES

WHEREAS, the Town of Kersey is a statutory town incorporated and existing under the laws of Colorado; and

WHEREAS, the Town is governed by a duly elected Board of Trustees that strives to ensure and improve the health, safety, and welfare of Kersey's residents, property owners, business owners, and visitors; and

WHEREAS, the Colorado General Assembly in 2024 enacted Senate Bill 24-13, which prohibits carrying firearms in "sensitive spaces" as recognized by the United States Supreme Court in the case of *New York State Rifle and Pistol v. Brown*, 597 U.S. 1 (2022); and

WHEREAS, *inter alia* Senate Bill 24-131 prohibits the carrying of firearms and concealed handguns in any building or portion thereof used for court proceedings or in the office of an elected member of a local government's elected body or chief executive officer of a local governing body, as well as on the property of or in a building in which (a) the chambers where a local government's governing body is located or (b) a meeting where a local government's governing body is being conducted; and

WHEREAS, the Kersey Board of Trustees recognizes that the Second Amendment of the United States Constitution protects the right of citizens to keep and bear arms; and

WHEREAS, Senate Bill 24-131 authorizes a local government to enact an ordinance that permits a person to carry a firearm in certain places;

WHEREAS, the Board of Trustees desires that the constitutional rights of persons in Kersey not be narrowed as far as is done by Senate Bill 24-131.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of Kersey that:

- (1) The above recitals are both incorporated and ordained as if set forth in full herein.
- (2) Pursuant to the provisions of C.R.S. Section 18-12-105.3(4)(b), it shall not be a violation of C.R.S. Section 18-12-105(3) for any person within the municipal limits of the Town of Kersey to knowingly carry a firearm, whether openly or concealed and whether the firearm is loaded or not loaded, in any building or portion thereof used for court proceedings or in the office of an elected or appointed member of the Kersey Board of Trustees or the Kersey Town Manager as well as on the property of or in a building in which (a) the chambers of the Board of Trustees are located or (b) a meeting of the Board

of Trustees is being conducted; *provided however*, any such persons wishing to avail themselves of the “concealed carry” portion of the foregoing provision shall first obtain a concealed carry permit as authorized by C.R.S. Sections 18-12-201 *et seq.*, and shall have such permit current and with them, as well as other appropriate identification, at all times while exercising their rights hereunder. As used herein, the term “firearm” shall be given the definition and construed in accordance with C.R.S. Section 18-12-101, as amended from time to time, and shall include the term “handgun”, which shall have the definition and construed in accordance with C.R.S. Section 18-12-202(4), as amended from time to time.

- (3) If any portion of this ordinance shall be determined by a court of competent jurisdiction to be invalid, such determination shall not affect the validity of the remaining portions hereof.

PASSED, APPROVED, AND ADOPTED, and ordered to be published, the 11th day of March, 2025, to be effective thirty (30) days after publication.

BOARD OF TRUSTEES OF THE TOWN OF KERSEY, COLORADO

By: _____

Nathan Roth, Mayor

ATTEST:

Julie Piper, Town Clerk