

ORDINANCE NO. 3

SERIES 2014

**AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 8
OF THE CRESTED BUTTE MUNICIPAL CODE TO
ALLOW THE OPEN CARRY OF A FIREARM EXCEPT
IN CERTAIN TOWN-OWNED BUILDINGS OR OTHER
SPECIFIC AREAS**

WHEREAS, the Town of Crested Butte, Colorado (“**Town**”) is a home rule municipality duly and regularly organized and now validly existing as a body corporate and public under and by virtue of the Colorado Constitution and laws of the State of Colorado;

WHEREAS, Chapter 10, Article 8 of the Crested Butte Municipal Code (the “**Code**”) provides that, in pertinent part only, it is unlawful for any person to knowingly “open carry” a firearm on his or her person;

WHEREAS, the Town staff has found that such requirement is inconsistent with current Colorado law, which allows the open carry of a firearm;

WHEREAS, the Town staff has recommended amending the Code to allow the open carry of a firearm as allowed by current Colorado law; however restricting such open carry in certain buildings or specific areas within the Town’s jurisdiction;

WHEREAS, the Town Council finds that amending the Code to allow the open carry of a firearm is necessary in order to comport with Colorado law;

WHEREAS, the Town Council also finds that restricting the open carry of a firearm in certain buildings or specific areas within the Town’s jurisdiction is in the best interest of the health, safety and welfare of the residents and visitors of Crested Butte; and

WHEREAS, based on the foregoing, the Town Council hereby finds that the amendments to the Code set forth below accomplish the Town Council findings and are therefore in the best interest of the health, safety and welfare of the residents and visitors of Crested Butte.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. **Amending Section 10-8-20.** Section 10-8-20 of the Code is hereby amended and replaced with the following new Section that shall read as follows:

“Sec. 10-8-20. Open Carry of a Firearm.

It is unlawful for any person, except law enforcement officers in the performance of their duties, to openly carry a firearm in any Town-owned or -operated building, or on any Town-

owned or -operated park, recreation area or property upon which the Town Manager has directed to be posted a notification that the carrying of firearms is prohibited. Such Town-owned or -operated building, or Town-owned or -operated park, recreation area or property shall include:

Park and Trail List:

Town Park
Gothic Field
Rainbow Park
Big Mine Park
Tommy V Field/Town Ranch
8th Street Greenway
Three Ladies Park
Totem Pole Park
Henderson Park
Dirt Jump Park

Properties List:

Old Town Hall	132 Elk Avenue
308 3rd Street	308 3rd Street
Old Rock Jail	409 2nd Street
Old Rock Library	504 Maroon Avenue
Marshals Building	508 Maroon Avenue
Town Hall	507 Maroon Avenue
Big Mine Park Warming House	620 2nd Street
Center for the Arts	606 6th Street
Visitor Center	601 6th Street
Public Works Shops & Yard	801 Butte Avenue
Public Works Storage Facility	801 Butte Avenue
Parks Shop & Yard	801 Butte Avenue
Wastewater Treatment Plant	800 Butte Avenue
Water Treatment Plant	800 Reservoir Road
Stepping Stones	705 & 715 7th Street
Denver & Rio Grande Depot	716 Elk Avenue
Tony's Shed	Behind Museum
Search & Rescue	Public Works Yard
Fire Hall	306 3rd Street
Zamboni Shed	Big Mine Park
Park Bathrooms & Pavilions	Yelinick & Rainbow Parks

Following the amendment of Section 10-8-20 as set forth above, old Section 10-8-20 shall become Section 10-8-30 and the sections that follow in this Article shall be renumbered accordingly. Further, all references to such Sections shall be renumbered accordingly.

Section 2. Amending New Section 10-8-30. Following the inclusion of new amended Section 10-8-20 of the Code as set forth hereinabove, new Section 10-8-30 is hereby deleted in its entirety and replaced with the following new Section 10-8-30 that shall read as follows:

“Sec. 10-8-30. Carrying concealed weapon; forfeiture.

(a) It is unlawful for any person to knowingly carry on his or her person, possess or personally display any concealed firearm” *(continued)*.

Section 3. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 4. Savings Clause. Except as amended hereby, the Crested Butte Municipal Code shall remain valid and in full force and effect. Any provision of the Code that is in conflict with this ordinance is hereby repealed as of the effective date hereof.

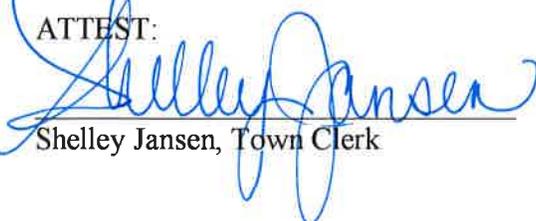
INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 3rd DAY OF March, 2014.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 7th DAY OF April, 2014.

TOWN OF CRESTED BUTTE

By: 
Aaron J. Huckstep, Mayor

ATTEST:


Shelley Jansen, Town Clerk

