

State Laws and Published Ordinances – Colorado
Current through all laws passed during the 2019 Legislative Session.

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Breckenridge	Gilcrest	Parker
Brighton	Glendale	Parachute
Broomfield (City and County)	Golden	Pierce
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Central City	Idaho Springs	Rifle
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Title 13 – Courts and Court Procedure
Courts of Record
Article 5 – Judicial Districts
Part 1 – Judges – Terms

Section 13-5-142.5. National instant criminal background check system - judicial process for awarding relief from federal prohibitions – legislative declaration.

(1) Legislative declaration. The purpose of this section is to set forth a judicial process whereby a person may apply or petition for relief from federal firearms prohibitions imposed pursuant to 18 U.S.C. sec. 922 (d)(4) and (g)(4), as permitted by the federal "NICS Improvement Amendments Act of 2007" (Pub. L. 110-180, sec. 105).

(2) Eligibility. A person may petition for relief pursuant to this section if:

(a)

(I) He or she has been found to be incapacitated by order of the court pursuant to part 3 of article 14 of title 15, C.R.S.;

(II) He or she has been committed by order of the court to the custody of the office of behavioral health in the department of human services pursuant to section 27-81-112 or 27-82-108; or

(III) The court has entered an order for the person's involuntary certification for short-term treatment of a mental health disorder pursuant to section 27-65-107, for extended certification for treatment of a mental health disorder pursuant to section 27-65-108, or for long-term care and treatment of a mental health disorder pursuant to section 27-65-109; and

(b) He or she is a person to whom the sale or transfer of a firearm or ammunition is prohibited by 18 U.S.C. sec. 922 (d)(4), or who is prohibited from shipping, transporting, possessing, or receiving a firearm or ammunition pursuant to 18 U.S.C. sec. 922 (g)(4).

(3) Due process. In a court proceeding pursuant to this section:

(a) The petitioner shall have an opportunity to submit his or her own evidence to the court concerning his or her petition;

(b) The court shall review the evidence; and

(c) The court shall create and thereafter maintain a record of the proceeding.

(4) Proper record. In determining whether to grant relief to a petitioner pursuant to this section, the court shall receive evidence concerning, and shall consider:

(a) The circumstances regarding the firearms prohibitions imposed by 18 U.S.C. sec. 922 (g)(4);

(b) The petitioner's record, which must include, at a minimum, the petitioner's mental health records and criminal history records; and

(c) The petitioner's reputation, which the court shall develop, at a minimum, through character witness statements, testimony, or other character evidence.

(5) Proper findings.

(a) Before granting relief to a petitioner pursuant to this section, the court shall issue findings that:

(I) The petitioner is not likely to act in a manner that is dangerous to public safety; and

(II) Granting relief to the petitioner is not contrary to the public interest.

(b)

(I) If the court denies relief to a petitioner pursuant to this section, the petitioner may petition the court of appeals to review the denial, including the record of the denying court.

(II) A review of a denial shall be de novo in that the court of appeals may, but is not required to, give deference to the decision of the denying court.

(III) In reviewing a denial, the court of appeals has discretion, but is not required, to receive additional evidence necessary to conduct an adequate review.

Article 9 – Probate Court of Denver

Section 13-9-124. National instant criminal background check system - judicial process for awarding relief from federal prohibitions - legislative declaration

(1) Legislative declaration. The purpose of this section is to set forth a judicial process whereby a person may apply or petition for relief from federal firearms prohibitions imposed pursuant to 18 U.S.C. sec. 922 (d)(4) and (g)(4), as permitted by the federal "NICS Improvement Amendments Act of 2007" (Pub.L. 110-180, sec. 105).

(2) Eligibility. A person may petition for relief pursuant to this section if:

(a)

(I) He or she has been found to be incapacitated by order of the court pursuant to part 3 of article 14 of title 15, C.R.S.;

(II) He or she has been committed by order of the court to the custody of the office of behavioral health in the department of human services pursuant to section 27-81-112 or 27-82-108; or

(III) The court has entered an order for the person's involuntary certification for short-term treatment of a mental health disorder pursuant to section 27-65-107, for extended certification for treatment of a mental health disorder pursuant to section 27-65-108, or for long-term care and treatment of a mental health disorder pursuant to section 27-65-109; and

(b) He or she is a person to whom the sale or transfer of a firearm or ammunition is prohibited by 18 U.S.C. sec. 922 (d)(4), or who is prohibited from shipping, transporting, possessing, or receiving a firearm or ammunition pursuant to 18 U.S.C. sec. 922 (g)(4).

(3) Due process. In a court proceeding pursuant to this section:

(a) The petitioner shall have an opportunity to submit his or her own evidence to the court concerning his or her petition;

(b) The court shall review the evidence; and

(c) The court shall create and thereafter maintain a record of the proceeding.

(4) Proper record. In determining whether to grant relief to a petitioner pursuant to this section, the court shall receive evidence concerning, and shall consider:

(a) The circumstances regarding the firearms prohibitions imposed by 18 U.S.C. sec. 922 (g)(4);

(b) The petitioner's record, which must include, at a minimum, the petitioner's mental health records and criminal history records; and

(c) The petitioner's reputation, which the court shall develop, at a minimum, through character witness statements, testimony, or other character evidence.

(5) Proper findings.

(a) Before granting relief to a petitioner pursuant to this section, the court shall issue findings that:

(I) The petitioner is not likely to act in a manner that is dangerous to public safety; and

(II) Granting relief to the petitioner is not contrary to the public interest.

(b)

(I) If the court denies relief to a petitioner pursuant to this section, the petitioner may petition the court of appeals to review the denial, including the record of the denying court.

(II) A review of a denial shall be de novo in that the court of appeals may, but is not required to, give deference to the decision of the denying court.

(III) In reviewing a denial, the court of appeals has discretion, but is not required, to receive additional evidence necessary to conduct an adequate review.

Civil Protection Orders Article 14 – Civil Protection Orders

Section 13-14-105.5. Civil protection orders – prohibition on possessing or purchasing a firearm.

(1) If the court subjects a person to a civil protection order pursuant to a provision of this article and the protection order qualifies as an order described in 18 U.S.C. sec. 922 (d)(8) or (g)(8), the court, as part of such order:

(a) Shall order the person to:

(I) Refrain from possessing or purchasing any firearm or ammunition for the duration of the order; and

(II) Relinquish, for the duration of the order, any firearm or ammunition in the respondent's immediate possession or control or subject to the respondent's immediate possession or control; and

(b) May require that before the person is released from custody on bond, the person shall relinquish, for the duration of the order, any firearm or ammunition in the person's immediate possession or control or subject to the person's immediate possession or control.

(2)

(a) Except as described in paragraph (b) of this subsection (2), upon issuance of an order pursuant to subsection (1) of this section, the respondent shall relinquish any firearm or ammunition:

(I) Not more than twenty-four hours after being served with the order in open court; or

(II) Not more than forty-eight hours after being served with the order outside of the court.

(b) A court may allow a respondent up to seventy-two hours to relinquish a firearm or up to five days to relinquish ammunition pursuant to paragraph (a) of this subsection (2) if the respondent demonstrates to the satisfaction of the court that he or she is unable to comply within the time frame set forth in said subsection (2).

(c) To satisfy the requirement in paragraph (a) of this subsection (2), the respondent may:

(I) Sell or transfer possession of the firearm or ammunition to a federally licensed firearms dealer described in 18 U.S.C. sec. 923, as amended; except that this provision shall not be interpreted to require any federally licensed firearms dealer to purchase or accept possession of any firearm or ammunition;

(II) Arrange for the storage of the firearm or ammunition by a law enforcement agency; except that this provision shall not be interpreted to require any law enforcement agency to provide storage of firearms or ammunition for any person; or

(III) Sell or otherwise transfer the firearm or ammunition to a private party who may legally possess the firearm or ammunition; except that a person who sells or transfers a firearm pursuant to this subparagraph (III) shall satisfy all of the provisions of section 18-12-112, C.R.S., concerning private firearms transfers, including but not limited to the performance of a criminal background check of the transferee.

(3) If a respondent is unable to satisfy the provisions of subsection (2) of this section because he or she is incarcerated or otherwise held in the custody of a law enforcement agency, the court shall require the respondent to satisfy such provisions not more than twenty-four hours after his or her release from incarceration or custody or be held in contempt of court. Notwithstanding any provision of this subsection (3), the court may, in its discretion, require the respondent to relinquish any firearm or ammunition in the respondent's immediate possession or control or subject to the respondent's immediate possession or control before the end of the respondent's incarceration. In such a case, a respondent's failure to relinquish a firearm or ammunition as required shall constitute contempt of court.

(4) A federally licensed firearms dealer who takes possession of a firearm or ammunition pursuant to this section shall issue a receipt to the respondent at the time of relinquishment. The federally licensed firearms dealer shall not return the firearm or ammunition to the respondent unless the dealer:

(a) Contacts the bureau to request that a background check of the respondent be performed; and

(b) Obtains approval of the transfer from the bureau after the performance of the background check.

(5) A local law enforcement agency may elect to store firearms or ammunition for persons pursuant to this section. If an agency so elects:

(a) The agency may charge a fee for such storage, the amount of which shall not exceed the direct and indirect costs incurred by the agency in providing such storage;

(b) The agency may establish policies for disposal of abandoned or stolen firearms or ammunition; and

(c) The agency shall issue a receipt to each respondent at the time the respondent relinquishes possession of a firearm or ammunition.

(6) If a local law enforcement agency elects to store firearms or ammunition for a person pursuant to this section, the law enforcement agency shall not return the firearm or ammunition to the respondent unless the agency:

(a) Contacts the bureau to request that a background check of the respondent be performed; and

(b) Obtains approval of the transfer from the bureau after the performance of the background check.

(7)

(a) A law enforcement agency that elects to store a firearm or ammunition for a person pursuant to this section may elect to cease storing the firearm or ammunition. A law enforcement agency that elects to cease storing a firearm or ammunition for a person shall notify the person of such decision and request that the person immediately make arrangements for the transfer of the possession of the firearm or ammunition to the person or, if the person is prohibited from possessing a firearm, to another person who is legally permitted to possess a firearm.

(b) If a law enforcement agency elects to cease storing a firearm or ammunition for a person and notifies the person as described in paragraph (a) of this subsection (7), the law enforcement agency may dispose of the firearm or ammunition if the person fails to make arrangements for the transfer of the firearm or ammunition and complete said transfer within ninety days of receiving such notification.

(8) If a respondent sells or otherwise transfers a firearm or ammunition to a private party who may legally possess the firearm or ammunition, as described in subparagraph (III) of paragraph (c) of subsection (2) of this section, the respondent shall acquire:

(a) From the transferee, a written receipt acknowledging the transfer, which receipt shall be dated and signed by the respondent and the transferee; and

(b) From the licensed gun dealer who requests from the bureau a background check of the transferee, as described in section 18-12-112, C.R.S., a written statement of the results of the background check.

(9)

(a) Not more than three business days after the relinquishment, the respondent shall file a copy of the receipt issued pursuant to subsection (4), (5), or (8) of this section, and, if applicable, the written statement of the results of a background check performed on the respondent, as described in paragraph (b) of subsection (8) of this section, with the court as proof of the relinquishment. If a respondent fails to timely file a receipt or written statement as described in this subsection (9):

(I) The failure constitutes a violation of the protection order pursuant to section 18-6-803.5 (1)(c), C.R.S.; and

(II) The court shall issue a warrant for the respondent's arrest.

(b) In any subsequent prosecution for a violation of a protection order described in this subsection (9), the court shall take judicial notice of the defendant's failure to file a receipt or written statement, which will constitute prima facie evidence of a violation of the protection order pursuant to section 18-6-803.5 (1)(c), C.R.S., and testimony of the clerk of the court or his or her deputy is not required.

(10) Nothing in this section shall be construed to limit a respondent's right to petition the court for dismissal of a protection order.

(11) A person subject to a civil protection order issued pursuant to section 13-14-104.5 (1)(a) who possesses or attempts to purchase or receive a firearm or ammunition while the protection order is in effect violates the order pursuant to section 18-6-803.5 (1)(c), C.R.S.

(12)

(a) A law enforcement agency that elects in good faith to not store a firearm or ammunition for a person pursuant to subparagraph (II) of paragraph (c) of subsection (2) of this section shall not be held criminally or civilly liable for such election not to act.

(b) A law enforcement agency that returns possession of a firearm or ammunition to a person in good faith as permitted by subsection (6) of this section shall not be held criminally or civilly liable for such action.

Article 14.5 – Extreme Risk Protection Orders

Section 13-14.5-102. Definitions.

As used in this article 14.5, unless the context otherwise clearly requires:

- (1) **"Extreme risk protection order"** means either a temporary order or a continuing order granted pursuant to this article 14.5.
- (2) **"Family or household member"** means, with respect to a respondent, any:
 - (a) Person related by blood, marriage, or adoption to the respondent;
 - (b) Person who has a child in common with the respondent, regardless of whether such person has been married to the respondent or has lived together with the respondent at any time;
 - (c) Person who regularly resides or regularly resided with the respondent within the last six months;
 - (d) Domestic partner of the respondent;
 - (e) Person who has a biological or legal parent-child relationship with the respondent, including stepparents and stepchildren and grandparents and grandchildren;
 - (f) Person who is acting or has acted as the respondent's legal guardian; and
 - (g) A person in any other relationship described in section 18-6-800.3 (2) with the respondent.
- (3) **"Firearm"** has the same meaning as in section 18-1-901 (3)(h).
- (4) **"Petitioner"** means the person who petitions for an extreme risk protection order pursuant to this article 14.5.
- (5) **"Respondent"** means the person who is identified as the respondent in a petition filed pursuant to this article 14.5.

Section 13-14.5-103. Temporary extreme risk protection orders.

- (1) A family or household member of the respondent or a law enforcement officer or agency may request a temporary extreme risk protection order without notice to the respondent by including in the petition for an extreme risk protection order an affidavit, signed under oath and penalty of perjury, supporting the issuance of a temporary extreme risk protection order that sets forth the facts tending to establish the grounds of the petition or the reason for believing they exist and, if the petitioner is a family or household member, attesting that the petitioner is a family or household member. The petition shall comply with the requirements of section 13-14.5-104 (3). If the petitioner is a law enforcement officer or law enforcement agency, the law enforcement officer or law enforcement agency shall concurrently file a sworn affidavit for a search warrant pursuant to section 16-3-301.5 to search for any firearms in the possession or control of the respondent at a location or locations to be named in the warrant. If a petition pursuant to section 27-65-106 is also filed against the respondent, a court of competent jurisdiction can hear that petition at the same time as the hearing for a temporary extreme risk protection order or the hearing for a continuing extreme risk protection order.
- (2) In considering whether to issue a temporary extreme risk protection order pursuant to this section, the court shall consider all relevant evidence, including the evidence described in section 13-14.5-105 (3).
- (3) If a court finds by a preponderance of the evidence that, based on the evidence presented pursuant to section 13-14.5-105 (3), the respondent poses a significant risk of causing personal injury to self or others in the near future by having in his or her custody or control a firearm or by purchasing, possessing, or receiving a firearm, the court shall issue a temporary extreme risk protection order.
- (4) The court shall hold a temporary extreme risk protection order hearing in person or by telephone on the day the petition is filed or on the court day immediately following the day the petition is filed. The court may schedule a hearing by telephone pursuant to local court rule to reasonably accommodate a disability or, in exceptional circumstances, to protect a petitioner from potential harm. The court shall require assurances of the petitioner's identity before conducting a telephonic hearing. A copy of the telephone hearing must be provided to the respondent prior to the hearing for an extreme risk protection order.
- (5)
 - (a) In accordance with section 13-14.5-105 (1), the court shall schedule a hearing within fourteen days after the issuance of a temporary extreme risk protection order to determine if a three-hundred-sixty-four-day extreme risk protection order should be issued pursuant to this article 14.5. Notice of that hearing date must be included with the temporary extreme risk protection order that is served on the respondent. The court shall provide notice of the hearing date to the petitioner.
 - (b) Any temporary extreme risk protection order issued expires on the date and time of the hearing on the extreme risk protection order petition or the withdrawal of the petition.

- (6)** A temporary extreme risk protection order must include:
- (a)** A statement of the grounds asserted for the order;
 - (b)** The date and time the order was issued;
 - (c)** The date and time the order expires;
 - (d)** The address of the court in which any responsive pleading should be filed;
 - (e)** The date and time of the scheduled hearing;
 - (f)** The requirements for surrender of firearms pursuant to section 13-14.5-108; and
 - (g)** The following statement:

To the subject of this temporary extreme risk protection order: This order is valid until the date and time noted above. You may not have in your custody or control a firearm or purchase, possess, receive, or attempt to purchase or receive a firearm while this order is in effect. You must immediately surrender to the (insert name of law enforcement agency in the jurisdiction where the respondent resides) all firearms in your custody, control, or possession, and any concealed carry permit issued to you. A hearing will be held on the date and at the time noted above to determine if an extreme risk protection order should be issued. Failure to appear at that hearing may result in a court entering an order against you that is valid for three hundred sixty four days. An attorney will be appointed to represent you, or you may seek the advice of your own attorney at your own expense as to any matter connected with this order.

(7) A law enforcement officer shall serve a temporary extreme risk protection order concurrently with the notice of hearing and petition and a notice that includes referrals to appropriate resources, including domestic violence, behavioral health, and counseling resources, in the same manner as provided for in section 13-14.5-105 for service of the notice of hearing where the respondent resides.

- (8)**
- (a)** If the court issues a temporary extreme risk protection order, the court shall state the particular reasons for the court's issuance.
 - (b)** If the court declines to issue a temporary extreme risk protection order, the court shall state the particular reasons for the court's denial.

Section 13-14.5-104. Petition for extreme risk protection order.

(1) A petition for an extreme risk protection order may be filed by a family or household member of the respondent or a law enforcement officer or agency. If the petition is filed by a law enforcement officer or agency, the officer or agency shall be represented in any judicial proceeding by a county or city attorney upon request. If the petition is filed by a family or household member, the petitioner, to the best of his or her ability, shall notify the law enforcement agency in the jurisdiction where the respondent resides of the petition and the hearing date with enough advance notice to allow for participation or attendance. Upon the filing of a petition, the court shall appoint an attorney to represent the respondent, and the court shall include the appointment in the notice of hearing provided to the respondent pursuant to section 13-14.5-105 (1)(a). The respondent may replace the attorney with an attorney of the respondent's own selection at any time at the respondent's own expense. Attorney fees for the attorney appointed for the respondent shall be paid by the court.

(2) A petition for an extreme risk protection order must be filed in the county where the respondent resides.

(3) A petition must:

- (a)** Allege that the respondent poses a significant risk of causing personal injury to self or others by having in his or her custody or control a firearm or by purchasing, possessing, or receiving a firearm and must be accompanied by an affidavit, signed under oath and penalty of perjury, stating the specific statements, actions, or facts that give rise to a reasonable fear of future dangerous acts by the respondent;
- (b)** Identify the number, types, and locations of any firearms the petitioner believes to be in the respondent's current ownership, possession, custody, or control;
- (c)** Identify whether the respondent is required to possess, carry, or use a firearm as a condition of the respondent's current employment;
- (d)** Identify whether there is a known existing domestic abuse protection order or emergency protection order governing the petitioner or respondent;
- (e)** Identify whether there is a pending lawsuit, complaint, petition, or other action between the parties to the petition; and
- (f)** If the petitioner is not a law enforcement agency, identify whether the petitioner informed a local law enforcement agency regarding the respondent.

- (4) The court shall verify the terms of any existing order identified pursuant to subsection (3)(d) of this section governing the parties. The court may not delay granting relief because of the existence of a pending action between the parties. A petition for an extreme risk protection order may be granted whether or not there is a pending action between the parties.
- (5) If the petition states that disclosure of the petitioner's address would risk harm to the petitioner or any member of the petitioner's family or household, the petitioner's address may be omitted from all documents filed with the court. If the petitioner has not disclosed an address pursuant to this section, the petitioner must designate an alternative address at which the respondent may serve notice of any motions. If the petitioner is a law enforcement officer or agency, the address of record must be that of the law enforcement agency.
- (6) A court or public agency shall not charge a fee for filing or service of process to a petitioner seeking relief pursuant to this article 14.5. A petitioner or respondent must be provided the necessary number of certified copies, forms, and instructional brochures free of charge.
- (7) A person is not required to post a bond to obtain relief in any proceeding pursuant to this section.
- (8) The district and county courts of the state of Colorado have jurisdiction over proceedings pursuant to this article 14.5.

Section 13-14.5-105. Hearings on petition - grounds for order issuance.

- (1)
- (a) Upon filing of the petition, the court shall order a hearing to be held and provide a notice of hearing to the respondent. The court must provide the notice of the hearing not later than one court day after the date of the extreme risk protection order petition. The court may schedule a hearing by telephone pursuant to local court rule to reasonably accommodate a disability or, in exceptional circumstances, to protect a petitioner from potential harm. The court shall require assurances of the petitioner's identity before conducting a telephonic hearing.
- (b) Before the next court day, the court clerk shall forward a copy of the notice of hearing and petition to the law enforcement agency in the jurisdiction where the respondent resides for service upon the respondent.
- (c) A copy of the notice of hearing and petition must be served upon the respondent in accordance with the rules for service of process as provided in rule 4 of the Colorado rules of civil procedure or rule 304 of the Colorado rules of county court civil procedure. Service issued pursuant to this section takes precedence over the service of other documents, unless the other documents are of a similar emergency nature.
- (d) The court may, as provided in section 13-14.5-103, issue a temporary extreme risk protection order pending the hearing ordered pursuant to subsection (1)(a) of this section. The temporary extreme risk protection order must be served concurrently with the notice of hearing and petition.
- (2) Upon hearing the matter, if the court finds by clear and convincing evidence, based on the evidence presented pursuant to subsection (3) of this section, that the respondent poses a significant risk of causing personal injury to self or others by having in his or her custody or control a firearm or by purchasing, possessing, or receiving a firearm, the court shall issue an extreme risk protection order for a period of three hundred sixty-four days.
- (3) In determining whether grounds for an extreme risk protection order exist, the court may consider any relevant evidence, including but not limited to any of the following:
- (a) A recent act or credible threat of violence by the respondent against self or others, whether or not such violence or credible threat of violence involves a firearm;
- (b) A pattern of acts or credible threats of violence by the respondent within the past year, including but not limited to acts or credible threats of violence by the respondent against self or others;
- (c) A violation by the respondent of a civil protection order issued pursuant to article 14 of this title 13;
- (d) A previous or existing extreme risk protection order issued against the respondent and a violation of a previous or existing extreme risk protection order;
- (e) A conviction of the respondent for a crime that included an underlying factual basis of domestic violence as defined in section 18-6-800.3 (1);
- (f) The respondent's ownership, access to, or intent to possess a firearm;
- (g) A credible threat of or the unlawful or reckless use of a firearm by the respondent;
- (h) The history of use, attempted use, or threatened use of unlawful physical force by the respondent against another person, or the respondent's history of stalking another person as described in section 18-3-602;
- (i) Any prior arrest of the respondent for a crime listed in section 24-4.1-302 (1) or section 18-9-202;
- (j) Evidence of the abuse of controlled substances or alcohol by the respondent;

(k) Whether the respondent is required to possess, carry, or use a firearm as a condition of the respondent's current employment; and

(l) Evidence of recent acquisition of a firearm or ammunition by the respondent.

(4) The court may:

(a) Examine under oath the petitioner, the respondent, and any witnesses they may produce, or, in lieu of examination, consider sworn affidavits of the petitioner, the respondent, and any witnesses they may produce; and

(b) Request that the Colorado bureau of investigation conduct a criminal history record check related to the respondent and provide the results to the court under seal.

(5) The court shall allow the petitioner and respondent to present evidence and cross-examine witnesses and be represented by an attorney at the hearing.

(6) In a hearing pursuant to this article 14.5, the rules of evidence apply to the same extent as in a civil protection order proceeding pursuant to article 14 of this title 13.

(7) During the hearing, the court shall consider any available mental health evaluation or chemical dependency evaluation provided to the court.

(8)

(a) Before issuing an extreme risk protection order, the court shall consider whether the respondent meets the standard for a court-ordered evaluation for persons with mental health disorders pursuant to section 27-65-106. If the court determines that the respondent meets the standard, then, in addition to issuing an extreme risk protection order, the court shall order mental health treatment and evaluation authorized pursuant to section 27-65-106 (6).

(b) Before issuing an extreme risk protection order, the court shall consider whether the respondent meets the standard for an emergency commitment pursuant to section 27-81-111 or 27-82-107. If the court determines that the respondent meets the standard, then, in addition to issuing an extreme risk protection order, the court shall order an emergency commitment pursuant to section 27-81-111 or 27-82-107.

(9) An extreme risk protection order must include:

(a) A statement of the grounds supporting the issuance of the order;

(b) The date and time the order was issued;

(c) The date and time the order expires;

(d) The address of the court in which any responsive pleading should be filed;

(e) The requirements for relinquishment of a firearm and concealed carry permit pursuant to section 13-14.5-108; and

(f) The following statement:

To the subject of this extreme risk protection order: This order will last until the date and time noted above. If you have not done so already, you must immediately surrender any firearms in your custody, control, or possession and any concealed carry permit issued to you. You may not have in your custody or control a firearm or purchase, possess, receive, or attempt to purchase or receive a firearm while this order is in effect. You have the right to request one hearing to terminate this order during the period that this order is in effect, starting from the date of this order and continuing through any renewals. You may seek the advice of an attorney as to any matter connected with this order.

(10) When the court issues an extreme risk protection order, the court shall inform the respondent that he or she is entitled to request termination of the order in the manner prescribed by section 13-14.5-107. The court shall provide the respondent with a form to request a termination hearing.

(11)

(a) If the court issues an extreme risk protection order, the court shall state the particular reasons for the court's issuance.

(b) If the court denies the issuance of an extreme risk protection order, the court shall state the particular reasons for the court's denial.

(12) If the court denies the issuance of an extreme risk protection order but ordered a temporary extreme risk protection order and a law enforcement agency took custody of the respondent's concealed carry permit or the respondent surrendered his or her concealed carry permit as a result of the temporary extreme risk protection order, the sheriff who issued the concealed carry permit shall reissue the concealed carry permit to the respondent within three days, at no charge to the respondent.

(13) If the court issues an extreme risk protection order and the petitioner is a law enforcement officer or agency, the petitioner shall make a good-faith effort to provide notice of the order to a family or household member of the respondent and to any known third party who may be at direct risk of violence. The notice must include referrals to appropriate resources, including domestic violence, behavioral health, and counseling resources.

Section 13-14.5-107. Termination or renewal of protection orders.

(1) Termination.

(a) The respondent may submit one written request for a hearing to terminate an extreme risk protection order issued pursuant to this article 14.5 for the period that the order is in effect. Upon receipt of the request for a hearing to terminate an extreme risk protection order, the court shall set a date for a hearing. Notice of the request and date of hearing must be served on the petitioner in accordance with the Colorado rules of civil procedure or Colorado rules of county court civil procedure. The court shall set the hearing fourteen days after the filing of the request for a hearing to terminate an extreme risk protection order. The court shall terminate the extreme risk protection order if the respondent establishes by clear and convincing evidence that he or she no longer poses a significant risk of causing personal injury to self or others by having in his or her custody or control a firearm or by purchasing, possessing, or receiving a firearm. The court may consider any relevant evidence, including evidence of the considerations listed in section 13-14.5-105 (3).

(b) The court may continue the hearing if the court determines that it cannot enter a termination order at the hearing but determines that there is a strong possibility that the court could enter a termination order at a future date before the expiration of the extreme risk protection order. If the court continues the hearing, the court shall set the date for the next hearing prior to the date for the expiration of the extreme risk protection order.

(2) Renewal.

(a) The court shall notify the petitioner of the impending expiration of an extreme risk protection order sixty-three calendar days before the date that the order expires.

(b) A petitioner, a family or household member of a respondent, or a law enforcement officer or agency may, by motion, request a renewal of an extreme risk protection order at any time within sixty-three calendar days before the expiration of the order.

(c) Upon receipt of the motion to renew, the court shall order that a hearing be held not later than fourteen days after the filing of the motion to renew. The court may schedule a hearing by telephone in the manner prescribed by section 13-14.5-105 (1)(a). The respondent must be personally served in the same manner prescribed by section 13-14.5-105 (1)(b) and (1)(c).

(d) In determining whether to renew an extreme risk protection order issued pursuant to this section, the court shall consider all relevant evidence and follow the same procedure as provided in section 13-14.5-105.

(e) If the court finds by clear and convincing evidence that, based on the evidence presented pursuant to section 13-14.5-105 (3), the respondent continues to pose a significant risk of causing personal injury to self or others by having in his or her custody or control a firearm or by purchasing, possessing, or receiving a firearm, the court shall renew the order for a period of time the court deems appropriate, not to exceed one year. In the order, the court shall set a return date to review the order no later than thirty-five days prior to the expiration of the order. However, if, after notice, the motion for renewal is uncontested and the petitioner seeks no modification of the order, the order may be renewed on the basis of the petitioner's motion or affidavit, signed under oath and penalty of perjury, stating that there has been no material change in relevant circumstances since the entry of the order and stating the reason for the requested renewal.

(3) If an extreme risk protection order is terminated or not renewed for any reason, the law enforcement agency storing the respondent's firearms shall provide notice to the respondent regarding the process for the return of the firearms.

Section 13-14.5-108. Surrender of a firearm.

(1)

(a) Upon issuance of an extreme risk protection order pursuant to this article 14.5, including a temporary extreme risk protection order, the court shall order the respondent to surrender all firearms by:

(I) Selling or transferring possession of the firearm to a federally licensed firearms dealer described in 18 U.S.C. sec. 923, as amended; except that this provision must not be interpreted to require any federally licensed firearms dealer to purchase or accept possession of any firearm;

(II) Arranging for the storage of the firearm by a law enforcement agency. The law enforcement agency shall preserve the firearm in a substantially similar condition that the firearm was in when it was surrendered. If the respondent does not choose the option in subsection (1)(a)(I) of this section, a local law enforcement agency shall store the firearm.

(III) Only for either an antique firearm, as defined in 18 U.S.C. sec. 921 (a)(16), as amended, or a curio or relic, as defined in 27 CFR 478.11, as amended, transferring possession of the antique firearm or curio or relic to a relative who does not live with the respondent after confirming, through a criminal history record check, the relative is currently eligible to own or possess a firearm under federal and state law.

(b) The court shall order the respondent to surrender any concealed carry permit to the law enforcement officer serving the extreme risk protection order.

(2)

(a) The law enforcement agency serving any extreme risk protection order pursuant to this article 14.5, including a temporary extreme risk protection order in which the petitioner was not a law enforcement agency or officer, shall request that the respondent immediately surrender all firearms in his or her custody, control, or possession and any concealed carry permit issued to the respondent and conduct any search permitted by law for such firearms or permit. After the law enforcement agency or officer has custody of the firearms, the respondent may inform the law enforcement officer of his or her preference for sale, transfer, or storage of the firearms as specified in subsection (1) of this section. If the respondent elects to sell or transfer the firearms to a federally licensed firearms dealer described in 18 U.S.C. sec. 923, as amended, the law enforcement officer or agency shall maintain custody of the firearms until they are sold or transferred pursuant to subsection (1)(a)(l) of this section. The law enforcement officer shall take possession of all firearms and any such permit belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search. Alternatively, if personal service by the law enforcement agency is not possible, or not required because the respondent was present at the extreme risk protection order hearing, the respondent shall surrender the firearms and any concealed carry permit within twenty-four hours after being served with the order by alternate service or within twenty-four hours after the hearing at which the respondent was present.

(b) If the petitioner for an extreme risk protection order is a law enforcement agency or officer, the law enforcement officer serving the extreme risk protection order shall take custody of the respondent's firearms pursuant to the search warrant for firearms possessed by a respondent in an extreme risk protection order, as described in section 16-3-301.5, if a warrant was obtained. After the law enforcement agency or officer has custody of the firearms, the respondent may inform the law enforcement officer of his or her preference for sale, transfer, or storage of the firearms as specified in section 13-14-105.5 (2)(c). The law enforcement officer shall request that the respondent immediately surrender any concealed carry permit issued to the respondent and conduct any search permitted by law for the permit.

(3) At the time of surrender or taking custody pursuant to section 16-3-301.5, a law enforcement officer taking possession of a firearm or a concealed carry permit shall issue a receipt identifying all firearms and any permit that have been surrendered or taken custody of and provide a copy of the receipt to the respondent. Within seventy-two hours after service of the order, the officer serving the order shall file the original receipt with the court and shall ensure that his or her law enforcement agency retains a copy of the receipt, or, if the officer did not take custody of any firearms, shall file a statement to that effect with the court.

(4) Upon the sworn statement or testimony of the petitioner or of any law enforcement officer alleging that there is probable cause to believe the respondent has failed to comply with the surrender of firearms or a concealed carry permit as required by an order issued pursuant to this article 14.5, the court shall determine whether probable cause exists to believe that the respondent has failed to surrender all firearms or a concealed carry permit in his or her custody, control, or possession. If probable cause exists, the court shall issue a search warrant that states with particularity the places to be searched and the items to be taken into custody.

(5) If a person other than the respondent claims title to any firearms surrendered or taken custody of pursuant to section 16-3-301.5 pursuant to this section and he or she is determined by the law enforcement agency to be the lawful owner of the firearm, the firearm shall be returned to him or her if:

(a) The firearm is removed from the respondent's custody, control, or possession, and the lawful owner agrees to store the firearm so that the respondent does not have access to or control of the firearm; and

(b) The firearm is not otherwise unlawfully possessed by the lawful owner.

(6)

(a) Within forty-eight hours after the issuance of an extreme risk protection order, a respondent subject to the order may either:

(I) File with the court that issued the order one or more proofs of relinquishment or removal showing that all firearms previously in the respondent's custody, control, or possession, and any concealed carry permit issued to the respondent, were relinquished to or removed by a law enforcement agency, and attest to the court that the respondent does not currently have any firearms in the respondent's custody, control, or possession, and does not currently have a concealed carry permit; or

(II) Attest to the court that:

- (A)** At the time the order was issued, the respondent did not have any firearms in the respondent's custody, control, or possession and did not have a concealed carry permit; and
- (B)** The respondent does not currently have any firearms in the respondent's custody, control, or possession and does not currently have a concealed carry permit.

(b) If two full court days have elapsed since the issuance of an extreme risk protection order and the respondent has made neither the filing and attestation pursuant to subsection (6)(a)(I) of this section nor the attestations pursuant to subsection (6)(a)(II) of this section, the clerk of the court for the court that issued the order shall inform the local law enforcement agency in the county in which the court is located that the respondent has not filed the filing and attestation pursuant to subsection (6)(a)(I) of this section or the attestations pursuant to subsection (6)(a)(II) of this section.

(c) A local law enforcement agency that receives a notification pursuant to subsection (6)(b) of this section shall make a good faith effort to determine whether there is evidence that the respondent has failed to relinquish any firearm in the respondent's custody, control, or possession or a concealed carry permit issued to the respondent.

(7) The peace officers standards and training board shall develop model policies and procedures by December 1, 2019, regarding the acceptance, storage, and return of firearms required to be surrendered pursuant to this article 14.5 or taken custody of pursuant to section 16-3-301.5 and shall provide those model policies and procedures to all law enforcement agencies. Each law enforcement agency shall adopt the model policies and procedures or adopt their own policies and procedures by January 1, 2020.

Section 13-14.5-109. Firearms - return – disposal.

(1) If an extreme risk protection order or temporary extreme risk protection order is terminated or expires without renewal, a law enforcement agency holding any firearm that has been surrendered pursuant to section 13-14.5-108 or taken custody of pursuant to section 16-3-301.5, or a federally licensed firearms dealer described in 18 U.S.C. sec. 923, as amended, with custody of a firearm, or a relative with custody of an antique firearm or curio or relic pursuant to section 13-14.5-108 (1)(a)(III), must return the firearm requested by a respondent within three days only after confirming, through a criminal history record check performed pursuant to section 24-33.5-424, that the respondent is currently eligible to own or possess a firearm under federal and state law and after confirming with the court that the extreme risk protection order has terminated or has expired without renewal.

(2) Any firearm surrendered by a respondent pursuant to section 13-14.5-108 or taken custody of pursuant to section 16-3-301.5 that remains unclaimed by the lawful owner for at least one year from the date the temporary extreme risk protection order or extreme risk protection order expired, whichever is later, shall be disposed of in accordance with the law enforcement agency's policies and procedures for the disposal of firearms in police custody.

Title 18 – Criminal Code

Article 1 – Provisions Applicable to Offenses Generally

Part 10 – Orders and Proceedings Against Defendant

Section 8-1-1001. Protection order against defendant - definitions.

(9)

(a) When the court subjects a defendant to a mandatory protection order that qualifies as an order described in 18 U.S.C. sec. 922 (g)(8), the court, as part of such order:

(I) Shall order the defendant to:

- (A)** Refrain from possessing or purchasing any firearm or ammunition for the duration of the order; and
- (B)** Relinquish, for the duration of the order, any firearm or ammunition in the defendant's immediate possession or control or subject to the defendant's immediate possession or control; and

(II) May require that before the defendant is released from custody on bond, the defendant shall relinquish, for the duration of the order, any firearm or ammunition in the defendant's immediate possession or control or subject to the defendant's immediate possession or control.

(b) Upon issuance of an order pursuant to paragraph (a) of this subsection (9), the defendant shall relinquish any firearm or ammunition not more than twenty-four hours after being served with the order; except that a court may allow a defendant up to seventy-two hours to relinquish a firearm or up to five days to relinquish ammunition pursuant to this paragraph (b) if the defendant demonstrates to the satisfaction of the court that he or she is unable to comply within twenty-four hours. To satisfy this requirement, the defendant may:

(I) Sell or transfer possession of the firearm or ammunition to a federally licensed firearms dealer described in 18 U.S.C. sec. 923, as amended; except that this provision shall not be interpreted to require any federally licensed firearms dealer to purchase or accept possession of any firearm or ammunition;

(II) Arrange for the storage of the firearm or ammunition by a law enforcement agency; except that this provision shall not be interpreted to require any law enforcement agency to provide storage of firearms or ammunition for any person; or

(III) Sell or otherwise transfer the firearm or ammunition to a private party who may legally possess the firearm or ammunition; except that a defendant who sells or transfers a firearm pursuant to this subparagraph (III) shall satisfy all of the provisions of section 18-12-112, concerning private firearms transfers, including but not limited to the performance of a criminal background check of the transferee.

(c) If a defendant is unable to satisfy the provisions of paragraph (b) of this subsection (9) because he or she is incarcerated or otherwise held in the custody of a law enforcement agency, the court shall require the defendant to satisfy such provisions not more than twenty-four hours after his or her release from incarceration or custody or be held in contempt of court. Notwithstanding any provision of this paragraph (c), the court may, in its discretion, require the defendant to relinquish any firearm or ammunition in the defendant's immediate possession or control or subject to the defendant's immediate possession or control before the end of the defendant's incarceration. In such a case, a defendant's failure to relinquish a firearm or ammunition as required shall constitute contempt of court.

(d) A federally licensed firearms dealer who takes possession of a firearm or ammunition pursuant to this section shall issue a receipt to the defendant at the time of relinquishment. The federally licensed firearms dealer shall not return the firearm or ammunition to the defendant unless the dealer:

(I) Contacts the bureau to request that a background check of the defendant be performed; and

(II) Obtains approval of the transfer from the bureau after the performance of the background check.

(e) A local law enforcement agency may elect to store firearms or ammunition for persons pursuant to this subsection (9). If an agency so elects:

(I) The agency may charge a fee for such storage, the amount of which shall not exceed the direct and indirect costs incurred by the agency in providing such storage;

(II) The agency may establish policies for disposal of abandoned or stolen firearms or ammunition; and

(III) The agency shall issue a receipt to each defendant at the time the defendant relinquishes possession of a firearm or ammunition.

(f) If a local law enforcement agency elects to store firearms or ammunition for a defendant pursuant to this subsection (9), the law enforcement agency shall not return the firearm or ammunition to the defendant unless the agency:

(I) Contacts the bureau to request that a background check of the defendant be performed; and

(II) Obtains approval of the transfer from the bureau after the performance of the background check.

(g)

(I) A law enforcement agency that elects to store a firearm or ammunition for a defendant pursuant to this subsection (9) may elect to cease storing the firearm or ammunition. A law enforcement agency that elects to cease storing a firearm or ammunition for a defendant shall notify the defendant of such decision and request that the defendant immediately make arrangements for the transfer of the possession of the firearm or ammunition to the defendant or, if the defendant is prohibited from possessing a firearm, to another person who is legally permitted to possess a firearm.

(II) If a law enforcement agency elects to cease storing a firearm or ammunition for a person and notifies the defendant as described in subparagraph (I) of this paragraph (g), the law enforcement agency may dispose of the firearm or ammunition if the defendant fails to make arrangements for the transfer of the firearm or ammunition and complete said transfer within ninety days of receiving such notification.

(h) If a defendant sells or otherwise transfers a firearm or ammunition to a private party who may legally possess the firearm or ammunition, as described in subparagraph (III) of paragraph (b) of this subsection (9), the defendant shall acquire:

(I) From the transferee, a written receipt acknowledging the transfer, which receipt shall be dated and signed by the defendant and the transferee; and

(II) From the licensed gun dealer who requests from the bureau a background check of the transferee, as described in section 18-12-112, a written statement of the results of the background check.

(i)

(I) Not more than three business days after the relinquishment, the defendant shall file a copy of the receipt issued pursuant to paragraph (d), (e), or (h) of this subsection (9) and, if applicable, the written statement of the results of a background check performed on the defendant as described in subparagraph (II) of paragraph (h) of this subsection (9), with the court as proof of the relinquishment. If a defendant fails to timely file a receipt or written statement as described in this paragraph (i):

(A) The failure constitutes a violation of the protection order pursuant to section 18-6-803.5 (1)(c); and

(B) The court shall issue a warrant for the defendant's arrest.

(II) In any subsequent prosecution for a violation of a protection order described in this paragraph (i), the court shall take judicial notice of the defendant's failure to file a receipt or written statement, which will constitute prima facie evidence of a violation of the protection order pursuant to section 18-6-803.5 (1)(c), C.R.S., and testimony of the clerk of the court or his or her deputy is not required.

(j) Nothing in this subsection (9) shall be construed to limit a defendant's right to petition the court for dismissal of a protection order.

(k) A person subject to a mandatory protection order issued pursuant to this subsection (9) who possesses or attempts to purchase or receive a firearm or ammunition while the protection order is in effect violates the order pursuant to section 18-6-803.5 (1)(c).

Article 6 – Offenses Involving the Family Relations

Part 8 – Domestic Violence

Section 18-6-801. Domestic violence – sentencing.

(8)

(a) In addition to any sentence that is imposed upon a defendant for violation of any criminal law under this title, if a defendant is convicted of any crime, the underlying factual basis of which is found by the court on the record to be a misdemeanor crime of domestic violence, as defined in 18 U.S.C. sec. 921 (a)(33), or that is punishable by a term of imprisonment exceeding one year and includes an act of domestic violence, as defined in section 18-6-800.3 (1), the court:

(I) Shall order the defendant to:

(A) Refrain from possessing or purchasing any firearm or ammunition for the duration of the order; and

(B) Relinquish any firearm or ammunition in the defendant's immediate possession or control or subject to the defendant's immediate possession or control; and

(II) May require that before the defendant is released from custody on bond, the defendant shall relinquish, for the duration of the order, any firearm or ammunition in the defendant's immediate possession or control or subject to the defendant's immediate possession or control.

(b) Upon issuance of an order to relinquish one or more firearms or ammunition pursuant to paragraph (a) of this subsection (8), the defendant shall relinquish any firearm or ammunition not more than twenty-four hours after being served with the order; except that a court may allow a defendant up to seventy-two hours to relinquish a firearm or up to five days to relinquish ammunition pursuant to this paragraph (b) if the defendant demonstrates to the satisfaction of the court that he or she is unable to comply within twenty-four hours. To satisfy this requirement, the defendant may:

(I) Sell or transfer possession of the firearm or ammunition to a federally licensed firearms dealer described in 18 U.S.C. sec. 923, as amended; except that this provision shall not be interpreted to require any federally licensed firearms dealer to purchase or accept possession of any firearm or ammunition;

(II) Arrange for the storage of the firearm or ammunition by a law enforcement agency; except that this provision shall not be interpreted to require any law enforcement agency to provide storage of firearms or ammunition for any person; or

(III) Sell or otherwise transfer the firearm or ammunition to a private party who may legally possess the firearm or ammunition; except that a defendant who sells or transfers a firearm pursuant to this subparagraph (III) shall satisfy all of the provisions of section 18-12-112, concerning private firearms transfers, including but not limited to the performance of a criminal background check of the transferee.

(c) If a defendant is unable to satisfy the provisions of paragraph (b) of this subsection (8) because he or she is incarcerated or otherwise held in the custody of a law enforcement agency, the court shall require the defendant to satisfy such provisions not more than twenty-four hours after his or her release from incarceration or custody or be

held in contempt of court. Notwithstanding any provision of this paragraph (c), the court may, in its discretion, require the defendant to relinquish any firearm or ammunition in the defendant's immediate possession or control or subject to the defendant's immediate possession or control before the end of the defendant's incarceration. In such a case, a defendant's failure to relinquish a firearm or ammunition as required shall constitute contempt of court.

(d) A federally licensed firearms dealer who takes possession of a firearm or ammunition pursuant to this subsection (8) shall issue a receipt to the defendant at the time of relinquishment. The federally licensed firearms dealer shall not return the firearm or ammunition to the defendant unless the dealer:

- (I)** Contacts the bureau to request that a background check of the defendant be performed; and
- (II)** Obtains approval of the transfer from the bureau after the performance of the background check.

(e) A local law enforcement agency may elect to store firearms or ammunition for persons pursuant to this subsection (8). If an agency so elects:

- (I)** The agency may charge a fee for such storage, the amount of which shall not exceed the direct and indirect costs incurred by the agency in providing such storage;
- (II)** The agency may establish policies for disposal of abandoned or stolen firearms or ammunition; and
- (III)** The agency shall issue a receipt to each defendant at the time the defendant relinquishes possession of a firearm or ammunition.

(f) If a local law enforcement agency elects to store firearms or ammunition for a defendant pursuant to this subsection (8), the law enforcement agency shall not return the firearm or ammunition to the defendant unless the agency:

- (I)** Contacts the bureau to request that a background check of the defendant be performed; and
- (II)** Obtains approval of the transfer from the bureau after the performance of the background check.

(g)

(I) A law enforcement agency that elects to store a firearm or ammunition for a defendant pursuant to this subsection (8) may elect to cease storing the firearm or ammunition. A law enforcement agency that elects to cease storing a firearm or ammunition for a defendant shall notify the defendant of such decision and request that the defendant immediately make arrangements for the transfer of the possession of the firearm or ammunition to the defendant or, if the defendant is prohibited from possessing a firearm, to another person who is legally permitted to possess a firearm.

(II) If a law enforcement agency elects to cease storing a firearm or ammunition for a defendant and notifies the defendant as described in subparagraph (I) of this paragraph (g), the law enforcement agency may dispose of the firearm or ammunition if the defendant fails to make arrangements for the transfer of the firearm or ammunition and complete said transfer within ninety days of receiving such notification.

(h) If a defendant sells or otherwise transfers a firearm or ammunition to a private party who may legally possess the firearm or ammunition, as described in subparagraph (III) of paragraph (b) of this subsection (8), the defendant shall acquire:

- (I)** From the transferee, a written receipt acknowledging the transfer, which receipt shall be dated and signed by the defendant and the transferee; and
- (II)** From the licensed gun dealer who requests from the bureau a background check of the transferee, as described in section 18-12-112, a written statement of the results of the background check.

(i)

(I) Not more than three business days after the relinquishment, the defendant shall file a copy of the receipt issued pursuant to paragraph (d), (e), or (h) of this subsection (8), and, if applicable, the written statement of the results of a background check performed on the transferee, as described in subparagraph (II) of paragraph (h) of this subsection (8), with the court as proof of the relinquishment. If a defendant fails to timely file a receipt or written statement as described in this paragraph (i):

- (A)** The failure constitutes a class 2 misdemeanor, and the defendant shall be punished as provided in section 18-1.3-501; and
- (B)** The court shall issue a warrant for the defendant's arrest.

(II) In any subsequent prosecution for a violation of this paragraph (i), the court shall take judicial notice of the defendant's failure to file a receipt or written statement, which will constitute prima facie evidence that the

defendant has violated this paragraph (i), and testimony of the clerk of the court or his or her deputy is not required.

(j)

(I) A law enforcement agency that elects in good faith to not store a firearm or ammunition for a defendant pursuant to subsection (8)(b)(II) of this section shall not be held criminally or civilly liable for such election not to act.

(II) A law enforcement agency that returns possession of a firearm or ammunition to a defendant in good faith as permitted by paragraph (f) of this subsection (8) shall not be held criminally or civilly liable for such action.

Section 18-6-803.5. Crime of violation of a protection order - penalty - peace officers' duties – definitions.

(1) A person commits the crime of violation of a protection order if, after the person has been personally served with a protection order that identifies the person as a restrained person or otherwise has acquired from the court or law enforcement personnel actual knowledge of the contents of a protection order that identifies the person as a restrained person, the person:

(c) Violates a civil protection order issued pursuant to section 13-14-105.5, C.R.S., or pursuant to section 18-1-1001 (9) by:

(I) Possessing or attempting to purchase or receive a firearm or ammunition while the protection order is in effect;

(1.5) As used in this section:

(c) "**Restrained person**" means the person identified in the order as the person prohibited from doing the specified act or acts.

Article 12 – Offenses Relating to Firearms and Weapons Part 1 – Firearms and Weapons – General

Section 18-12-101. Definitions – peace officer affirmative defense.

(1) As used in Article 12, unless the context otherwise requires:

(a) "**Adult**" means any person 18 years of age or older.

(b) "**Bomb**" means any explosive or incendiary device or molotov cocktail as defined in section 9-7-103, C.R.S., or any chemical device which causes or can cause an explosion, which is not specifically designed for lawful and legitimate use in the hands of its possessor.

(c) "**Firearm silencer**" means any instrument, attachment, weapon, or appliance for causing the firing of any gun, revolver, pistol, or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

(e.5) "**Handgun**" means a pistol, revolver, or other firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable, or magazine breech, does not exceed 12 inches.

(e.7) "**Juvenile**" means any person under the age of eighteen years.

(g) "**Machine gun**" means any firearm, whatever its size and usual designation that shoots automatically more than one shot, without manual reloading, by a single function of the trigger.

(h) "**Short rifle**" means a rifle having a barrel less than 16 inches long or an overall length of less than 26 inches.

(i) "**Short shotgun**" means a shotgun having a barrel or barrels less than 18 inches long or an overall length of less than 26 inches.

Section 18-12-102. Possessing a dangerous or illegal weapon – affirmative defense.

(1) As used in this section, the term "**dangerous weapon**" means a firearm silencer, machine gun, short shotgun, short rifle, or ballistic knife.

(3) A person who knowingly possesses a dangerous weapon commits a class 5 felony. Each subsequent violation of this subsection (3) by the same person shall be a class 4 felony.

(5) It shall be an affirmative defense to the charge of possessing a dangerous weapon, or to the charge of possessing an illegal weapon, that the person so accused was a peace officer or member of the armed forces of the United States or Colorado National Guard acting in the lawful discharge of his duties, or that said person has a valid permit and license for possession of such weapon.

Section 18-12-103. Possession of a defaced firearm.

A person commits a class 1 misdemeanor if he knowingly and unlawfully possesses a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered, or destroyed, except by normal wear and tear.

Section 18-12-104. Defacing a firearm.

A person commits a class 1 misdemeanor if such person knowingly removes, defaces, covers, alters, or destroys the manufacturer's serial number or any other distinguishing number or identification mark of a firearm.

Section 18-12-105.5. Unlawfully carrying a weapon – unlawful possession of weapons – school, college, or university grounds.

(1) A person commits a class 6 felony if such person knowingly and unlawfully and without legal authority carries, brings, or has in such person's possession a deadly weapon as defined in section 18-1-901 (3) (e) in or on the real estate and all improvements erected thereon of any public or private elementary, middle, junior high, high, or vocational school or any public or private college, university, or seminary, except for the purpose of presenting an authorized public demonstration or exhibition pursuant to instruction in conjunction with an organized school or class, for the purpose of carrying out the necessary duties and functions of an employee of an educational institution that require the use of a deadly weapon, or for the purpose of participation in an authorized extracurricular activity or on an athletic team.

(3) It shall not be an offense under this section if:

(a) The weapon is unloaded and remains inside a motor vehicle while upon the real estate of any public or private college, university, or seminary; or

(b) The person is in that person's own dwelling or place of business or on property owned or under that person's control at the time of the act of carrying; or

(c) The person is in a private automobile or other private means of conveyance and is carrying a weapon for lawful protection of that person's or another's person or property while traveling; or

(d) The person, at the time of carrying a concealed weapon, held a valid written permit to carry a concealed weapon issued pursuant to section 18-12-105.1, as said section existed prior to its repeal; except that it shall be an offense under this section if the person was carrying a concealed handgun in violation of the provisions of section 18-12-214 (3); or

(d.5) The weapon involved was a handgun and the person held a valid permit to carry a concealed handgun or a temporary emergency permit issued pursuant to part 2 of this article; except that it shall be an offense under this section if the person was carrying a concealed handgun in violation of the provisions of section 18-12-214 (3); or

(e) The person is a school resource officer, as defined in section 22-32-109.1 (1) (g.5), C.R.S., or a peace officer, as described in section 16-2.5-101, C.R.S., when carrying a weapon in conformance with the policy of the employing agency as provided in section 16-2.5-101 (2), C.R.S.; or

(h) The person has possession of the weapon for use in an educational program approved by a school which program includes, but shall not be limited to, any course designed for the repair or maintenance of weapons.

Section 18-12-108. Possession of weapons by previous offenders

(1) A person commits the crime of possession of a weapon by a previous offender if the person knowingly possesses, uses, or carries upon his or her person a firearm as described in section 18-1-901 (3) (h) or any other weapon that is subject to the provisions of this article subsequent to the person's conviction for a felony, or subsequent to the person's conviction for attempt or conspiracy to commit a felony, under Colorado or any other state's law or under federal law.

(3) A person commits the crime of possession of a weapon by a previous offender if the person knowingly possesses, uses, or carries upon his or her person a firearm as described in section 18-1-901 (3) (h) or any other weapon that is subject to the provisions of this article subsequent to the person's adjudication for an act which, if committed by an adult, would constitute a felony, or subsequent to the person's adjudication for attempt or conspiracy to commit a felony, under Colorado or any other state's law or under federal law.

Section 18-12-108.5. Possession of handguns by juveniles – prohibited – exceptions – penalty.

(1)

(a) Except as provided in this section, it is unlawful for any person who has not attained the age of 18 years knowingly to have any handgun in such person's possession.

(b) Any person possessing any handgun in violation of paragraph (a) of this subsection (1) commits the offense of illegal possession of a handgun by a juvenile.

(c)

(I) Illegal possession of a handgun by a juvenile is a class 2 misdemeanor.

(II) For any second or subsequent offense, illegal possession of a handgun by a juvenile is a class 5 felony.

(d) Any person under the age of 18 years who is taken into custody by a law enforcement officer for an offense pursuant to this section shall be taken into temporary custody in the manner described in section 19-2-508, C.R.S.

(2) This section shall not apply to:

(a) Any person under the age of 18 years who is:

(I) In attendance at a hunter's safety course or a firearms safety course; or

(II) Engaging in practice in the use of a firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited; or

(III) Engaging in an organized competition involving the use of a firearm or participating in or practicing for a performance by an organized group under 501 (c) (3) as determined by the federal internal revenue service which uses firearms as a part of such performance; or

(IV) Hunting or trapping pursuant to a valid license issued to such person pursuant to article 4 of title 33, C.R.S.; or

(V) Traveling with any handgun in such person's possession being unloaded to or from any activity described in subparagraph (I), (II), (III), or (IV) of this paragraph (a);

(b) Any person under the age of 18 years who is on real property under the control of such person's parent, legal guardian, or grandparent and who has the permission of such person's parent or legal guardian to possess a handgun;

(c) Any person under the age of 18 years who is at such person's residence and who, with the permission of such person's parent or legal guardian, possesses a handgun for the purpose of exercising the rights contained in section 18-1-704 or section 18-1-704.5.

(3) For the purposes of subsection (2) of this section, a handgun is "loaded" if:

(a) There is a cartridge in the chamber of the handgun; or

(b) There is a cartridge in the cylinder of the handgun, if the handgun is a revolver; or

(c) The handgun, and the ammunition for such handgun, is carried on the person of a person under the age of 18 years or is in such close proximity to such person that such person could readily gain access to the handgun and the ammunition and load the handgun.

Section 18-12-108.7. Unlawfully providing or permitting a juvenile to possess a handgun – penalty – unlawfully providing a firearm other than a handgun to a juvenile – penalty.

(1)

(a) Any person who intentionally, knowingly, or recklessly provides a handgun with or without remuneration to any person under the age of 18 years in violation of section 18-12-108.5 or any person who knows of such juvenile's conduct which violates section 18-12-108.5 and fails to make reasonable efforts to prevent such violation commits the crime of unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun.

(2)

(a) Any person who intentionally, knowingly, or recklessly provides a handgun to a juvenile or permits a juvenile to possess a handgun, even though such person is aware of a substantial risk that such juvenile will use a handgun to commit a felony offense, or who, being aware of such substantial risk, fails to make reasonable efforts to prevent the commission of the offense, commits the crime of unlawfully providing or permitting a juvenile to possess a handgun. A person shall be deemed to have violated this paragraph (a) if such person provides a handgun to or permits the possession of a handgun by any juvenile who has been convicted of a crime of violence, as defined in section 18-1.3-406, or any juvenile who has been adjudicated a juvenile delinquent for an offense which would constitute a crime of violence, as defined in section 18-1.3-406, if such juvenile were an adult.

(3) With regard to firearms other than handguns, no person shall sell, rent, or transfer ownership or allow unsupervised possession of a firearm with or without remuneration to any juvenile without the consent of the juvenile's parent or legal guardian. Unlawfully providing a firearm other than a handgun to a juvenile in violation of this subsection (3) is a class 1 misdemeanor.

(4) It shall not be an offense under this section if a person believes that a juvenile will physically harm the person if the person attempts to disarm the juvenile or prevent the juvenile from committing a violation of section 18-12-108.5.

Section 18-12-111. Unlawful purchase of firearms.

(1) Any person who knowingly purchases or otherwise obtains a firearm on behalf of or for transfer to a person who the transferor knows or reasonably should know is ineligible to possess a firearm pursuant to federal or state law commits a class 4 felony.

(2)

(a) Any person who is a licensed dealer, as defined in 18 U.S.C. sec. 921 (a) (11), shall post a sign displaying the provisions of subsection (1) of this section in a manner that is easily readable. The person shall post such sign in an area that is visible to the public at each location from which the person sells firearms to the general public.

(b) Any person who violates any provision of this subsection (2) commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of \$250.

Section 18-12-112. Private firearms transfers – background check required – penalty – definitions.

(1)

(a) On and after July 1, 2013, except as described in subsection (6) of this section, before any person who is not a licensed gun dealer, as defined in section 18-12-506(6), transfers or attempts to transfer possession of a firearm to a transferee, he or she shall:

(I) Require that a background check, in accordance with section 24-33.5-424, C.R.S., be conducted of the prospective transferee; and

(II) Obtain approval of a transfer from the bureau after a background check has been requested by a licensed gun dealer, in accordance with section 24-33.5-424, C.R.S.

(b) As used in this section, unless the context requires otherwise, "transferee" means a person who desires to receive or acquire a firearm from a transferor. If a transferee is not a natural person, then each natural person who is authorized by the transferee to possess the firearm after the transfer shall undergo a background check, as described in paragraph (a) of this subsection (1), before taking possession of the firearm.

(2)

(a) A prospective firearm transferor who is not a licensed gun dealer shall arrange for a licensed gun dealer to obtain the background check required by this section.

(b) A licensed gun dealer who obtains a background check on a prospective transferee shall record the transfer, as provided in section 18-12-402, and retain the records, as provided in section 18-12-403, in the same manner as when conducting a sale, rental, or exchange at retail. The licensed gun dealer shall comply with all state and federal laws, including 18 U.S.C. sec. 922, as if he or she were transferring the firearm from his or her inventory to the prospective transferee.

(c) A licensed gun dealer who obtains a background check for a prospective firearm transferor pursuant to this section shall provide the firearm transferor and transferee a copy of the results of the background check, including the bureau's approval or disapproval of the transfer.

(d) A licensed gun dealer may charge a fee for services rendered pursuant to this section, which fee shall not exceed \$10.

(3)

(a) A prospective firearm transferee under this section shall not accept possession of the firearm unless the prospective firearm transferor has obtained approval of the transfer from the bureau after a background check has been requested by a licensed gun dealer, as described in paragraph (b) of subsection (1) of this section.

(b) A prospective firearm transferee shall not knowingly provide false information to a prospective firearm transferor or to a licensed gun dealer for the purpose of acquiring a firearm.

(4) If the bureau approves a transfer of a firearm pursuant to this section, the approval shall be valid for thirty calendar days, during which time the transferor and transferee may complete the transfer.

(5) A person who transfers a firearm in violation of the provisions of this section may be jointly and severally liable for any civil damages proximately caused by the transferee's subsequent use of the firearm.

(6) The provisions of this section do not apply to:

- (a) A transfer of an antique firearm, as defined in 18 U.S.C. sec. 921(a) (16), as amended, or a curio or relic, as defined in 27 CFR 478.11, as amended;
- (b) A transfer that is a bona fide gift or loan between immediate family members, which are limited to spouses, parents, children, siblings, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles;
- (c) A transfer that occurs by operation of law or because of the death of a person for whom the prospective transferor is an executor or administrator of an estate or a trustee of a trust created in a will;
- (d) A transfer that is temporary and occurs while in the home of the unlicensed transferee if:
- (I) The unlicensed transferee is not prohibited from possessing firearms; and
 - (II) The unlicensed transferee reasonably believes that possession of the firearm is necessary to prevent imminent death or serious bodily injury to the unlicensed transferee;
- (e) A temporary transfer of possession without transfer of ownership or a title to ownership, which transfer takes place:
- (I) At a shooting range located in or on premises owned or occupied by a duly incorporated organization organized for conservation purposes or to foster proficiency in firearms;
 - (II) At a target firearm shooting competition under the auspices of, or approved by, a state agency or a nonprofit organization; or
 - (III) While hunting, fishing, target shooting, or trapping if:
 - (A) The hunting, fishing, target shooting, or trapping is legal in all places where the unlicensed transferee possesses the firearm; and
 - (B) The unlicensed transferee holds any license or permit that is required for such hunting, fishing, target shooting, or trapping;
- (f) A transfer of a firearm that is made to facilitate the repair or maintenance of the firearm; except that this paragraph (f) does not apply unless all parties who possess the firearm as a result of the transfer may legally possess a firearm;
- (g) Any temporary transfer that occurs while in the continuous presence of the owner of the firearm;
- (h) A temporary transfer for not more than 72 hours. A person who transfers a firearm pursuant to this paragraph (h) may be jointly and severally liable for damages proximately caused by the transferee's subsequent unlawful use of the firearm; or
- (i) A transfer of a firearm from a person serving in the armed forces of the United States who will be deployed outside of the United States within the next thirty days to any immediate family member, which is limited to a spouse, parent, child, sibling, grandparent, grandchild, niece, nephew, first cousin, aunt, and uncle of the person.
- (7) For purposes of paragraph (f) of subsection (6) of this section:
- (a) An owner, manager, or employee of a business that repairs or maintains firearms may rely upon a transferor's statement that he or she may legally possess a firearm unless the owner, manager, or employee has actual knowledge to the contrary and may return possession of the firearm to the transferor upon completion of the repairs or maintenance without a background check;
 - (b) Unless a transferor of a firearm has actual knowledge to the contrary, the transferor may rely upon the statement of an owner, manager, or employee of a business that repairs or maintains firearms that no owner, manager, or employee of the business is prohibited from possessing a firearm.
- (8) Nothing in subsection (6) of this section shall be interpreted to limit or otherwise alter the applicability of section 18-12-111 concerning the unlawful purchase or transfer of firearms.

Part 3 – Large-Capacity Ammunition Magazines

Section 18-12-301. Definitions.

As used in this part 3, unless the context otherwise requires:

- (1) **"Bureau"** means the Colorado bureau of investigation created and existing pursuant to section 24-33.5-401, C.R.S.
- (2)
- (a) **"Large-capacity magazine" means:**
- (I) A fixed or detachable magazine, box, drum, feed strip, or similar device capable of accepting, or that is designed to be readily converted to accept, more than fifteen rounds of ammunition;

(II) A fixed, tubular shotgun magazine that holds more than twenty-eight inches of shotgun shells, including any extension device that is attached to the magazine and holds additional shotgun shells; or

(III) A nontubular, detachable magazine, box, drum, feed strip, or similar device that is capable of accepting more than eight shotgun shells when combined with a fixed magazine.

(b) "Large-capacity magazine" does not mean:

(I) A feeding device that has been permanently altered so that it cannot accommodate more than fifteen rounds of ammunition;

(II) An attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition; or

(III) A tubular magazine that is contained in a lever-action firearm.

Section 18-12-302. Large-capacity magazines prohibited - penalties - exceptions

(2)

(a) A person may possess a large-capacity magazine if he or she:

(I) Owns the large-capacity magazine on July 1, 2013; and

(II) Maintains continuous possession of the large-capacity magazine.

(b) If a person who is alleged to have violated subsection (1) of this section asserts that he or she is permitted to legally possess a large-capacity magazine pursuant to paragraph (a) of this subsection (2), the prosecution has the burden of proof to refute the assertion.

(3) The offense described in subsection (1) of this section shall not apply to:

(a) An entity, or any employee thereof engaged in his or her employment duties, that manufactures large-capacity magazines within Colorado exclusively for transfer to, or any licensed gun dealer, as defined in section 18-12-506 (6), or any employee thereof engaged in his or her official employment duties, that sells large-capacity magazines exclusively to:

(I) A branch of the armed forces of the United States;

(II) A department, agency, or political subdivision of the state of Colorado, or of any other state, or of the United States government;

(III) A firearms retailer for the purpose of firearms sales conducted outside the state;

(IV) A foreign national government that has been approved for such transfers by the United States government; or

(V) An out-of-state transferee who may legally possess a large-capacity magazine; or

(b) An employee of any of the following agencies who bears a firearm in the course of his or her official duties:

(I) A branch of the armed forces of the United States; or

(II) A department, agency, or political subdivision of the state of Colorado, or of any other state, or of the United States government; or

(c) A person who possesses the magazine for the sole purpose of transporting the magazine to an out-of-state entity on behalf of a manufacturer of large-capacity magazines within Colorado.

Part 4 – Firearms – Dealers

Section 18-12-401. Definitions.

As used in this part 4, unless the context otherwise requires:

(1)

(a) "**Firearms**" means a pistol, revolver, or other weapon of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable, or magazine breech, does not exceed twelve inches.

(b) "**Firearms**" does not include firearms, as defined in subsection (1)(a) of this section, for which ammunition is not sold or which there is reasonable ground for believing are not capable of being effectually used.

Section 18-12-402. Retail dealers – record – inspection.

Every individual, firm, or corporation engaged, within this state, in the retail sale, rental, or exchange of firearms, pistols, or revolvers shall keep a record of each pistol or revolver sold, rented, or exchanged at retail. The record must be made at the time of the transaction in a book kept for that purpose and must include the name of the person to whom the pistol or revolver is sold or rented or with whom exchanged; his or her age, occupation, residence, and, if residing in a city, the street and number therein where he or she resides; the make, caliber, and finish of said pistol or revolver, together with its number and serial letter, if any; the date of the sale, rental, or exchange of said pistol or revolver; and the name of the employee or other person making such sale, rental, or exchange. The record book shall be open at all times to the inspection of any duly authorized police officer.

Part 5 – Background Checks – Gun Shows

Section 18-12-501. Background checks at gun shows – penalty.

(1) Before a gun show vendor transfers or attempts to transfer a firearm at a gun show, he or she shall:

(a) Require that a background check, in accordance with section 24-33.5-424, be conducted of the prospective transferee; and

(b) Obtain approval of a transfer from the Colorado bureau of investigation after a background check has been requested by a licensed gun dealer, in accordance with section 24-33.5-424.

(2) A gun show promoter shall arrange for the services of one or more licensed gun dealers on the premises of the gun show to obtain the background checks required by this part 5.

(3) If any part of a firearm transaction takes place at a gun show, no firearm shall be transferred unless a background check has been obtained by a licensed gun dealer.

(4) Any person violating the provisions of this section commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501.

Section 18-12-502. Records – penalty.

(1) A licensed gun dealer who obtains a background check on a prospective transferee shall record the transfer, as provided in section 18-12-402, and retain the records, as provided in section 18-12-403, in the same manner as when conducting a sale, rental, or exchange at retail.

(2) Any individual who gives false information in connection with the making of such records commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501.

Section 18-12-505. Exemption.

The provisions of this part 5 shall not apply to the transfer of an antique firearm, as defined in 18 U.S.C. sec. 921(a)(16), as amended, or a curio or relic, as defined in 27 CFR sec. 178.11, as amended.

Section 18-12-506. Definitions.

As used in this part 5, unless the context otherwise requires:

(1) **"Collection"** means a trade, barter, or in-kind exchange for one or more firearms.

(2) **"Firearm"** means any handgun, automatic, revolver, pistol, rifle, shotgun, or other instrument or device capable or intended to be capable of discharging bullets, cartridges, or other explosive charges.

(3) **"Gun show"** means the entire premises provided for an event or function, including but not limited to parking areas for the event or function, that is sponsored to facilitate, in whole or in part, the purchase, sale, offer for sale, or collection of firearms at which:

(a) Twenty-five or more firearms are offered or exhibited for sale, transfer, or exchange; or

(b) Not less than three gun show vendors exhibit, sell, offer for sale, transfer, or exchange firearms.

(4) **"Gun show promoter"** means a person who organizes or operates a gun show.

(5) **"Gun show vendor"** means any person who exhibits, sells, offers for sale, transfers, or exchanges, any firearm at a gun show, regardless of whether the person arranges with a gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange any firearm.

(6) **"Licensed gun dealer"** means any person who is a licensed importer, licensed manufacturer, or dealer licensed pursuant to 18 U.S.C. sec. 923, as amended, as a federally licensed firearms dealer.

Article 11.7 – Regulation of Firearms

Section 29-11.7-103. Regulation – type of firearm – prohibited.

A local government may not enact an ordinance, regulation, or other law that prohibits the sale, purchase, or possession of a firearm that a person may lawfully sell, purchase, or possess under state or federal law. Any such ordinance, regulation, or other law enacted by a local government prior to March 18, 2003, is void and unenforceable.

Akron Code of Ordinances

Current through Ordinance 551, passed May 7, 2018.

Title 6 – Police and Public Safety

Article B – Offenses Against Public Peace and Safety

Section 6-5B-11. Weapons.

C. Selling weapons to intoxicated persons:

1. It is unlawful for any person, firm or corporation to purchase, sell, loan or furnish any gun, pistol, or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.
2. Further, such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the town to such person, firm or corporation.

Alamosa Code of Ordinances

Current through Ordinance 26-2019, adopted October 16, 2019. (Supplement 31)

Chapter 10 – Licenses and Business Regulations

Article VI – Secondhand Dealers

Section 10.161. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Purchase means giving money to acquire any secondhand property, taking secondhand property in full or partial satisfaction of a debt, taking secondhand property for resale for the purpose of full or partial satisfaction of a debt, or taking secondhand property for sale on consignment.

Secondhand dealer means any person or entity who shall engage in the business of buying, selling or trading secondhand property, or any person who operates a store for the purpose of buying, selling or trading secondhand property, or any person who has repeatedly engaged in the buying, selling or trading of secondhand property.

The term secondhand dealer shall not include:

- (1) A person or organization which is charitable, non-profit, recreational, fraternal, or political in nature or which is exempt from taxation pursuant to section 501(c)(3) of the federal Internal Revenue Code of 1986, as amended;
- (2) A person selling or trading secondhand property so long as such property was not originally purchased for resale and so long as such person does not sell or trade secondhand property more than five (5) weekend periods on any one calendar year as verified by a declaration to be prepared by the seller. For the purposes of this paragraph, "weekend period" means that period of time beginning Friday and continuing throughout the immediately following Monday.
- (3) A person who sells new goods exclusively, is in the business of selling such goods, is in all respects a retailer of such goods, and holds a retail license and a sales tax license in the city.
- (4) An antique dealer who sells antiques, has a retail license and sales tax license in the city.

Secondhand property means used or previously sold (other than at wholesale) cameras, ..., firearms, bows, jewelry, watches, furs, typewriters, adding machines, computers and computer equipment, portable air conditioners, sewing machines, bicycles and all bicycle equipment. Secondhand property shall also include all used or previously sold items marked, or which were at one time marked, with a serial or manufacturer's identification number and with a value of thirty dollars (\$30.00) or more except for stoves, ovens, ranges, dishwashers, refrigerators, boats, airplanes, washing machines, clothes dryers, normal household furniture, freezers, motor vehicles, snowmobiles, all terrain vehicles and any other item which weighs more than six hundred (600) pounds.

Section 10.163. License required.

It shall be unlawful for any secondhand dealer to operate or to sell, purchase or trade secondhand property without holding a valid secondhand dealer license.

Alma Code of Ordinance

Current through Ordinance 2019-01, adopted July 2, 2019. (Supplement 4)

Chapter 10 – General Offenses

Article 8 – Weapons

Section 10.8-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section;

Section 10.8-50. Selling weapons to intoxicated persons or minors.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Antonio Code of Ordinance

Current through Ordinance 17-02, enacted June 8, 2017. (Supplement 1)

Chapter 10 – General Offenses

Article 8 – Weapons

Section 10.8-10. Definitions.

As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Firearm means any instrument used in the propulsion of shot, slugs, shells, bullets or other objects or projectiles capable of inflicting pain, bodily injury or property damage, by the action of gunpowder, exploded or burned within it, by the action of compressed air within it, or by the power or action of springs, and including what are commonly known as air rifles, air pistols and BB guns.

Section 10.8-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance.

Section 10.8-50. Selling weapons to intoxicated persons or minors.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Aurora Code of Ordinances

Current through Ordinance 2019-83, enacted November 4, 2019. (Supplement 71)

Chapter 86 – Licenses

Article V – Special Business Licenses – Class 2

Division 5 – Secondhand Dealer License

Section 86-511. Definitions.

Except as otherwise indicated by the context, the following words and phrases shall have the following meanings for purposes of this division:

Secondhand dealer means any person whose principal business is that of engaging in selling or trading secondhand property. The term "secondhand dealer" also includes any person whose principal business is not that of engaging in selling or trading secondhand property, but:

- (1) Who sells or trades secondhand property through means commonly known as flea markets or any similar facilities in which secondhand property is offered for sale or trade;
- (2) Who sells or trades secondhand property from a nonpermanent location, including, but not limited to, any booth used on a temporary basis at a flea market or any similar facility; or
- (3) Who purchases for resale any secondhand property, the sale or trade of which equals or exceeds \$30.00 in value per item or which carries a manufacturer number, serial number, or other identifying mark.

The term "**secondhand dealer**" does not include:

- (1) A person selling or trading secondhand property so long as such property was not originally purchased for resale and so long as such person does not sell or trade secondhand property more than five weekend periods in any one calendar year, as verified by a declaration to be prepared by the seller. For the purposes of this subsection, "weekend period" means Friday through the immediately following Monday;
- (2) A person doing a regularly organized wholesale or jobbing business and known to the trade as such and selling to retail merchants, jobbers, dealers, or other wholesalers for the purpose of resale, known as "wholesalers," and who is selling or trading secondhand property in a location which is a permanent storefront location, unless such property carries a manufacturer number or serial number;
- (3) A person or organization selling or trading secondhand property at an exhibition or show which is intended to display and advertise a particular commodity or class of products, including, but not limited to, antique exhibitions, firearm exhibitions, home and garden shows, and recreational vehicle shows;
- (4) A person or organization which is charitable, nonprofit, recreational, fraternal, or political in nature or which is exempt from taxation pursuant to section 501(c)(3) of the Federal Internal Revenue Code of 1986, as amended;
- (6) A person who sells new goods exclusively, is in the business of selling such goods, is in all respects a retailer of such goods, and holds a valid retail seller's license issued by the city;
- (7) An antique dealer who sells antiques, has a valid retail seller's license issued by the city, and sells such antiques from a permanent storefront location; or
- (9) A person who is a retailer or a wholesaler as defined in section 130-31 of the City Code, and is selling or trading secondhand property in a location which is a permanent storefront location, unless such property carries a manufacturer or serial number.

Secondhand property means the following items of tangible personal property sold or traded by a secondhand dealer:

- (2) Tools, guns, jewelry, coins, luggage, boots, furs, and sporting equipment, including, but not limited to, skis, ski poles, ski bindings, and golf clubs;

Section 86-512. License required.

- (a) No secondhand dealer shall be permitted to operate in the city without a valid secondhand dealer license.
- (b) Any person in possession of a valid pawnbroker license issued pursuant to division 4 of this article is not required to obtain a secondhand dealer license under this division in order to sell secondhand property from his or her licensed pawnbroker business.

Chapter 94 – Offenses and Miscellaneous Provisions Article IV – Offenses Against Public Peace and Safety Division 2 – Weapons

Section 94-141. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Firearm means any handgun, semiautomatic, revolver, pistol, rifle, shotgun, or other instrument or device capable or intended to be capable of discharging shots, bullets, cartridges, or other explosive charges.

Restricted ammunition means any caliber projectile which is coated or treated with Teflon or similar type synthetic chemical compound. This definition includes projectiles commonly known as the KTW bullets.

Section 94-142. Unlawful sales, loans or furnishing of firearms.

It shall be unlawful for any person to sell, loan or furnish any firearm in which any explosive substance can be used to any person under the influence of intoxicating liquor or of a controlled substance, as defined in Section 12-22-303, C.R.S. Such unlawful sale, loan or furnishing shall be grounds for revocation of any license issued by the city to such person.

Section 94-147. Possession of defaced weapon.

It shall be unlawful for any person to knowingly possess a firearm, the manufacturer's serial number of which or other distinguishing number or identification mark has been removed, defaced, altered, or destroyed, except by normal wear and tear.

Section 94-149. Unlawful sale and possession of restricted ammunition.

It shall be unlawful to sell or possess any restricted ammunition.

Section 94-150. Possession under the influence of intoxicants.

It shall be unlawful for any person to have in his or her possession any firearm while the person is under the influence of a controlled substance, as defined in C.R.S. 18-18-102(5), or of intoxicating liquor.

Black Hawk Code of Ordinances

Current through Ordinance 2019-29, adopted December 11, 2019. (Supplement 23)

**Chapter 10 – General Offenses
Article IX – Weapons**

Section 10.161. Definitions.

For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Firearm means any pistol, revolver, self-loading pistol, rifle, shotgun or any other device designed to shoot, project, throw or hurl a projectile or projectiles by means of the explosion of gunpowder or other explosive substance.

Section 10.164. Furnishing to certain persons prohibited.

It shall be unlawful for any person to purchase, sell, loan or furnish any gun, pistol, rifle, shotgun or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor person under the age of eighteen (18) years.

Blanca Code of Ordinances

Current through Ordinance 142, enacted February 1, 2017. (Supplement 2)

**Chapter 10 – General Offenses
Article 9 – Weapons**

Section 10.9-10. Definitions.

As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Firearm means and include any pistol, revolver, self-loading pistol, rifle, shotgun or any other device designed to shoot, project, throw or hurl a projectile or projectiles by means of the explosion of gunpowder or other explosive substance.

Section 10.9-80. Selling weapons to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of 18 years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Section 10.9-100. Prohibited use of weapons.

A person commits an offense if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance.

Blue River Code of Ordinances

Current through Ordinance 19-03, adopted August 20, 2019. (Supplement 15)

Chapter 10 – General Offenses
Article VIII – Weapons

Section 10.8-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section;

Section 10.8-50. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Boulder Code of Ordinances

Current through Amendment of February 18, 2020. (Supplement 144, Update 1)

Title 5 – General Offenses

Chapter 8 – Weapons

Section 5-8-2. Definitions.

The following terms used in this chapter have the following meanings unless the context clearly requires otherwise:

About the person means sufficiently close to the person to be readily accessible for immediate use.

Assault weapon means:

(a) All semi-automatic center-fire rifles that have the capacity to accept a detachable magazine and that have any of the following characteristics:

- (1) A pistol grip or thumbhole stock;
- (2) A folding or telescoping stock; or
- (3) Any protruding grip or other device to allow the weapon to be stabilized with the non-trigger hand.

(b) All semi-automatic center-fire pistols that have any of the following characteristics:

- (1) Have the capacity to accept a magazine other than in the pistol grip; or
- (2) Have a secondary protruding grip or other device to allow the weapon to be stabilized with the non-trigger hand.

(c) All semi-automatic shotguns that have any of the following characteristics:

- (1) A pistol grip or thumbhole stock;
- (2) Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;
- (3) A folding or telescoping stock;
- (4) A fixed magazine capacity in excess of five rounds; or
- (5) The capacity to accept a detachable magazine.

(d) Any firearm which has been modified to be operable as an assault weapon as defined herein.

(e) Any part or combination of parts designed or intended to convert a firearm into an assault weapon, including any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person.

Illegal weapon means an assault weapon, large-capacity magazine, multi-burst trigger activator, blackjack, gas gun, metallic knuckles, gravity knife or switchblade knife.

Large-capacity magazine means any ammunition feeding device with the capacity to accept more than ten rounds, but shall not be construed to include any of the following:

- (a) feeding device that has been permanently altered so that it cannot accommodate more than ten rounds.

(b) 22-caliber tube rim-fire ammunition feeding device.

(c) tubular magazine that is contained in a lever-action firearm.

(d) A pistol magazine designed to fit into a pistol grip that has a capacity to hold no more than fifteen rounds.

Locked container means a secure container which is enclosed on all sides and locked by a padlock, key lock, combination lock, or similar device.

Minor means a person under twenty-one years of age.

Multi-burst trigger activator means:

(a) device that attaches to a firearm to allow the firearm to discharge two or more shots in a burst when the device is activated; or

(b) A manual or power-driven trigger-activating device that, when attached to a firearm increases the rate of fire of that firearm.

Pistol grip means a grip that protrudes conspicuously beneath the action of the weapon and that allows for a pistol style grasp in which the web of the trigger hand (between the thumb and index finger) can be placed below the top of the exposed portion of the trigger while firing.

Provide means to give, lend, sell, or otherwise place in an unsecured location where a minor or other unauthorized or incompetent person could foreseeably gain access to a firearm.

Semi-automatic means a firearm that fires a single round for each pull of the trigger and automatically chambers a new round immediately after a round is fired.

Section 5-8-10. Possession and sale of illegal weapons.

(a) No person shall knowingly possess or sell or otherwise transfer an illegal weapon.

(b) The defendant's knowledge that the weapon was illegal is not an aspect of knowledge required for violation of this section.

(c) Nothing in this section shall be construed to forbid any person:

(1) Holding a Federal Firearms License issued by the United States Government from possession of any firearm authorized pursuant to such license;

(2) From possessing a weapon for which the United States Government has issued a stamp or permit pursuant to the National Firearms Act;

(3) Selling an illegal weapon to a person identified in Section 5-8-25, "Exemptions from this Chapter," B.R.C. 1981.

(d) Nothing in this section shall be deemed to apply to any firearm that has been modified either to render it permanently inoperable or to permanently make it not an assault weapon.

(e) Nothing in this section shall be deemed to restrict a person's ability to travel with a weapon in a private automobile or other private means of conveyance for hunting, for lawful protection of a person's or another's person or property or for competition, while traveling into, through, or within, the City of Boulder, regardless of the number of times the person stops in the City of Boulder.

Section 5-8-11. Possessing firearm while intoxicated.

No person shall possess a firearm while such person's ability is impaired by intoxicating liquor, as defined by state law, or a controlled substance, as defined by state law.

Section 5-8-12. Providing Firearm to intoxicated persons or minors.

No person shall provide any firearm to any person whose ability is impaired by intoxicating liquor, as defined by state law, or any controlled substance, as defined by state law; or to any person in a condition of agitation and excitability; or to any minor unless the person providing the firearm has obtained the consent of the minor's parent or legal guardian.

Knowledge of the minor's age shall not be an element of this offense.

Section 5-8-16. Possession of firearm by minor prohibited.

(a) No minor shall knowingly possess a firearm.

(b) This section does not apply to a second or subsequent offense by the minor if the firearm in both instances was a handgun, or if the possession is otherwise a felony under state law.

(c) It is a specific defense to a charge of violating this section that the minor was, with the consent of his or her parent or legal guardian:

- (1) In attendance at a hunter's safety course or a firearms safety course;
- (2) Engaging in practice in the use of a firearm or target shooting in an area designated as a target range by the city manager under Section 5-8-26, "City Manager May Designate Target Ranges," B.R.C. 1981, for the type of weapon involved;
- (3) Engaging in an organized competition involving the use of a firearm or participating in or practicing for a performance by an organized group exempt from payment of income tax under 26 U.S.C. §501(c)(3) as determined by the federal internal revenue service which uses firearms as a part of such performance;
- (4) Hunting or trapping pursuant to a valid license issued to such person pursuant to article 4 of title 33, C.R.S.;
- (5) Traveling with an unloaded firearm in such minor's possession to or from any activity described in Paragraph (c)(1), (c)(2), (c)(3) or (c)(4) of this section or to or from an established range authorized by the governing body of the jurisdiction in which such range is located or any other area outside the city where target practice is legal and the minor has permission from the landowner for such practice;
- (6) Possessing a firearm at such minor's residence for the purpose of exercising the rights contained in § 18-1-704 or 18-1-704.5, C.R.S.; and
- (7) For the purposes of Paragraph (c)(5) of this section, a firearm is loaded if:
 - (A) There is a cartridge in the chamber or cylinder of the firearm or in a clip in the firearm; or
 - (B) The firearm, and the ammunition for such firearm, is carried on the person of the minor or is in such close proximity to the minor that the minor could readily gain access to the firearm and the ammunition and load the firearm.

Section 5-8-17. Providing rifle or shotgun to minor prohibited.

- (a) No person shall provide a rifle or shotgun with or without remuneration to any minor under circumstances which cause the minor to be in violation of Section 5-8-16, "Possession of Firearm by Minor Prohibited," B.R.C. 1981. Knowledge of the minor's age shall not be an element of this offense.
- (b) No parent or legal guardian of a minor shall provide a rifle or shotgun to the minor for any purpose or shall permit the minor to possess a rifle or shotgun for any purpose if the parent or guardian has actual or constructive knowledge of a substantial risk that the minor will use the rifle or shotgun to violate a federal, state or local law.
- (c) No parent or legal guardian of a minor shall provide a rifle or shotgun to, or permit the minor to possess a rifle or shotgun, for any purpose, if the minor has been convicted of a crime of violence, as defined in § 16-11-309, C.R.S., or if the minor has been adjudicated a juvenile delinquent for an act which would have constituted a crime of violence, as so defined, if committed by an adult.
- (d) It is a specific defense to a charge of violating this section by providing a firearm that had been stolen from the defendant either by the minor or by another person who subsequently provided the firearm to the minor.

Section 5-8-18. Unlawful storage of assault weapons.

- (a) No person shall store, control or possess any assault weapon within any premises of which that person has an ownership interest, custody or control, in such a manner that the person knows, or has constructive knowledge, that a minor is likely to gain possession of the assault weapon and in fact does obtain possession of the assault weapon.
- (b) It is a specific defense to a charge or violation of this section that:
 - (1) The assault weapon was located within a room or closet from which all minors were excluded by locks; or
 - (2) The assault weapon was stored in a locked container.
- (c) It is an affirmative defense to civil negligence liability that the assault weapon was stored in a locked container.

Section 5-8-19. Unlawful storage of firearms where there is personal injury.

- (a) No person shall store, control or possess any firearm within any premises of which that person has an ownership interest, custody or control, in such manner that the person knows, or has constructive knowledge, that a minor is likely to gain possession of the firearm and in fact does obtain control of the firearm and either injures or kills himself or herself or another person with the firearm or uses the firearm in violation of federal, state or local law.
- (b) It is a specific defense to a charge of violation of this section that:
 - (1) The firearm was located within a room or closet from which all minors were excluded by locks; or
 - (2) The firearm was stored in a locked container.
- (c) It is an affirmative defense to civil negligence liability that the firearm was stored in a locked container.

(d) It is an affirmative defense that the firearm was used by a minor at such minor's residence with the permission of the minor's parent or legal guardian, for the purpose of exercising the rights contained in § 18-1-704 or 18-1-704.5, C.R.S.

Section 5-8-28. Assault weapons.

(a) Any person who, prior to June 15, 2018, was legally in possession of an assault weapon or large capacity magazine shall have until December 31, 2018 to do any of the following without being subject to prosecution:

- (1)** Remove the assault weapon or large capacity magazine from the City of Boulder;
- (2)** Render the assault weapon permanently inoperable;
- (3)** Surrender the assault weapon or large capacity magazine to the Boulder Police Department for destruction; or
- (4)** If eligible, obtain a certificate for the assault weapon as provided in subsection (c).

(b) Any person who, prior to June 15, 2018, was legally in possession of multi-burst trigger activator shall have until July 15, 2018 to do any of the following without being subject to prosecution:

- (1)** Remove the multi-burst trigger activator from the City of Boulder; or
- (2)** Surrender the multi-burst trigger activator to the Boulder Police Department for destruction.

(c) Any person seeking to certify an assault weapon that he or she legally possessed prior to June 15, 2018 must comply with the following requirements:

- (1)** Submit to a background check conducted by the appropriate law enforcement agency to confirm that he or she is not prohibited to possess a firearm pursuant to 18 U.S.C. § 922 or C.R.S. § 18-12-108;
- (2)** Prior to December 31, 2018 apply for a certificate for the assault weapon from the Boulder Police Department;
- (3)** No person prohibited by state or federal law from possessing a firearm shall be issued a certificate.

(d) Any person issued a certificate shall:

- (1)** Safely and securely store the assault weapon pursuant to the regulations adopted by the appropriate law enforcement agency;
- (2)** Possess the assault weapon only on property owned or immediately controlled by the person, or while on the premises of a licensed gunsmith for the purpose of lawful repair, or while engaged in the legal use of the assault weapon at a duly licensed firing range, or while traveling to or from these locations, provided that the assault weapon is stored unloaded in a locked container during transport. The term "locked container" does not include the utility compartment, glove compartment, or trunk of a motor vehicle; and
- (3)** Report the loss or theft of a certified assault weapon to the appropriate law enforcement agency within 48 hours of the time the discovery was made or should have been made.

(e) If a certified assault weapon is used in the commission of a crime, the owner shall be civilly liable for any damages resulting from that crime. The liability imposed by this subsection shall not apply if the assault weapon was stolen and the certified owner reported the theft of the firearm to law enforcement within 48 hours of the time the discovery was made or should have been made.

(f) Certified assault weapons may not be purchased, sold or transferred in the City of Boulder, except for transfer to a licensed gunsmith for the purpose of lawful repair, or transfer to the appropriate law enforcement agency for the purpose of surrendering the assault weapon for destruction.

(g) Persons acquiring an assault weapon by inheritance, bequest, or succession shall, within 90 days of acquiring title, do one of the following:

- (1)** Modify the assault weapon to render it permanently inoperable;
- (2)** Surrender the assault weapon to the Boulder Police Department for destruction;
- (3)** Transfer the assault weapon to a firearms dealer who is properly licensed under federal, state and local laws; or
- (4)** Permanently remove the assault weapon from the City of Boulder.

(h) The owner of a certified assault weapon may not possess in the City of Boulder any assault weapons purchased after June 15, 2018.

(i) The city manager shall charge a fee for each certificate sufficient to cover the costs of administering the certificate program.

(j) The city manager shall issue to qualified applicants two original copies of each certificate issued. The City of Boulder shall not maintain any records of certificates issued. The person receiving the certificate shall keep one copy with the weapon certified and the second copy in a secure place to replace the certificate maintained with the weapon.

Bow Mar Code of Ordinances

Current through Ordinance 329, adopted May 18, 2020. (Supplement 6, Update 2)

Chapter 10 – General Offenses Article VIII – Offenses Relating to Weapons

Section 10.175. Furnishing to certain persons prohibited.

It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol, rifle, shotgun or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor person under the age of eighteen (18) years.

Breckenridge Code of Ordinances

Current through Ordinance 38, Series 2019, passed December 10, 2019.

Title 6 – Police Regulations Chapter 3 – General Offenses

Section 6-3-5. Definitions.

Deadly Weapon: Any firearm, whether loaded or unloaded, knife, bludgeon, or other weapon, device, instrument, material or substance, whether animate or inanimate, which in a manner it is used or intended to be used is capable of producing death or serious bodily injury.

Firearm: Any instrument used in the propulsion of shot, slug, shell or bullets or other objects or projectiles capable of inflicting pain, bodily injury or property damage, by the action of gunpowder exploded or burned within it, or by the power or action of springs, and including what are commonly known as air rifles, air pistols, and BB guns.

Article E – Offenses Relating to Weapons Section 6-3E-6. Selling weapons to intoxicated persons.

It shall be unlawful for any person to purchase, sell, loan or furnish any dangerous or deadly weapon to any person intoxicated or under the influence of alcohol or any narcotic or dangerous drug or glue.

Brighton Land Use

Current through Ordinance 2299, adopted December 4, 2018. (Republication)

Article 4 – Zoning District and Uses

Section 4.03. Accessory uses

In addition to the general use and development standards applicable to all districts, permitted uses may include other accessory uses. This section provides basic performance standards for all accessory uses and some specific standards for particular accessory uses.

C. Home Occupation. Home occupations shall meet all of the following standards:

14. Specific home occupations conditions:

c. Firearms sales shall submit with their license a statement verifying the following:

- (1)** No firearms, ammunition, or accessories shall be sold or offered for sale on the premises;
- (2)** The exchange of firearms shall only be conducted at gun shows, pursuant to all applicable firearms laws and regulations.
- (3)** No firearms, ammunition, parts or supplies related to the home occupation shall be kept on the premises, except those kept for the private use of the permit holder and unrelated to the business.
- (4)** No repair, service or gunsmithing shall be conducted.

(5) In the event that federal or state law prohibits the exchange of firearms merchandise outside of the dwelling in which the home occupation is conducted, any permit for firearms sales shall become void. Broomfield (City and County) Code of Ordinances

Current through Ordinance 2125, adopted May 26, 2020. (Supplement 47, Update 3)

Title 5 – Business Taxes, Licenses and Regulations

Chapter 5-38 – Secondhand Dealers and Pawnbrokers

Section 5-38-010. Definitions.

The following definitions apply for the purposes of this chapter:

(B) Secondhand dealer means any person whose business is that of engaging in selling or trading secondhand property, or whose business is selling new goods, but who buys and sells secondhand articles, goods, wares or merchandise of the same type of class as the new goods sold. The term also includes any person whose business is not that of engaging in selling or trading secondhand property but who sells or trades secondhand property through means commonly known as flea markets or any similar facilities in which secondhand property is offered for sale or trade or who sells or trades secondhand property from a nonpermanent location. The term does not include:

- (1)** A person or organization selling or trading secondhand property at an exhibition or show which is intended to display a particular commodity or class of products, including, but not limited to, antique exhibitions, firearm exhibitions, home and garden shows, and recreational vehicle shows; excluding, however, precious or semiprecious metal, or stone, or gold or silver shows.
- (2)** A person or organization which is charitable, nonprofit, recreational, fraternal, or political in nature or which is exempt from taxation pursuant to Section 501(C)(3) of the Internal Revenue Code of 1954, as amended.
- (3)** Private collectors purchasing collectors' items from other private collectors or businesses engaged in selling valuable articles exclusively as collectors' items, and who pay for such purchases by check.
- (4)** A person selling or trading secondhand property so long as such property was not originally purchased for resale and so long as such person does not sell or trade secondhand property more than five weekend periods in any one calendar year, as verified by a declaration to be prepared by the seller. For the purposes of this paragraph (4), weekend period means Friday through the immediately following Monday.
- (5)** Antique dealers who sell antiques, have a retail license and sales tax license in the city, and sell such antiques from a permanent storefront location.
- (6)** A person who is a retailer or wholesaler as defined in Title 39 of the C.R.S., and who is selling or trading (but not buying) secondhand property in a location which is a permanent storefront location, unless such property carries a manufacture or serial number.

(C) Secondhand property means the following items of tangible personal property sold or traded by a secondhand dealer:

- (3)** Skis, ..., guns, jewelry, precious or semiprecious metals or stones, coins, luggage, boots, and furs.

Section 5-38-020. Secondhand articles to be held ten days before sale.

No secondhand dealer shall offer for sale, or sell or dispose of, any article within ten days of the time of purchasing it, nor until it has been in or upon the premises where it will be offered or sold at least ten days.

Section 5-38-050. Sales tax license.

(A) Every secondhand dealer shall obtain a sales tax license as provided in chapter 3-04, B.M.C.

(B) Every secondhand dealer or any person who is a dealer of new goods who is a retailer and sells such goods at a flea market or similar facility or any nonpermanent location shall keep and preserve suitable records of sales made by him or her and such other books or accounts as may be necessary to determine the amount of tax for the collection of which is liable under chapter 3-04, B.M.C. It is the duty of every such person to keep and preserve for a period of three years all invoices of goods and merchandise purchased for resale and all such books, invoices, and other records shall be open for examination at any time by the finance director or his or her duly authorized agent, or any Broomfield police officer.

(C) It shall be unlawful for any secondhand dealer or operator of a flea market or similar facility to violate any of the provisions of this section.

Title 9 – Public Peace, Morals and Welfare VIII – Weapons Chapter 9-72 – Weapons

Section 9-72-060. Furnishing weapon to intoxicated persons or minors.

It is unlawful for any person to sell, loan, or furnish any illegal weapon, firearm, gas or mechanically operated gun, knife, nunchaku, throwing star, bow and arrow, crossbow, or slingshot to any person who is under the influence of intoxicating liquor, or any controlled substance, as defined in Section 12-22-303(7), C.R.S., or to any person in a condition of agitation and excitability, or to any person under the age of ten years, or to any person over the age of ten years and under the age of eighteen who is not related by blood, marriage, or adoption.

Brush Code of Ordinances

Current through Ordinance 874-18, enacted November 26, 2018. (Supplement 8)

Chapter 10 – General Offenses

Article 7 – Weapons

Section 10.7-50. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105.1, C.R.S., is no defense to a violation of this Section;

Section 10.7-60. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the City to such person.

Carbondale Code of Ordinances

Current through Ordinance 19, 2019, passed December 10, 2019. (Supplement 9)

Chapter 10 – General Offenses

Article 8 – Weapons

Section 10.8-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance.

Section 10.8-50. Selling weapons to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability or to any minor under the age of 18 years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Central City Code of Ordinances

Current through Ordinance 19-10, adopted December 3, 2019. (Supplement 20)

Chapter 10 – General Offenses

Article VIII – Weapons

Section 10.8-10. Definitions.

Restricted ammunition means any caliber projectile which is coated or treated with Teflon or similar type synthetic chemical compound. This definition includes projectiles commonly known as the KTW bullets.

Section 10.8-20. Unlawful sales.

It shall be a criminal violation of this Code for any person to sell, loan or furnish any firearm in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any minor. Such unlawful sale, loan or furnishing shall be grounds for revocation of any license issued by the City to such person.

Section 10.8-70. Possession of a defaced weapon.

It shall be a criminal violation of this Code for any person to knowingly possess a firearm, the manufacturer's serial number of which or other distinguishing number or identification mark has been removed, defaced, altered or destroyed, except by normal wear and tear.

Section 10.8-90. Unlawful sale and possession of restricted ammunition.

It shall be a criminal violation of this Code to sell or possess any restricted ammunition.

Section 10.8-100. Possession under the influence of intoxicants.

It shall be a criminal violation of this Code for any person to have in his or her possession any firearm while he or she is under the influence of a controlled substance as defined in Section 12-22-303(7), C.R.S., or of intoxicating liquor. Possession of a valid concealed weapons permit issued pursuant to Section 18-12-105.1, C.R.S., shall not constitute a defense to a violation of this Section.

Cherry Hill Code of Ordinances

Current through Ordinance 4, Series 2020, adopted ay 5, 2020. (Supplement Number 25, Update 3)

Chapter 10 – General Offenses

Article VIII – Weapons

Section 10.8-50. Prohibited use of weapons.

(a) A person commits a misdemeanor if he:

(4) Has in his possession a firearm while he is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105.1, C.R.S., is no defense to a violation of this Section;

Section 10.8-60. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the City to such person.

Commerce City Code of Ordinances

Current through Ordinance 2245, enacted November 4, 2019. (Supplement 17)

Chapter 12 – Public Peace and Safety

Article VI – Offenses Involving Safety and Health

Section 12-6006. Prohibited use of weapons.

It shall be unlawful for any person to:

(4) Have in his or her possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance;

Craig Code of Ordinances

Current through Ordinance 1105, adopted December 10, 2019. (Supplement 27)

Title 9 – Public Peace, Morals and Welfare

IX – Weapons

Chapter 9.68 – Dangerous Weapons

Section 9.68.080. Furnishing weapons to certain persons.

It is unlawful for any person to purchase, sell, loan or furnish any dangerous or deadly weapon to any person intoxicated or under the influence of alcohol or any narcotic or dangerous drug or glue, to any person in a condition of agitation and excitement, or to any minor under the age of eighteen (18) years.

Crawford Code of Ordinances

Current through Ordinance 1-2020, adopted February 2, 2020. (Supplement 5)

Chapter 10 – General Offenses

Article VIII – Weapons

Section 10-8-50. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Creede Code of Ordinances
Current through December 5, 2017.

Chapter 10 – General Offenses
Article 9 – Weapons

10-9-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section.

Section 10-9-50. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the City to such person.

Crested Butte Code of Ordinances

Current through Ordinance 7, Series 2020, adopted March 13, 2020. (Supplement 17)

Chapter 10 – General Offenses
Article 8 – Weapons

Section 10.8-10. Definitions.

(a) As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Firearm means any pistol, revolver, rifle, shotgun or other device designed to shoot, throw or hurl a projectile by means of gunpowder or other explosive.

Section 10.8-50. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section;

Section 10.8-60. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Cripple Creek Code of Ordinances

Current through Ordinance 2019-07, adopted December 18, 2019. (Supplement 13)

Chapter 10 – General Offenses
Article 9 – Weapons

Section 10.9-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section;

Section 10.9-50. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the City to such person.

Dacono Code of Ordinances

Current through Ordinance 882, adopted January 27, 2020. (Supplement 21)

**Chapter 16 – Zoning
Article 21 – Home Occupations**

Section 16-500. General.

(f) The following occupations, because of their detrimental impact on the character and value of residential properties, or on the peace, tranquility, safety and quiet of a residential zone district, are prohibited as home occupations:

(11) The sale of firearms;

Del Norte Code of Ordinances

Current through Ordinance 705, enacted October 10, 2018. (Supplement 1)

**Chapter 10 – General Offenses
Article 8 – Weapons**

Section 10.8-10. Definitions.

As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Firearm means any pistol, revolver, self-loading pistol, rifle, shotgun or any other device designed to shoot, project, throw or hurl projectile or projectiles by means of the explosion of gunpowder or other explosive substance.

Section 10.8-40. Prohibited use of weapons.

(a) A person commits an offense if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance.

Section 10.8-70. Selling weapons to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of 18 years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Denver Code of Ordinances

Current through Ordinance 0207-20, adopted May 18, 2020. (Supplement 141, Update 3)

**Chapter 34 – Minors
Article I – In General**

Section 34-1. Defined.

The word **minor**, as used in this chapter, shall mean a person who has not reached his or her eighteenth birthday.

Article III – Offenses Affecting Minors

Section 34-46. Other wrongs to minors.

(c) It shall be unlawful for any person to intentionally or knowingly provide a weapon to any minor.

(d) It shall be unlawful for any parent or legal guardian of any minor, who knows such minor possesses or has been provided a weapon, to fail to remove the weapon from the minor's possession or control, unless removing this weapon cannot be accomplished without jeopardizing the safety of the parent or legal guardian.

(e) In the event that the weapon in the possession of a minor cannot be removed from the possession of the minor by the parent or legal guardian without jeopardizing the safety of the parent or legal guardian, it shall be unlawful for the parent or legal guardian to fail to notify the Denver Police Department that the minor possesses the weapon.

(f) A weapon, for purposes of this section, shall include, but not be limited to, any pistol, revolver, rifle, shotgun, machine gun, air gun, gas operated gun, spring gun, sling shot, blackjack, nunchaku, brass knuckles, artificial knuckles of any substance whatsoever, or any switchblade knife, gravity knife, or any knife having a blade greater than three and one-half (3) inches in any length, or any explosive device, incendiary device or bomb.

(g) A firearm, for the purposes of this section, means a pistol, revolver, rifle, shotgun, air gun, gas operated gun, or spring gun.

(h) It shall be an affirmative defense to charges brought under subsections 34-46(c), (d), (e) or (f) that the parent or legal guardian of the minor provided a weapon to the minor or allowed the minor to remain in possession or control of a weapon in the following situations:

- (1)** The minor possesses a current and authentic written permit to carry a weapon, issued by the chief of police of a Colorado city, mayor of a Colorado town, or sheriff of a Colorado county; and the carrying of such weapon is within the terms of such permit; or
- (2)** The weapon is a household knife, and there are reasonable grounds for the minor having and carrying the knife; or
- (3)** The minor possesses or controls the weapon in the course of a lawful act of self-defense or defense of the minor's home or property; or
- (4)** The minor possesses or controls the weapon during the course of, or incidental to, being legally summoned to the aid of a Colorado peace officer or a member of the United States armed forces or the Colorado National Guard in the performance of their duties; or
- (5)** The minor possesses or controls the firearm, while accompanied by the minor's parent or legal guardian, in the course of a bona fide hunting trip; in the sporting use of such firearms at licensed shooting galleries or any other business licensed for the use of firearms; in cleaning or caring for such firearm; or for transportation to or from any of the aforementioned activities, provided that all firearms being transported shall be unloaded when transported to or from such place of use; or
- (6)** The minor possesses or controls the firearm, while accompanied by the minor's parent or legal guardian or an instructor certified by the Colorado Division of Wildlife, while receiving instruction in the safe use of such firearms.

Chapter 38 – Offenses, Miscellaneous Provisions
Article IV – Offenses Against Public Order and Safety
Division 2 – Weapons and Missiles

Section 38-123. Identification and records concerning sales, etc.

(a) Every person who sells, rents or exchanges at retail any weapon designated in sections 38-117 or 38-122 shall require the vendee, lessee or person with whom such exchange is made to furnish more than one (1) type of identification before such sale, rental or exchange is consummated.

(b) Every person engaged in the sale, rental or exchange at retail of any weapon designated in sections 38-117 or 38-122 shall keep a record of each such weapon so sold, rented or exchanged at retail and of the vendee or lessee thereof, or person with whom such exchange is made; said record shall at all times be open to inspection by the manager of safety or a duly authorized agent, or by any police officer of the city and shall be made at the time of each such transaction in a book kept for that purpose, and shall include:

- (1)** The name of the person to whom such weapon is sold or rented, or with whom it is exchanged;
- (2)** The age of such person;
- (3)** The occupation of such person;
- (4)** The residence and, if residing in a city, the street and street number of the residence of such person;
- (5)** The make, caliber if any, and finish of the weapon so sold, rented or exchanged, and the number or serial number thereof, if any;
- (6)** The date of the sale, rental or exchange of such weapon;
- (7)** The name of the employee or other person making such sale, rental or exchange of such weapon; and
- (8)** A description of each of the types of identification furnished by the vendee, lessee or person with whom such exchange is made, together with any serial numbers or other distinctive features noted in or appearing on each such type of identification so furnished.

(c) It shall be unlawful for any person who purchases, rents or exchanges any weapon designated in sections 38-117 or 38-122 to give a false or fictitious name, or any other false, fraudulent or incorrect information to the person from whom such weapon is purchased, or rented, or with whom such weapon is exchanged at the time such purchase, rental or exchange is made.

Section 38-124. Unlawful to sell weapons to intoxicated persons or minors.

(a) It shall be unlawful for any person to sell, loan or furnish any instrument or weapon designated in sections 38-117 or 38-122 to any person under the influence of alcohol or any narcotic drug, stimulant or depressant or to any person in a condition of agitation and excitability.

(b) Such unlawful sale, loan or furnishing shall be grounds for revocation of any license issued by the city to such person.

Section 38-126. Incendiary or explosive device.

(d) Except as otherwise permitted by law, it shall be unlawful for any person to possess on their person, in any motor vehicle, or in any structure, an incendiary or explosive device.

Section 38-130. Assault weapons.

(a) Legislative intent. The city council hereby finds and declares that the use of assault weapons poses a threat to the health, safety and security of all citizens of the City and County of Denver. Further, the council finds that assault weapons are capable both of a rapid rate of fire as well as of a capacity to fire an inordinately large number of rounds without reloading and are designed primarily for military or antipersonnel use. The city council finds that law enforcement agencies report increased use of assault weapons for criminal activities. This has resulted in a record number of related homicides and injuries to citizens and law enforcement officers. It is, therefore, the intent of the city council to place reasonable and necessary restrictions on the sale and possession of assault weapons while placing no restrictions on the right of citizens to use weapons which are primarily designed and intended for hunting, target practice and other legitimate sports or recreational activities and the protection of home, person and property.

(b) Definitions. The following words and phrases, when used in this section, shall have these meanings respectively ascribed to them:

(1) **Assault weapon** shall include all firearms with any of the following characteristics:

- a. All semiautomatic action, centerfire rifles with a detachable magazine with a capacity of more than fifteen (15) rounds.
- b. All semiautomatic shotguns with a folding stock or a magazine capacity of more than six (6) rounds or both.
- c. Reserved.
- d. Any firearm which has been modified to be operable as an assault weapon as defined herein.
- e. Any part or combination of parts designed or intended to convert a firearm into an assault weapon, including a detachable magazine with a capacity of more than fifteen (15) rounds, or any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person.

(2) **Bump stock** shall mean any device for a pistol, rifle, or shotgun that increases the rate of fire achievable with such weapon by using energy from the recoil of the weapon to generate a reciprocating action that facilitates repeated activation of the trigger.

(3) **Fixed cartridge** shall mean that self-contained unit consisting of the case, primer, propellant charge and projectile or projectiles.

(4) **Magazine** shall mean a box, drum or other container which holds and feeds ammunition into a semiautomatic rifle, shotgun or pistol.

(5) **Pistol** shall mean a weapon originally designed, made and intended to fire a projectile (bullet) from one (1) or more barrels when held in one (1) hand and having:

- a. A chamber as an integral part of or permanently aligned with the bore or having a breech-loading chambered cylinder so arranged that the cocking of the hammer or movement of the trigger rotates it and brings the next cartridge in line with the barrel for firing; and
- b. A short stock designed to be gripped by one (1) hand and at an angle to and extending below the line of the bore(s).

(6) **Rifle** shall mean a weapon designed or redesigned, made or remade and intended to be fired from the shoulder or hip and designed or redesigned or made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger and shall include any such weapon which may be readily restored to fire a fixed cartridge.

(7) **Semiautomatic** shall mean a weapon which fires a single projectile for each single pull of the trigger which automatically chambers the next round for firing and which employs a magazine.

(8) Shotgun shall mean a weapon designed or redesigned, made or remade and intended to be fired from the shoulder or hip and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger and shall include any such weapon which may be readily restored to fire a fixed shotgun shell.

(c) Specific weapons not included. As used in this section, assault weapon does not include any of the following:

(1) All weapons that do not use fixed cartridges, all weapons that were in production prior to 1898, all manually operated bolt-action weapons, all lever-action weapons, all slide-action weapons, all single-shot weapons, all multiple-barrel weapons, all revolving-cylinder weapons, all semiautomatic weapons for which there is no fixed magazine with capacity of more than fifteen (15) rounds available, all semiautomatic weapons that use exclusively en bloc clips, all semiautomatic weapons in production prior to 1954 and all rimfire weapons that employ a tubular magazine.

(2) Any firearm that uses .22 caliber rimfire ammunition.

(3) Any assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.

(d) Supplemental provisions. Except as specifically stated herein, the provisions of this section are independent of and supplemental to any other provisions of law, and nothing shall prevent a device defined as an assault weapon in this section from also being regulated under other provisions of law.

(e) Possession of assault weapons unlawful. It shall be unlawful to carry, store, keep, manufacture, sell or otherwise possess within the City and County of Denver a weapon or weapons defined herein as assault weapons, except that this subdivision shall not apply to:

(1) Any federal, state or local government agency or to any sworn members of said agencies acting within their official capacities.

(2) Any assault weapon which is being used as a movie prop for any motion picture or television program which is being filmed in whole or in part within the City and County of Denver if, prior to such use, the police department is notified in advance in writing of the date, time, location, production schedule and days upon which such use shall take place and the type and serial numbers of the firearms.

(3) It shall be an affirmative defense to charges brought under this section that the transportation of an assault weapon:

(a) Is through the city by a nonresident who is in legal possession of an assault weapon; or

(b) Is by a person carrying a permit issued under subsection (f) and the transportation is for one (1) of the following purposes:

i. In aid of the civil power when thereto legally summoned;

ii. To a bona fide hunting trip for wild game, or to a legitimate sporting use of such weapon, including shooting matches or target trap or skeet shooting. All weapons carried for such purposes shall be unloaded;

iii. While transporting such weapon to or from a place for sale outside the city or for repair. All weapons carried for such purposes shall be unloaded at all times;

iv. As a member of the armed forces of a state or of the federal government while engaged in the lawful performance of duty;

v. In conjunction with moving personal property, including such weapon, from an old residence to a new residence. All weapons carried for such purposes shall be unloaded at all times.

(f) Conditional exception. Any person over the age of twenty-one (21) years who obtained an assault weapon legally prior to the effective date of this section may obtain a permit to keep, store and possess said assault weapon if:

(1) Said weapon is properly identifiable and contains its original serial number.

(2) An application for a permit for each assault weapon is filed with the police department within sixty (60) days of the effective date of this section pursuant to such procedures as the department may establish. The application shall contain a description of the firearm that identifies it uniquely, including all identification marks and numbers, the full name, address, date of birth and fingerprints of the owner and the address where such assault weapon will be stored and such other information as the department may deem appropriate. The place of storage and possession shall not be changed without notification to the department of the proposed change in location and when said weapon will be transported. The department may charge a fee for registration not to exceed the actual processing costs of the department.

(3) The department shall issue a permit which shall identify the weapon and where it is to be stored.

(4) The information required for the registration and permitting of assault weapons shall be treated as confidential and shall not be made available to members of the general public. The council finds that the release of such information would constitute an unwarranted invasion of personal privacy and could endanger the life or safety of persons at the premises where an assault weapon is located. The information on a permit application shall be used by the city only for law enforcement purposes.

(g) Sale or transfer unlawful. It is unlawful to sell or transfer possession of an assault weapon possessed pursuant to subsection (f) within the City and County of Denver.

(h) Reserved.

(i) Specific magazine prohibited. It shall be unlawful to carry, store or otherwise possess a magazine which will hold or may be modified to hold more than fifteen (15) rounds, except that this subsection shall not apply to:

(1) Any federal, state or local government agency or to any sworn members of said agencies acting within their official capacities.

(2) Any magazine which is being used as a movie prop for any motion picture or television program which is being filmed in whole or in part within the City and County of Denver if, prior to such use, the police department is notified in advance in writing of the date, time, location, production schedule and days upon which such use shall take place and the type and serial numbers of the firearms.

(3) It shall be an affirmative defense to charges brought under this section that the transportation of a magazine:

(a) Is through the city by a nonresident who is in legal possession of the magazine; or

(b) Is by a person carrying a permit issued under subsection (f) and the transportation is for one (1) of the following purposes:

i. In aid of the civil power when thereto legally summoned;

ii. To a bona fide hunting trip for wild game, or to a legitimate sporting use of such magazine, including shooting matches or target trap or skeet shooting;

iii. While transporting such magazine to or from a place for sale outside the city;

iv. As a member of the armed forces of a state or of the federal government while engaged in the lawful performance of duty;

v. In conjunction with moving personal property, including such magazine, from an old residence to a new residence.

(j) Bump stock prohibited. It shall be unlawful to sell, carry, store, or otherwise possess a bump stock.

(k) Penalty. Any person, firm or corporation who is convicted of violating any provision of this section shall be punished by a fine of not less than one hundred dollars (\$100.00) or more than nine hundred ninety-nine dollars (\$999.00) and a term of incarceration of not less than ten (10) days nor more than one hundred eighty (180) days.

(l) Violation; disposition. Upon a conviction of violating any provision of this section, the weapon shall be confiscated and destroyed under section 38-120, disposition of confiscated weapons.

Section 38-131. Unlawful storage of firearms.

(a) As used in this section, the following definitions shall apply:

(1) **Firearm** means a pistol, revolver, rifle, shotgun, machine gun, air gun, gas operated gun, or spring gun.

(2) **Locked container** means a secure container which is enclosed on all sides and locked by a padlock, key lock, combination lock or similar device.

(3) **Locking device** means a device which temporarily prevents the firearm from functioning.

(4) **Minor** means a person who has not reached his or her eighteenth birthday.

(b) It shall be unlawful for any person to store, control or possess any firearm within or upon any premises of which that person has an ownership interest, custody or control, in such a manner that that person knows, or should know, that a minor is likely to gain possession of the firearm and in the event that the minor does, in fact, obtain possession of the firearm.

(c) Subsection (b) shall not apply whenever any of the following occurs:

(1) The minor obtains the firearm as a result of an illegal entry to the premises.

(2) The firearm is kept in a locked container, access to which is not available to a minor.

(3) The firearm is equipped with, and has in place, a locking device, the means of removal of which is not available to a minor.

(4) The minor obtains the firearm in a lawful act of self-defense, or defense of the minor's home or property.

(5) The minor obtains the firearm during the course of, or incidental to, being legally summoned to the aid of a Colorado peace officer or a member of the United States armed forces or the Colorado National Guard in the performance of their duties.

Chapter 45 – Secondhand Goods
Article III – Automobile Parts Recyclers, Junk Dealers, and Secondhand Dealers
Division 1 – Generally

Section 45-66. Definitions.

(a) **"Secondhand dealer"** means any person whose business is that of engaging in selling or trading secondhand property, or whose business is selling new goods, but who buys and sells secondhand articles, goods, wares or merchandise of the same type or class as the new goods sold. The term also includes any person whose business is not that of engaging in selling or trading secondhand property but who sells or trades secondhand property through means commonly known as flea markets or any similar facilities in which secondhand property is offered for sale or trade or who sells or trades secondhand property from a nonpermanent location. The term does not include:

(1) A person selling or trading secondhand property so long as such property was not originally purchased for resale and so long as such person does not sell or trade secondhand property more than three (3) weekend periods in any one (1) calendar year, as verified by a declaration to be prepared by the seller. For the purposes of this paragraph (1), "weekend period" means Friday through the immediately following Monday;

(2) A person or organization selling or trading secondhand property at an exhibition or show which is intended to display a particular commodity or class of products, including, but not limited to, antique exhibitions, firearm exhibitions, home and garden shows, and recreational vehicle shows; excluding, however precious or semiprecious metal, or stone, or gold, or silver shows;

(3) A person or organization which is charitable, nonprofit, recreational, fraternal, or political in nature or which is exempt from taxation pursuant to section 501(c)(3) of the federal "Internal Revenue Code of 1954," as amended;

(4) A person or organization licensed as an automobile parts recycler who purchases, sells, trades, or otherwise transfers ownership of used automobile parts as defined in subsection 45-141(3) of the Revised Municipal Code.

(b) **"Secondhand property"** means the following items of tangible personal property sold or traded by a secondhand dealer:

(3) Skis... guns, jewelry, precious or semiprecious metals or stones, coins, luggage, boots, furs, clothing, and rugs;

Section 45-67 Secondhand articles to be held ten days before sale.

No secondhand dealer or junk dealer shall offer for sale, or sell or dispose of, any article within ten (10) days of the time of purchasing it, nor until it has been in or upon the premises where it will be offered or sold at least ten (10) days.

Article IV – Secondhand Dealers
Division 2 – License

Section 45-101. Required.

It shall be unlawful for any person to be a secondhand dealer as described in section 45-66 without first having applied for and obtained a secondhand dealer license from the director of excise and licenses. In the event that two (2) or more separate business entities shall be located in the same building, each such entity doing business under this article shall be required to have an individual license.

Dillion Code of Ordinances
Current through Ordinance 01-20, January 21, 2020. (Supplement 26)

Chapter 6 – Business Licenses and Regulations
Article IX – Pawnbroker

Section 6-9-250. Required acts of pawnbrokers.

(i) Every Pawnbroker shall clear, through the Dillon Police Department, prior to release, all firearms, other than those which are newly manufactured and which have not been previously sold at retail. The sale of firearms shall conform to all state, local, and federal laws.

Chapter 10 – General Offenses
Article 8 – Weapons

Section 10.7-40. Prohibited use of weapons.

(a) It is unlawful for any person to do any of the following:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105.1, C.R.S., is no defense to a violation of this Section;

Section 10.7-50. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Eagle Code of Ordinances

Current through Ordinance 15-2020, adopted April 14, 2020. (Supplement 6)

Title 9 – Public Peace, Safety and Morals

Chapter X – General Offenses

Section VIII – Weapons

Section 9.12.140. Prohibited use of weapons.

A. A person commits a Class A municipal offense if:

7. He has in his possession a firearm while he is under the influence of intoxicating liquor or of a controlled substance, as defined in C.R.S. § 18-18-102(5), unless such person held a valid written permit to carry a concealed weapon issued pursuant to C.R.S. § 18-12-105.1 as it existed prior to its repeal, or, if the firearm involved was a handgun, held a valid permit to carry a concealed handgun or a temporary emergency permit issued pursuant to C.R.S. Title 18, Art. 12; except that it shall be an offense under this section if the person was carrying a concealed handgun in violation of the provisions of C.R.S. § 18-12-214;

Section 9.12.150. Selling weapons to intoxicated persons prohibited.

A. It shall be unlawful for any person, firm or corporation to knowingly sell, loan, or furnish a gun, pistol, or other firearm in which any explosive substance can be used, to any person under the influence of intoxicating liquor or of a controlled substance, as defined in C.R.S. § 18-18-102(5), as amended, or to any person in a condition of agitation and excitability.

B. Any such unlawful sale, loan or furnishing of a weapon shall be grounds for the revocation of any license issued by the Town to such person, firm or corporation.

C. Any violation of this section shall constitute a Class A municipal offense.

Eaton Code of Ordinances

Current through Ordinance 604, adopted January 16, 2020. (Supplement 11)

Chapter X – General Offenses

Section VIII – Weapons

Section 10.8-1. Definitions.

(a) As used in this Chapter, unless the context otherwise requires:

Firearm silencer means any instrument, attachment, weapon or appliance for causing the firing of any gun, revolver, pistol or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

Machine gun means any firearm, whatever its size and usual designation, that shoots automatically more than one (1) shot, without manual reloading, by a single function of the trigger.

Short rifle means a rifle having a barrel less than sixteen (16) inches long, or an overall length of less than twenty-six (26) inches.

Short shotgun means a shotgun having a barrel or barrels less than eighteen (18) inches long, or an overall length of less than twenty-six (26) inches.

Section 10.8-2. Possessing an illegal weapon.

(a) As used in this Section, illegal weapon means a blackjack, bomb, firearm silencer, gas gun, machine gun, short shotgun, short rifle, metallic knuckles, gravity knife or switchblade knife.

(b) A person, other than a peace officer or member of the Armed Forces of the United States or Colorado National Guard, acting in the lawful discharge of his or her duties, or a person who has a valid permit and license pursuant to the federal code for such weapon, commits a violation if he or she possesses an illegal weapon. The exceptions in this Subsection shall be an affirmative defense.

Section 10.8-3. Possessing a defaced firearm.

A person commits a violation of this Section if he or she knowingly possesses a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered or destroyed.

Section 10.8-4. Defacing a firearm.

A person commits a violation of this Section if he or she intentionally removes, defaces, covers, alters or destroys the manufacturer's serial number or any other distinguishing numbers or identification mark of a firearm.

Section 10.8-6. Using a weapon in a prohibited manner.

(a) A person commits a violation of this Section if:

(4) He or she has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a narcotic drug or dangerous drug.

(b) Possession of a permit issued under Section 10-8-5 above is no defense to a violation of Subsection (a) above.

Section 10.8-9. Selling weapons to certain persons prohibited.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used to a person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Further, such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Edgewater Code of Ordinances

Current through Ordinance Number 2019-22, adopted December 3, 2019. (Supplement 16,)

**Chapter 6 – Business Licenses and Regulations
Article 6 – Pawnbrokers**

Section 6-6-180. Lost or stolen articles.

(c) A pawnbroker shall report the loss or theft of any weapon from the licensed premises to the Police Department within eight (8) hours of discovery of such loss or theft. For purposes of this Section, weapon means any handgun, long gun, assault rifle, air rifle, shotgun, spring-operated gun, crossbow, recurve bow or hunting knife.

**Chapter 10 – General Offenses
Article 12 – Weapons**

Section 10.12-10. Definitions.

As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Firearm means any handgun, automatic, revolver, pistol, rifle, shotgun, or other instrument or device capable or intended to be capable of discharging bullets, cartridges, or other explosive charges.

Handgun means a pistol, revolver or other firearm of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable or magazine breech, does not exceed twelve (12) inches.

Section 10.12-50. Unlawful use.

(a) It is unlawful for any person to:

(4) Possess a firearm while under the influence of intoxicating liquor or of a controlled substance as defined by state law.

Section 10.12-100. Unlawful sale of a firearm.

(a) No person, including any licensed dealer, licensed importer or licensed manufacturer who is licensed pursuant to 18 U.S.C. 923, shall sell any firearm, other than a shotgun or rifle, to any person under the age of twenty-one (21) years. No person, including any licensed dealer, licensed importer or licensed manufacturer who is licensed pursuant to 18 U.S.C. 923, shall sell any shotgun or rifle to any person under the age of eighteen (18) years.

(b) Any person who sells any type of firearm in violation of Subsection (a) hereof commits the offense of unlawful sale of a firearm.

Section 10.12-110. Selling weapons to intoxicated persons or minors.

It is unlawful for any person to purchase, sell, loan, or furnish any knife, firearm, or illegal or deadly weapon to any person intoxicated or under the influence of alcohol or any narcotic or dangerous drug, glue or toxic vapors or to any minor under the age of eighteen (18) years.

Section 10.12-120. Possession of handguns by juveniles; prohibited; exceptions; penalty.

(a) Except as provided in this Section, it is unlawful for any person who has not attained the age of eighteen (18) years knowingly to have any handgun in such person's possession.

(b) Any person possessing any handgun in violation of Subsection (a) hereof commits the offense of illegal possession of a handgun by a juvenile.

(c) Any person under the age of eighteen (18) years who is taken into custody by a law enforcement officer for a second or subsequent offense of illegal possession of a handgun by a juvenile shall not be charged under this Section, but shall be charged under the appropriate state felony law.

(d) This Section shall not apply to:

(1) Any person under the age of eighteen (18) years who is at such person's residence and who, with the permission of such person's parent or legal guardian, possesses a handgun for the purpose of exercising rights contained in Section 18-1-704 or Section 18-1-704.5, C.R.S.

(2) Any person under the age of eighteen (18) years who is hunting or trapping pursuant to a valid license issued to such person pursuant to Article 4 of Title 33, C.R.S.

(3) Any person under the age of eighteen (18) years who is in attendance at a hunter's safety course, engaging in practice in the use of a firearm or target shooting at an established range authorized by the City Council or any other area where the discharge of a firearm is not prohibited, engaging in an organized competition involving the use of a firearm, or participating in or practicing for a performance by an organized group under 501(c)(3) as determined by the Federal Internal Revenue Service which uses firearms as a part of such performance or traveling with any handgun in such person's possession being unloaded to or returning from any such activity.

(4) Any person under the age of eighteen (18) years who is on real property under the control of such person's parent, legal guardian or grandparent and who has the permission of such person's parent, legal guardian or grandparent to possess a handgun.

(5) For the purposes of this Section, a handgun is "loaded" if:

a. There is a cartridge in the chamber of the handgun;

b. There is a cartridge in the cylinder of the handgun, if the handgun is a revolver; or

c. The handgun and the ammunition for such handgun are carried on the person of a person under the age of eighteen (18) years or are in such close proximity to such person that such person could readily gain access to the handgun and the ammunition and load the handgun.

(e) Any person who intentionally, knowingly or recklessly provides a handgun with or without remuneration to any person under the age of eighteen (18) years in violation of this Section, or any parent or legal guardian of a person under eighteen (18) years of age who knows of such juvenile's conduct which violates this Section and fails to make reasonable efforts to prevent such violation, commits the crime of unlawfully providing or permitting a juvenile to possess a handgun and shall be charged under the appropriate felony law.

**Chapter 16 – Zoning
Article 26 – Home Occupations**

Section 16-26-10. General standards.

(f) The following occupations, because of their detrimental impact on the character and value of residential properties or on the peace, tranquility, safety and quiet of a residential zone district, are prohibited as home occupations:

(10) The sale of firearms.

Section 5.2.29. Home Occupations

(4) General Standards for Residential Home Occupations.

(f) Sales Limited. No sale of goods, supplies, or other inventory shall be allowed unless the sales are clearly incidental and related to providing a service (e.g., sale of hair care products at a beauty shop; occasional sale of a firearm by a gunsmith; incidental retail sales where the home occupation is a mail order, internet, or delivery business, brokers of firearms where inventory is not maintained on site except for specific transactions) or unless the items are produced, constructed or assembled on the premises or are clearly incidental and related to the sale of the homemade items. Nothing in this Section shall limit the ability of the home occupation to sell products mail order via the internet or by telephone.

The home occupations operator shall be required to obtain and maintain all applicable licenses and pay applicable sales tax.

Elizabeth Code of Ordinances

Current through Ordinance 19-18, adopted July 23, 2019. (Supplement 14)

Chapter 10 – General Offenses

Article VIII – Weapons

Section 10-8-40. Furnishing to certain persons prohibited.

It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol, rifle, shotgun or other firearm in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability.

Section 10-8-70. Possessing a deadly or dangerous weapon under the influence.

No person shall have or carry any deadly or dangerous weapon on or about his or her person when drunk or in a state of intoxication or under the influence of drugs.

Englewood Code of Ordinances

Current through Ordinance 50-19, enacted October 21, 2019. (Supplement 51)

Title 5 – Business and License Regulations

Chapter 15 – Pawnbrokers and Secondhand Dealers

Section 5-15-4. Special Conditions and Restrictions of the License.

In addition to the requirements in Chapter 1 of this Title, the following special conditions or restrictions apply:

G. Required Acts:

11. Every pawnbroker shall clear, through the City, prior to release, all firearms, other than those which are newly manufactured and which have not been previously sold at retail.

Title 7 – Public Safety

Chapter 6 – Offenses Code

Article C – Offenses Relating to Weapons

Section 7-6C-2. Possession of Illegal Weapons.

A. It shall be unlawful for any person to possess an illegal weapon.

B. As used in this Section, the term "illegal weapon" means a blackjack, bomb, gas gun, zip gun, metallic knuckles, gravity knife, or switchblade knife.

C. It shall be an affirmative defense to this Section that a person has a valid permit and license pursuant to the United States Code for such weapon, or that a person is a peace officer, or a member of the United States Armed Forces, or the Colorado National Guard acting in the lawful discharge of his/her duties.

Section 7-6C-3. Prohibited Use of Weapons.

A. It shall be illegal for:

3. Any person to have in his/her possession a firearm while under the influence of intoxicating liquor or of a controlled substance, as defined in Section 12-22-303(7), Colorado Revised Statutes. Possession of a permit issued under Section 18-12-105.I, Colorado Revised Statutes, is no defense to a violation of this subsection A.

Section 7-6C-5. Sale and Display of Weapons.

A. Every pawnbroker, secondhand dealer, or other person engaged in the sale, rental or exchange of any weapons described in this section shall keep a record of each such weapon purchased, sold, rented or exchanged at retail. Said record shall be made at the time of the transaction, in a book kept for that purpose, and shall include the name of the person to whom or from whom such weapon is purchased, sold or rented, or with whom exchanged; his age, physical description, occupation, residence and if residing in a city, the street and number where he resides; the make, caliber and finish of the firearm, together with the number or serial letter thereof if any; the date of the purchase, sale, rental or exchange of such weapon; and the name of the employee or other person making such purchase, sale, rental or exchange. Said record book shall be open upon request at all reasonable times to the inspection of any duly authorized police officer of the City.

B. It shall be unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol, or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation or excitability or to any minor under the age of eighteen (18) years.

Title 16 – Unified Development Code Chapter 5 – Use Regulations

Section 16-5-2. Use-specific standards.

C. Commercial Uses.

10. Pawnbroker and Automobile Pawnbroker. Pawnbrokers and automobile pawnbrokers are required to be licensed by Title 5 EMC.

e. Sale and Display of Weapons. If a pawnbroker sells and displays weapons, all use-specific standards shall comply with all applicable requirements of the Englewood Municipal Code in addition to the following:

(2) Every pawnbroker, secondhand dealer, or other person engaged in the sale, rental or exchange of any weapons described in this Section shall keep a record of each such weapon purchased, sold, rented or exchanged at retail. Said record shall be made at the time of the transaction, in a book kept for that purpose, and shall include the name of the person to whom or from whom such weapon is purchased, sold or rented, or with whom exchanged; his age, physical description, occupation, residence and if residing in a city, the street and number where he resides; the make, caliber and finish of the firearm, together with the number or serial letter thereof if any; the date of the purchase, sale, rental or exchange of such weapon; and the name of the employee or other person making such a purchase, sale, rental or exchange. Said record shall be open upon request at all reasonable times to the inspection of any duly authorized police officer of the City.

(3) It shall be unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol, or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation or excitability or to any minor under the age of eighteen (18) years.

Section 16-5-4. Accessory uses.

C. Accessory Uses Permitted.

1. Home Occupation.

e. Prohibited Uses. In no event shall any home occupation include the following business or commercial activities (except for the administrative or clerical functions related to these businesses, such as bookkeeping, marketing, and customer phone calls):

(5) The sale, storage, manufacture, or assembly of guns, knives or other weapons or ammunition.

Evans Code of Ordinances

Current through Ordinance 714-20, adopted May 19, 2020. (Supplement 8, Update 3)

Title 9 – Public Peace, Morals and Welfare Chapter 9.32 – Firearms and Weapons

Section 9.32.010. Definitions.

A. As used in this Chapter, unless the context otherwise requires:

Deadly weapon means any of the following which in the manner it is used or intended to be used is capable of producing death or serious bodily injury:

a. A firearm, whether loaded or unloaded;

Deface means to alter the appearance of something by removing, distorting, adding to or covering all or part of the thing.

Firearm means any handgun, automatic, revolver, pistol, rifle, shotgun or other instrument or device capable or intended to be capable of discharging bullets, cartridges or other explosive charges.

Section 9.32.030. Possessing a defaced firearm.

A person commits a violation of this Section if he or she knowingly and unlawfully possesses a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered or destroyed except by normal wear and tear.

Section 9.32.040. Defacing a firearm.

A person commits a violation of this Section if such person knowingly removes, defaces, covers, alters or destroys the manufacturer's serial number, or any other distinguishing number or identification mark of a firearm.

Section 9.32.060. Prohibited use of weapons.

A. A person commits a violation of this Section if:

4. He or she has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance, as defined in Section 12-22-303(7), C.R.S. Possession of a permit issued under Section 18-12-105.1, C.R.S., is no defense to a violation of this Section.

Section 9.32.070. Unlawfully carrying of deadly weapon on school, college or university grounds.

A. A person commits a violation of this Section if such person knowingly and unlawfully, and without legal authority, carries, brings or has in his or her possession a deadly weapon in or on the real estate and all improvements erected thereon of any public or private elementary or secondary school or any public or private college, university or seminary, except for the purpose of presenting an authorized public demonstration or exhibition pursuant to instruction in conjunction with an organized school or class, for the purpose of carrying out the necessary duties and functions of an employee of an educational institution which require the use of a deadly weapon or for the purpose of participation in an authorized extracurricular activity or athletic team.

B. It shall not be an offense under this Section if:

1. The weapon is unloaded and remains inside a motor vehicle while upon the real estate of any public or private college, university or seminary; or
2. The person is in that person's own dwelling or place of business or on property owned or under that person's control at the time of the act of carrying; or
3. The person is in a private automobile or other private means of conveyance and is carrying a weapon for lawful protection of that person's or another's person or property while traveling; or
4. The person, prior to the time of carrying a concealed weapon, has been issued a written permit pursuant to Section 18-12-105.1, C.R.S., to carry the weapon by the Chief of Police or the Weld County Sheriff; or
5. The person is a peace officer, Level I or Level Ia, as defined in Section 18-1-901(3)(1)(I) or (3)(1)(II), C.R.S.; or
6. The person is a peace officer, Level II, as defined in Section 18-1-901(3)(1)(III), C.R.S., while on duty; or
7. The person is a peace officer, Level IIIa, as defined in Section 18-1-901(3)(1)(IV.5), C.R.S., while on duty and under supervision; or
8. The person has possession of the weapon for use in an educational program approved by a school which program includes, but shall not be limited to, any course designed for the repair or maintenance of weapons.

Section 9.32.100. Selling weapons to certain persons prohibited.

A. It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to a person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

B. Further, such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the City to such person.

Title 18 – Land Development Code

Chapter 18.05 – Accessory and Temporary Structures and Uses, Nonconforming Situations Section 18.05.020. Accessory structures and uses..

J. Home occupations.

4. Prohibited home occupations. Certain home business uses have demonstrated a tendency to cause impacts to a neighborhood that are detrimental to the character and value of residential properties, and have associated impacts upon the public health, safety and general welfare in residential areas. The following uses, regardless of whether they

meet the performance standards, are not permitted. These businesses shall include but are not limited to the following:

- I. The sale of firearms and gunsmithing;

Erie Code of Ordinances

Current through Ordinance 46-2019, enacted December 10, 2019. (Republication)

Title 6 – Police and Traffic Regulations Chapter 3 – Offenses Involving Weapons

Section 6-3-3. Prohibited use of weapons.

A. It is unlawful to:

7. Have in one's possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance, as defined at Colorado Revised Statutes 18-18-102(5), as amended. Possession of a permit issued under Colorado Revised Statutes 18-12-105.1, as it existed prior to its repeal, or possession of a permit or a temporary permit issued pursuant to the provisions of title 18, article 12, part 2, Colorado Revised Statutes, as amended, is no defense to a violation of this section;

Federal Heights Code of Ordinances

Current through Ordinance 20-02, enacted January 21, 2020. (Supplement 22)

Chapter 38 – Miscellaneous Offenses

Article IX – Weapons

Section 38-110. Definitions.

(a) As used in this article, the following shall mean as defined herein unless otherwise specifically provided:

Firearm means any handgun, revolver, pistol, rifle, shotgun or other instrument or device from which any shot, bullet or other missile can be discharged.

Section 38-111. Prohibited use or possession of weapons; exception.

(a) It shall be unlawful for any person to:

(5) Have in his or her possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance, as defined in C.R.S. 18-18-102;

Section 38-114. Defacing or possession of defaced firearm.

(a) It shall be unlawful for any person to knowingly:

(1) Remove, deface, cover, alter or destroy the manufacturer's serial number or any other distinguishing number or identification mark of a firearm; or

(2) Possess a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered, or destroyed, except by normal wear and tear.

Firestone Code of Ordinances

Current through Ordinance 975, enacted May 27, 2020. (Supplement 21)

Title 9 – Public Peace, Morals and Welfare Chapter 9.24 – Offenses Involving Firearms and Weapons

Section 9.24.030. Possessing firearm while intoxicated.

No person shall possess a firearm while such person's ability is impaired by intoxicating liquor, as defined by state law, or a controlled substance, as defined by state law. A violation of this Section shall be a misdemeanor.

Section 9.24.040. Furnishing firearm to intoxicated persons or minors.

No person shall sell, loan or furnish any firearm to any person whose ability is impaired by intoxicating liquor, as defined by state law, or any controlled substance, as defined by state law, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen years who is not related to the person by blood, marriage or adoption. A violation of this Section shall be a misdemeanor.

Fort Collins Code of Ordinances

Current through Ordinance 064, 2020, adopted May 5, 2020. (Supplement 135)

Title 15 – Licenses and Business Regulations

Article XI – Secondhand Dealers

Section 15-316. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

Barter shall mean to trade goods or services without the exchange of money.

Conditional sale or consignment shall mean a transaction wherein: (a) secondhand property is delivered to a dealer for sale by the property owner, and (b) the secondhand dealer is required to either sell the goods for the person making the delivery and remit the price or, if the goods are not sold, return the goods to the person making delivery.

Secondhand dealer shall mean any person who operates any portion of his or her business to buy, accept on consignment, sell or barter secondhand property; and any owner or operator of a flea market, provided, however, that this definition and the terms of this Article shall not apply to the following:

- (1) A person or organization selling or bartering secondhand property at an exhibition or show which is intended to display and advertise a particular commodity or class of product, including, but not limited to, antique exhibitions, firearm exhibitions, home and garden shows and recreational vehicle shows;
- (2) A person or organization that is charitable, nonprofit, recreational, fraternal or political in nature or that is exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986;
- (5) A person accepting on consignment, selling or bartering secondhand property that was not originally purchased by such person for resale, so long as such person does not accept on consignment, sell or barter secondhand property more than five (5) weekend periods in one (1) calendar year as verified by a declaration to be prepared by the seller. For purposes of this Subsection, weekend period means during the period beginning Friday through the immediately following Monday;
- (6) An individual vendor renting a booth or space in a flea market, except that each individual vendor shall be subject to the requirements in 15-327.
- (7) A person, organization or business that sells donated secondhand property.

Secondhand property shall mean the following items of tangible personal property previously owned and used by another person;

- (3) Sporting goods and jewelry, including, but not limited to: skis, ski poles, ski boots, ski bindings, in-line skates, snowboards, skateboards, golf clubs, guns, jewelry, precious or semi-precious metals or stones, coins, luggage, boots and furs;

Section 15-317. License required; annual fee.

(a) It shall be unlawful for any person, owner or operator of a flea market to engage in the business of secondhand dealing except as provided in and authorized by this Article and without first having obtained a license from the Financial Officer. Such license shall be kept current at all times, and failure to maintain a current license shall constitute a violation of this Section.

(b) The annual license fee for carrying on the business of secondhand dealing shall be one hundred dollars (\$100.), which shall be submitted together with an application to the Financial Officer. Said license fee is nonrefundable, unless the application is denied.

Fort Lupton Code of Ordinances

Current through Ordinance 2019-1071, adopted December 2, 2019. (Supplement 23)

Chapter 10 – General Offenses

Article X – Offenses Relating to Weapons

Section 10-224. Prohibited use of weapons.

It is unlawful to:

(6) Have in one's possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance, as defined in Section 12-22-303(7), C.R.S. Possession of a permit issued under Section 18-12-105.1, C.R.S., as it existed prior to its repeal, or possession of a permit or a temporary emergency permit issued pursuant to the provisions of Title 18, Article 12, C.R.S., is no defense to a violation of this Paragraph.

Section 10-225. Possession of handguns by juveniles; prohibitions.

(a) Except as provided in this Section, it is unlawful for any person under the age of eighteen (18) years to knowingly have any handgun in such person's possession.

(b) This Section shall not apply to:

(1) Any person under the age of eighteen (18) years who is:

a. In attendance at a hunter's safety course or firearms safety course;

b. Engaging in practice in the use of a firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited;

c. Engaging in an organized competition involving the use of a firearm or participating in, or practicing for, a performance by an organized group under 501(c)(3) as determined by the federal Internal Revenue Service which uses firearms as part of such performance;

d. Hunting or trapping pursuant to a valid license issued to such person pursuant to Title 33, Article 4, C.R.S.; or

e. Traveling with a handgun in such person's possession, being unloaded, to or from any activity described in Subparagraphs a. through d. above.

(2) Any person under the age of eighteen (18) years who is on real property under the control of such person's parent, legal guardian or grandparent and who has the permission of such person's parent or legal guardian to possess a handgun;

(3) Any person under the age of eighteen (18) years who is at such person's residence and who, with the permission of such person's parent or legal guardian, possesses a handgun for the purpose of exercising the rights contained in Section 18-1-704, C.R.S. (entitled "Use of physical force in defense of a person") or Section 18-1-704.5, C.R.S. (entitled "Use of deadly physical force against an intruder").

(c) For the purposes of this Section, a handgun is loaded if:

(1) There is a cartridge in the chamber of the handgun;

(2) There is a cartridge in the cylinder of the handgun if the handgun is a revolver; or

(3) The handgun and the ammunition for such handgun are carried on the person of a person under the age of eighteen (18) years or are in such close proximity to such person that such person could readily gain access to the handgun and the ammunition and load the handgun.

Fort Morgan Code of Ordinances

Current through Ordinance 1238, adopted November 5, 2019. (Supplement 4, Update 4)

Chapter 10 – General Offenses

Article 6 – Offenses Involving the Public

Division 2 – Dangerous Weapons

Section 10.6-120. Selling weapons to intoxicated persons or minors.

(a) It shall be unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability or to any minor.

(b) Any person found guilty of selling weapons to intoxicated persons shall, upon conviction, be punished by a fine.

Frederick Code of Ordinances

Current through Ordinance 1326, passed October 22, 2019.

Chapter 10 – General Offenses

Article XI – Offenses Relating to Firearms and Weapons

Section 10-221. Definitions.

As used in this Article, the following words shall have the meanings ascribed below:

Firearm means any handgun, automatic, revolver, pistol, rifle, shotgun or other instrument or device capable or intended to be capable of discharging bullets, cartridges or other explosive charges, but does not include a BB gun, a paint ball gun or an air-soft gun.

Handgun means a pistol, revolver or other firearm of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable, or magazine breech, does not exceed twelve (12) inches.

Section 10-224. Prohibited use of weapons.

(a) It is unlawful to:

(6) Have in one's possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance, as defined in Section 12-22-303(7), C.R.S. Possession of a permit issued under Section 18-12-105.1, C.R.S., as it existed prior to its repeal, or possession of a permit or a temporary emergency permit issued pursuant to the provisions of Title 18, Article 12, C.R.S., is no defense to a violation of this Subsection.

Section 10-225. Possession of handguns by juveniles – prohibitions.

(a) Except as provided in this Section, it is unlawful for any person under the age of eighteen (18) years to knowingly have any handgun in such person's possession.

(b) This Section shall not apply to:

(1) Any person under the age of eighteen (18) years who is:

a. In attendance at a hunter's safety course of firearms safety course; or

b. Engaging in practice in the use of a firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited; or

c. Engaging in an organized competition involving the use of a firearm or participating in or practicing for a performance by an organized group under 501(c)(3) as determined by the Federal Internal Revenue Service which uses firearms as part of such performance; or

d. Hunting or trapping pursuant to a valid license issued to such person pursuant to Title 33, Article 4, C.R.S.; or

e. Traveling with a handgun in such person's possession being unloaded to or from any activity described in Subparagraph a., b., c. or d. of this Subsection.

(2) Any person under the age of eighteen (18) years who is on real property under the control of such person's parent, legal guardian, or grandparent and who has the permission of such person's parent or legal guardian to possess a handgun.

(3) Any person under the age of eighteen (18) years who is at such person's residence and who, with the permission of such person's parent or legal guardian, possesses a handgun for the purpose of exercising the rights contained in Section 18-1-704, C.R.S. (entitled "Use of physical force in defense of a person"), or Section 18-1-704.5, C.R.S. (entitled "Use of deadly physical force against an intruder").

(c) For purposes of this Section, a handgun is loaded if:

(1) There is a cartridge in the chamber of the handgun;

(2) There is a cartridge in the cylinder of the handgun if the handgun is a revolver; or

(3) The handgun and the ammunition for such handgun are carried on the person of a person under the age of eighteen (18) years or is in such close proximity to such person that such person could readily gain access to the handgun and the ammunition and load the handgun.

(d) This Section is declared to be a criminal violation. Upon conviction, the penalties set forth at Section 1-73 of this Code shall apply.

Garden City Code of Ordinances

Current through Ordinance 01-2019, adopted February 5, 2019. (Supplement 2)

Chapter 10 – General Offenses

Article 8 – Weapons

Section 10.8-10. Definitions.

As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Firearm means any handgun, automatic, revolver, pistol, rifle, shotgun or other instrument or device capable of or intended to be capable of discharging bullets, cartridges or other explosive charges.

Section 10.8-40. Prohibited use of weapons.

(a) A person commits an offense if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance.

Section 10.8-50. Selling weapons to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of 18 years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Georgetown Code of Ordinances

Current through Ordinance 6, enacted December 10, 2019. (Supplement 9)

Title 9 – Public Peace, Morals and Welfare

Chapter 9.16 – Firearms

Section 9.16.010. Firearms defined.

Wherever the term firearms is used in this Chapter, the term shall mean any instrument used in the propulsion of shot, slug, shell or bullets or other harmful objects or projectiles by the action of gunpowder exploded or burned within it, by the action of compressed air within it, or by the power or action of springs, and including what are commonly known as air rifles, air pistols and BB guns.

Section 9.16.060. Selling firearms to intoxicated persons.

It shall be unlawful and a criminal violation for any person to sell, loan or furnish any firearm to any person while that person is intoxicated or under the influence of alcohol, any narcotic or dangerous drug, glue or other hallucinogenic inhalant.

Gilcrest Code of Ordinances

Current through Ordinance 2019-11, adopted November 19, 2019. (Supplement 21)

Chapter 10 – General Offenses

Article VII – Offenses Relating to Weapons

Section 10.122. Furnishing weapons to intoxicated persons.

(a) It shall be unlawful for any person to sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant.

(b) Such unlawful sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Glendale Code of Ordinances

Current through Ordinance 2020-3, passed April 13, 2020.

Title 5 – Business Licenses and Regulations

Chapter 5.56 – Pawnbrokers

Section 5.56.130. Unlawful transactions.

It shall be unlawful for any pawnbroker to engage in any purchase transaction or enter into any contract for the sale or purchase of tangible goods:

A. Where the subject matter or any portion of the transaction includes the pawning or sale of weapons of any kind, including but not limited to any explosives or incendiary device, ballistic knife, gravity knife, switchblade knife, blackjack, firearm, gas gun, or stun gun as defined in C.R.S. Section 18-12-101.

Section 5.56.160. Notice to police department of stolen items.

B. The pawnbroker shall report the loss or theft of any weapon from the licensed premises to the police department within eight (8) hours of discovery of such loss or theft. For the purpose of this section, “**weapon**” shall mean any handgun, long gun, assault rifle, air rifle, shotgun, spring-operated gun, crossbow, recurve bow or hunting knife.

Title 9 – Public Peace, Order and Decency

Chapter 9.32 – Weapons

Section 9.32.030. Possession of a defaced firearm.

It is unlawful for any person to knowingly and unlawfully possess a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed.

Section 9.32.050. Prohibited use of weapons.

A. A person commits a misdemeanor if he:

4. Has in his possession a firearm while under the influence of intoxicating liquor or of a controlled substance, as defined in C.R.S. 12-22-303 (7). Possession of a permit under C.R.S. 18-12-105.1, is no defense to a violation of this subsection;

Golden Code of Ordinances

Current through Ordinance 2134, adopted February 27, 2020. (Supplement 10)

Title 8 – Public Peace and Safety

Chapter 8.04 – Criminal Code

Article IX – Weapons

Section 8.04.900. Definitions.

(a) As used in this article, the following shall mean as defined herein unless otherwise specifically provided:

Firearm means any handgun, revolver, pistol, rifle, shotgun or other instrument or device from which any shot, bullet or other missile can be discharged.

Section 8.04.905. Unlawful storage of firearms.

(a) As used in this section, the following definitions shall apply:

(1) **Locked container** means a secure container which is enclosed on all sides and locked by a padlock, key lock, combination lock or similar device.

(2) **Locking device** means a device which temporarily prevents the firearm from functioning.

(3) **Minor** means a person who has not reached his or her eighteenth birthday.

(b) It shall be unlawful for any person to store any firearm within or upon any premises of which that person has an ownership interest, custody or control, in such a manner which that person knows, or should know, that a minor is likely to gain possession of the firearm and in the event that the minor does, in fact, obtain possession of the firearm.

(c) Subsection (b) shall not apply whenever any of the following occurs:

(1) The minor obtains the firearm as a result of an illegal entry to the premises.

(2) The firearm is kept in a locked container, access to which is not available to a minor.

(3) The firearm is equipped with, and has in place, a locking device, the means of removal of which is not available to the minor.

(4) The minor obtains the firearm in a lawful act of self-defense, or defense of the minor's home or property.

(5) The minor obtains the firearm during the course of, or incidental to, being legally summoned to the aid of a Colorado Peace Officer, or a member of the United States Armed Forces, or the Colorado National Guard in the performance of their duties.

(6) The firearm is an antique firearm that was manufactured in or before 1898.

Section 8.04.910. Prohibited use of weapons; exception.

(a) It shall be unlawful for any person to:

(5) Have in his or her possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance, as defined in C.R.S. 18-18-102;

Section 8.04.940. Defacing or possession of defaced firearm.

It shall be unlawful for any person to knowingly:

(1) Remove, deface, cover, alter or destroy the manufacturer's serial number or any other distinguishing number or identification mark of a firearm; or

(2) Possess a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered, or destroyed, except by normal wear and tear.

Green Mountain Falls Code of Ordinances

Current through Ordinance 2019-08, adopted December 3, 2019. (Supplement 8)

Chapter 10 – General Offenses Article X – Offenses Relating to Weapons

Section 10.232. Prohibited use of weapons.

A person commits a misdemeanor if:

(4) He or she has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance, as defined in Section 10-141(1) of this Code. Possession of a permit issued under Section 18-12-105.1, C.R.S., is no defense to a violation of this Section.

Greenwood Village Code of Ordinances

Current through Ordinance 03-2020, adopted May 4, 2020

Chapter 9 – General Offenses Article 20 – Weapons

Section 9-20-10. Definitions.

For purposes of this Article, the following terms shall have the following meanings:

Dangerous weapon means a firearm silencer, machine gun, short shotgun, short rifle or ballistic knife.

Deadly weapon means any of the following, which in the manner it is used or intended to be used, is capable of producing death or serious bodily injury: a firearm, whether loaded or unloaded, whether capable or incapable of being fired; a knife; a bludgeon; a nunchaku; a throwing star; or any other weapon, device, instrument, material or substance, whether animate or inanimate.

Firearm means any handgun, automatic, revolver, pistol, rifle, shotgun or other instrument or device capable of or intended to be capable of discharging bullets, cartridges or other explosive charges, excluding gas guns.

Firearm silencer means any instrument, attachment, weapon or appliance for causing the firing of any gun, revolver, pistol or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

Handgun means a pistol, revolver or other firearm of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable or magazine breech does not exceed twelve (12) inches.

Juvenile means any person under the age of eighteen (18) years.

Machine gun means any firearm, whatever its size and usual designation, which shoots automatically more than one (1) shot, without manual reloading, by a single function of the trigger.

Short rifle means a rifle having a barrel less than sixteen (16) inches long or an overall length of less than twenty-six (26) inches.

Short shotgun means a shotgun having a barrel or barrels less than eighteen (18) inches long or an overall length of less than twenty-six (26) inches.

Section 9-20-20. Possession of illegal or dangerous weapons.

It is unlawful for any person to knowingly possess an illegal weapon or a dangerous weapon in the City.

Section 9-20-30. Possession of deadly weapons.

(a) It is unlawful for any person to possess any deadly weapon except as authorized by this Article, the State Constitution or the Colorado Revised Statutes.

(b) It shall not be a violation of this Section if the person is:

(1) In his or her own dwelling or place of business or on property owned or under his or her control at the time of possession;

(2) In possession of a deadly weapon in a private automobile or other private means of conveyance for hunting or for the purpose of lawful protection of his or her person or property or another's person or property;

(3) In possession of a valid written permit to carry the deadly weapon and carrying the deadly weapon in compliance with such permit.

Section 9-20-60. Possession of handguns, pellet guns and BB guns by juveniles.

- (a) It is unlawful for any juvenile to knowingly possess any handgun, pellet gun or BB gun in the City.
- (b) This Section shall not apply to any juvenile who is, at the time of possession, in the company of an adult and:
- (1) In attendance at a hunter's safety course or firearms safety course;
 - (2) At a shooting range or any other area where the discharge of a firearm is not prohibited;
 - (3) Engaging in an organized competition involving the use of a firearm, pellet gun or BB gun or participating in or practicing for a performance by an organized nonprofit group which uses firearms, pellet guns or BB guns as a part of such performance;
 - (4) Hunting or trapping pursuant to a valid hunting or trapping license;
 - (5) Traveling to or from any of the foregoing activities with any handgun, pellet gun or BB gun which is unloaded; or
 - (6) On real property under the control of such juvenile's parent, legal guardian or grandparent and who has the permission of such parent, legal guardian or grandparent to possess a handgun, pellet gun or BB gun.
- (c) This Section shall not apply to any juvenile in possession of a handgun at such juvenile's residence and who, with the permission of such juvenile's parent or legal guardian, possesses the handgun for the purpose of exercising the rights recognized in Sections 18-1-704 or 18-1-704.5, C.R.S.
- (d) It is unlawful for any person to intentionally, knowingly or recklessly provide a handgun, pellet gun or BB gun to a juvenile in violation of this Section, or for any person who knows of such juvenile's violation of this Section to fail to make reasonable efforts to prevent such violation.

Section 9-20-100. Intoxicated persons.

- (a) It is unlawful for any person under the influence of intoxicating liquor or a controlled substance to possess a firearm.
- (b) Possession of a concealed handgun permit shall not be a defense to this Section.

Idaho Springs Code of Ordinances

Current through Ordinance 5, Series 2020, adopted March 23, 2020. (Supplement 9, Update 4)

**Chapter 9 – Licenses, Permits and Miscellaneous Business Regulations
Article VII – Pawnbrokers**

Section 9-100. Safekeeping; insurance.

(B) A pawnbroker shall report the loss or theft of any weapon from the licensed premises to the Police Department within one (1) hour of discovery of such loss or theft. For the purposes of this Section, **weapon** means any handgun, long gun, assault rifle, air rifle, shotgun, spring-operated gun, crossbow, recurve bow or hunting knife.

**Chapter 17 – Miscellaneous Provisions and Offenses
Article I – In General**

Section 17-1. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Deadly weapon. Any firearm, whether loaded or unloaded, knife, bludgeon or other weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or intended to be used is capable of producing death or serious bodily injury.

Firearm. Any instrument used in the propulsion of shot, slug, shells, bullets or other objects or projectiles capable of inflicting pain, bodily injury or property damage, by the action of gunpowder exploded or burned within it, by the action of compressed air within it or by the power or action of springs, and including what are commonly known as air rifles, air pistols and BB guns.

**Article IV – Offenses Against Public Safety
Division 2 – Weapons**

Section 17-68. Selling weapons to intoxicated persons.

It is unlawful for any person to purchase, sell, loan or furnish any dangerous or deadly weapon to any person intoxicated or under the influence of alcohol, any narcotic or dangerous drug or glue substance.

Johnstown Code of Ordinances

Current through Ordinance 2020-172, enacted February 22, 2020. (Supplement 11)

Chapter 10 – General Offenses
Article X – Weapons

Section 10.191. Definitions.

The following definitions apply to this Article:

Bomb means any explosive or incendiary device or Molotov cocktail as defined in Section 9-7-103, C.R.S., which is not specifically designed for lawful and legitimate use in the hands of its possessor.

Firearm silencer means any instrument, attachment, weapon or appliance for causing the firing of any gun, revolver, pistol or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

Machine gun means any firearm, whatever its size and usual designation, that shoots automatically more than one (1) shot, without manual reloading, by a single function of the trigger.

Short rifle means a rifle having a barrel less than sixteen (16) inches long, or an overall length of less than twenty-six (26) inches.

Short shotgun means a shotgun having a barrel or barrels less than eighteen (18) inches long or an overall length of less than twenty-six (26) inches.

Section 10.193. Possessing an illegal weapon.

(a) As used in this Section, the term **illegal weapon** means a blackjack, bomb, firearm silencer, gas gun, machine gun, short shotgun, short rifle, metallic knuckles, gravity knife or switchblade knife.

(b) It shall be unlawful for any person other than a peace officer or member of the Armed Forces of the United States or State National Guard to knowingly possess an illegal weapon.

Section 10.194. Possession of a defaced firearm.

It shall be unlawful for any person to knowingly and unlawfully possess a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed.

Section 10.195. Defacing a firearm.

It shall be unlawful for any person to intentionally remove, deface, cover, alter or destroy the manufacturer's serial number or any other distinguishing numbers or identification mark of a firearm.

Section 10.197. Prohibited use of weapons.

It shall be unlawful for any person to:

(4) Have in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a narcotic drug or dangerous drug. Possession of a permit issued under Section 18-12-105, C.R.S., is no defense to a violation of this Subsection;

Keenesburg Code of Ordinances

Current through Ordinance 2019-03, adopted February 19, 2019. (Supplement 7)

Chapter 10 – General Offenses
Article VII – Weapons

Section 10.7-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105.1, C.R.S., is no defense to a violation of this Section;

Section 10.7-50. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Chapter 16 – Zoning
Article I – General Provisions

Section 16-1-70. Basic definitions and interpretations.

(38) Home occupation ... For the purposes of this Chapter, the following occupations are not considered home occupations:

- k. The sale of firearms;

Kiowa Code of Ordinances

Current through Ordinance 2017-03, enacted August 8, 2017. (Supplement 15)

Chapter 10 – General Offenses

Article VIII – Weapons

Section 10.175. Furnishing to certain persons.

It shall be unlawful for any person to purchase, sell, loan or furnish any gun, pistol, rifle, shotgun or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor person under the age of eighteen (18) years.

La Junta Code of Ordinances

Current through Ordinance 1607, adopted May 6, 2019. (Supplement 20)

Chapter 9.08 – Offenses Generally

Article VII – Offenses Relating to Weapons or Missiles

Section 9.08.392. Possession of firearms by juveniles.

(a) It shall be unlawful for any juvenile to have in such juvenile's possession any firearms.

(b) The prohibition contained in Subsection (a) of this Section shall not apply when a juvenile is in the actual company of the juvenile's parent or legal guardian.

(c) It shall be an affirmative defense to the offense described in Subsection (a) of this Section that the juvenile was, at the time of such possession:

(1) Traveling to, from or engaging in:

- a. A hunter's safety course,
- b. A firearms safety course,
- c. Practicing the use of firearms at an authorized shooting range, or
- d. An organized competition involving the use of firearms at an authorized shooting range; or

(2) Holding a valid hunting license issued pursuant to Article 4 of Title 33, C.R.S., and was actively engaged in traveling to or returning from a lawful activity relating to hunting, pursuant to any such license; and such juvenile was at all times traveling or engaging in such activity with the permission of the juvenile's parent or legal guardian and, if the juvenile was traveling while in possession of a firearm, such firearm was not loaded. For purposes of this Subsection, an authorized shooting range shall include any shooting ranges whose safety rules have been approved by the Director of Public Safety and any established shooting ranges operating outside of the City limits.

Section 9.08.394. Adult culpability.

It shall be unlawful for any adult to intentionally, knowingly or by criminal negligence provide a firearm to any juvenile in violation of this Article, or for any parent or legal guardian of any juvenile, who knows of such juvenile's violation of this Article to fail to make reasonable efforts to prevent such violations.

Lafayette Code of Ordinances

Current through Ordinance 2020-08, enacted April 7, 2020. (Supplement 3, Update 1)

Chapter 75 – Offenses, Miscellaneous

Article IX – Weapons

Section 75-261. Prohibited use of weapons; exception.

(a) It shall be unlawful for any person to:

- (4)** Have in his or her possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance, as defined in C.R.S. 18-18-102;

Section 75-264. Defacing or possession of defaced firearm.

(a) It shall be unlawful for any person to knowingly:

- (1) Remove, deface, cover, alter or destroy the manufacturer's serial number or any other distinguishing number or identification mark of a firearm; or
- (2) Possess a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered, or destroyed, except by normal wear and tear.

Lamar Code of Ordinances

Current through Ordinance 1222, adopted November 27, 2017. (Supplement 19)

**Chapter 14 – Offenses
Article VII – Weapons**

Section 14-167. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

- (4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under C.R.S. 18-12-105.1 is no defense to a violation of this section;

Section 14-168. Providing weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other weapon or firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of 18 years not in the presence of a parent or guardian.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the city to such person.

Las Animas Code of Ordinances

Current through Ordinance 676, passed May 8, 2007. (Supplement 2)

Chapter 23 – Weapons

Section 23-5. Records of sales, rentals, etc.

Every secondhand dealer, pawnbroker or other person engaged in the sale, rental or exchange of any weapons described in this chapter shall keep a record of each such weapon purchased, sold, rented or exchanged at retail.

Such record shall be made at the time of the transaction, in a book kept for that purpose, and shall include the name of the person to whom or from whom such weapon is purchased, sold or rented, or with whom exchanged, his age, physical description, occupation, residence and, if residing in a city, the street and number where he resides; the make, caliber, and finish of the firearm, together with the number or serial letter thereof, if any; the date of the purchase, sale, rental or exchange of such weapon; and the name of the employee or other person making such purchase, sale, rental or exchange.

Such record book shall be open at all times to the inspection of any duly authorized police officer of the city.

Section 23-6. Sale, rental, etc., of firearms to certain persons prohibited.

It shall be unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol; or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability.

Further, such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the city to such person.

Leadville Code of Ordinances

Current through Ordinance 2019-6, passed November 28, 2019. (Supplement 16)

**Title 9 – Public Peace and Welfare
Chapter 9.36 – Firearms and Weapons**

Section 9.36.010. Definitions.

A. As used in this chapter, unless the context otherwise requires, the following definitions shall be used:

2. "**Bomb**" means any explosive or incendiary device or Molotov cocktail as defined in Section 9-7-103, C.R.S. 1973, which is not specifically designed for lawful and legitimate use in the hands of its possessor.

3. **"Firearm silencer"** means any instrument, attachment, weapon, or appliance for causing the firing of any gun, revolver, pistol, or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

7. **"Machine gun"** means any firearm, whatever its size and usual designation, that shoots automatically more than one shot, without manual reloading, by a single function of the trigger.

8. **"Short rifle"** means a rifle having a barrel less than sixteen (16) inches long or an overall length of less than twenty-six (26) inches.

9. **"Short shotgun"** means a shot gun having a barrel or barrels less than eighteen (18) inches long or an overall length of less than twenty-six (26) inches.

B. It is an affirmative defense to any provision of this chapter that the act was committed by a peace officer in the lawful discharge of his or her duties.

Section 9.36.020. Possessing an illegal weapon.

A. As used in this section, **"illegal weapon"** means a blackjack, bomb, firearm silencer, gas gun, machine gun, short rifle, short shotgun, metallic, wooden, plastic or hard rubber knuckles and knuckles made of a similar material, gravity knife, or switch blade knife.

B. A person, other than a peace officer or member of the Armed Forces of the United States or Colorado National Guard acting in the lawful discharge of his or her duties, or a person who has a valid permit and license pursuant to the federal code for such weapon, commits possessing an illegal weapon if he or she knowingly possesses an illegal weapon. The exceptions in this subsection shall be an affirmative defense.

Section 9.36.030. Possession of a defaced firearm.

A person commits possession of a defaced firearm if he or she knowingly and unlawfully possesses a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered, or destroyed, except by normal wear and tear.

Section 9.36.050. Prohibited use of weapons.

A person commits prohibited use of weapons if:

D. He or she has in his or her possession a firearm while he or she is in a place licensed for the sale of alcoholic beverages or while he or she is under the influence of intoxicating liquor or of a narcotic or dangerous drug. Possession of a permit is no defense to a violation of this section.

Section 9.36.070. Prohibited transfer of firearms

It is unlawful for any person, firm or corporation to purchase, sell, loan or furnish any gun, pistol, rifle or other firearm in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant, depressant, or hallucinogen, or to any person in a condition of agitation and excitability, or any person under the age of eighteen (18) years.

Littleton Code of Ordinances

Current through Ordinance 22, Series of 2019, passed October 1, 2019.

Title 6 – Police Regulations Chapter 4 – General Offenses Offenses Involving Weapons

Section 6-4-151. Definitions.

Bomb: Any explosive or incendiary device or molotov cocktail as defined by State law, or any chemical device which causes or can cause an explosion, which is not specifically designed for lawful and legitimate use in the hands of its possessor.

Firearm Silencer: Any instrument, attachment, weapon, or appliance for causing the firing of any gun, revolver, pistol, or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

Illegal Weapon: A blackjack, bomb, firearm silencer, gas gun, nunchaku, machine gun, short shotgun, short rifle, metallic knuckles, or throwing star.

Machine Gun: Any firearm, whatever its size and usual designation, that shoots automatically more than one shot, without manual reloading by a single function of the trigger.

Short Rifle: A rifle having a barrel less than sixteen inches (16") long or an overall length of less than twenty six inches (26").

Short Shotgun: A shotgun having a barrel or barrels less than eighteen inches (18") long or an overall length of less than twenty six inches (26").

Section 6-4-154. Sale, possession, display restrictions.

(C) Sales of firearms to certain persons prohibited: It shall be unlawful for any person to purchase for or to sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability or to any minor under the age of eighteen (18) years.

(D) Possession of firearms by juveniles:

1. It shall be unlawful for any juvenile under the age of eighteen (18) to have in such juvenile's possession any firearm. For purposes of this subsection, "firearm" means any handgun, automatic, revolver, pistol, rifle, shotgun or other instrument or device capable of discharging bullets, cartridges or other explosive charges. "Firearm" shall not include devices commonly known and used as BB guns so long as only one BB is fired from such device at each pull of the device's trigger.
2. It shall be an affirmative defense to a violation of subsection (D)1 of this section that the juvenile is in the actual company of the juvenile's parent or legal guardian and that the parent or legal guardian knew of the juvenile's possession.
3. It shall be an affirmative defense to the offense described in subsection (D)1 of this section that the juvenile was, at the time of such possession:
 - (a) Traveling to, from, or engaging in:
 - (1) A hunter's safety course approved by the State or any other state; or
 - (2) A firearms safety course approved by the State or any other state; or
 - (3) Practicing the use of firearms at an authorized shooting range; or
 - (4) An organized competition involving the use of firearms at an authorized shooting range; or
 - (5) Holding a valid hunting license issued pursuant to article 4 of title 33 Colorado Revised Statutes and was actively engaged in traveling to or returning from a lawful activity relating to hunting, pursuant to any such license; and
 - (6) Such juvenile was at all times traveling with or accompanied by an adult over the age of twenty one (21), such juvenile having the written permission of the juvenile's parent or legal guardian to engage in such activity under the supervision of said adult and, if the juvenile was traveling while in possession of a firearm, such firearm was not loaded.

For purposes of this subsection an authorized shooting range shall include any shooting ranges within the City whose safety rules have been approved by the Chief of Police and any established shooting ranges operating outside of the City limits.

(b) In the juvenile's residence.

(c) Activities as a result of the juvenile's service and membership in the United States Armed Forces or National Guard.

4. For the purposes of this subsection a firearm shall be considered loaded if:

- (a) There is a cartridge in the chamber of the firearm;
- (b) There is a cartridge in the cylinder, if the firearm is a revolver;
- (c) There is a cartridge in the magazine, if the firearm utilizes a magazine, whether such magazine is detachable or fixed; or
- (d) The firearm, and the ammunition therefor, are carried on the person of the juvenile or are within such close proximity the juvenile could readily gain access to the firearm and the ammunition and load the firearm.

5. In the event a juvenile enters a plea of guilty or no contest to this subsection or is found guilty at trial, the court may order the forfeiture of the firearm which the juvenile possessed in violation of this section. The court may order the return of the firearm to its lawful owner only if the owner shows to the court, by a preponderance of its evidence that such firearm was unlawfully obtained by the juvenile.

6. It shall be unlawful for any adult to intentionally, knowingly, or by criminal negligence, provide a firearm to any juvenile in violation of this section, or for any parent or legal guardian of any juvenile who knows of such juvenile's violation of this subsection to fail to make reasonable efforts to prevent such violation.

Section 6-4-155. Records kept.

(A) Every secondhand dealer, pawnbroker or other person engaged in the sale, rental or exchange of any weapons described hereinabove, shall keep a record of each such weapon purchased, sold, rented or exchanged at retail. Such record shall be made at the time of the transaction in a book kept for that purpose and shall include the name of the person to whom or from whom such weapon is purchased, sold or rented, or with whom exchanged; his age, physical description, occupation, residence and if residing in a city the street and number where he resides; the make, caliber and finish of the firearm together with the number or serial letter thereof, if any; the date of the purchase, sale, rental or exchange of such weapon and the name of the employee or other person making such purchase, sale, rental or exchange.

(B) Such record shall be open at all times to the inspection of any duly authorized police officer of the city.

Section 6-4-158. Illegal weapons.

It shall be unlawful for any person, other than a peace officer or member of the armed forces of the United States or Colorado national guard while acting in the lawful discharge of his duties or a person who has a valid permit and license issued pursuant to the federal code for such weapon, to knowingly possess an illegal weapon. The exceptions in this section shall be an affirmative defense.

Section 6-4-159. Prohibited use of weapons.

It shall be unlawful for any person to:

(D) Have in his possession a firearm while he is under the influence of intoxicating liquor or of a narcotic drug. Possession of a permit to possess a firearm pursuant to state law shall not constitute a defense to a violation of this subsection;

Lochbuie Code of Ordinances

Current through Ordinance 646, adopted October 22, 2019. (Supplement 11)

**Chapter 10 – General Offenses
Article XI – Weapons**

Section 10.11-20. Prohibited use of weapons.

A person commits a misdemeanor if he or she:

(3) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance, as defined in Section 10-7-10(3) of this Chapter. Possession of a permit issued under Section 18-12-105.1, C.R.S., is no defense to a violation of this Section.

Section 10.11-30. Unlawfully carrying concealed or possessing weapons on school, college or university grounds.

(a) A person violates this Section if such person knowingly and unlawfully and without legal authority carries, brings or has in such person's possession a deadly weapon as defined in Section 18-1-901(3)(e), C.R.S., in or on the real estate and all improvements erected thereon of any public or private elementary or secondary school or any public or private college, university or seminary, except for the purpose of presenting an authorized public demonstration or exhibition pursuant to instruction in conjunction with an organized school or class, for the purpose or carrying out the necessary duties and functions of an employee of an educational institution which require the use of a deadly weapon, or for the purpose of participation in an authorized extracurricular activity or athletic team.

(b) It shall not be an offense under this Section if:

(1) The weapon is unloaded and remains inside a motor vehicle while upon the real estate of any public or private college, university or seminary;

(2) The person is in that person's own dwelling or place of business or on property owned or under his or her control at the time of the act of carrying;

(3) The person is in a private automobile or other private means of conveyance and is carrying a weapon for lawful protection of that person's or another's person or property while traveling;

(4) The person, prior to the time of carrying a concealed weapon, has been issued a written permit pursuant to Section 18-12-105.1, C.R.S., to carry the weapon by the chief of police of a city or city and county or the sheriff of a county;

(5) The person is a peace officer, level I or level Ia, as defined in Section 18-1-901(3)(I)(I) or (3)(I)(II), C.R.S.;

(6) The person is a peace officer, level II, as defined in Section 18-1-901(3)(I)(III), C.R.S., while on duty;

(7) The person is a peace officer, level IIIa, as defined in Section 18-1-901(3)(I)(IV.5), C.R.S., while on duty and under supervision; or

(8) The person has possession of the weapon for use in an educational program approved by a school, which program includes, but shall not be limited to, any course designed for the repair or maintenance of weapons.

Chapter 19 – Land Use Regulations
Article VII – Supplemental Regulations
Division 2 – Supplemental Use Regulations

Section 19-7-215 Home occupations.

(c) A home occupation shall not be interpreted to include the following or other related or similar types of commercial enterprises: ... the sale of firearms and animal grooming parlors.

Lone Tree Code of Ordinances
Current through Ordinance 20-03, adopted April 7, 2020. (Supplement 15, Update 3)

Chapter 10 – General Offenses
Article I – General Provisions

Section 10.1-10. Definitions.

As used in these Articles, the following words and phrases shall have the following meanings, unless otherwise clearly indicated:

Dangerous weapon means a firearm silencer, machine gun, short shotgun, short rifle or ballistic knife.

Article V – Offenses Involving Weapons

Section 10.5-30. Possessing an illegal or dangerous weapon.

(a) It is unlawful for any person to knowingly possess an illegal or dangerous weapon.

(b) It is an affirmative defense to the charge that the person so accused was a peace officer or member of the armed forces of the United States or Colorado National Guard while acting in the lawful discharge of his or her duties or a person who has a valid permit and license for such weapon.

Section 10.5-50. Possession under the influence of intoxicants.

(a) It is unlawful for any person to have in his or her possession any firearm while the person is under the influence of intoxicating liquor, marijuana or a controlled substance, as defined in C.R.S. Section 18-18-102(5).

(b) Possession of a permit issued under Section 18-12-105.1, C.R.S., as it existed prior to its repeal, or possession of a permit or a temporary emergency permit issued pursuant Part 2 of Article 12 of Title 18 of the Colorado Revised Statutes is no defense to a violation of Section 10-5-50(a).

Longmont Code of Ordinances
Current through Ordinance O-2020-21, adopted April 28, 2020. (Supplement 22)

Title 6 – Business Taxes, Licenses and Regulations
Chapter 6.44 – Junk and Secondhand Dealers

Section 6.44.030. Secondhand dealers, License required, Exemptions.

It is unlawful to engage in the business of purchasing, trading, selling or accepting for consignment secondhand goods without a license from the city clerk to carry on the business. Persons or corporations engaged in a business which has an ancillary business of purchasing or accepting for consignment secondhand goods for occasional resale are exempted from the requirement of obtaining a license. Examples of exempted businesses include but are not limited to jewelry and music stores. Every person selling at a market such as a flea market, either indoors or outdoors, where secondhand goods are sold from individual locations, with each location being operated independently from the other locations, shall obtain a separate license. Persons licensed as pawnbrokers under chapter 6.56 of this Code are exempt from the requirements of this chapter.

Section 6.44.040. Definition of secondhand goods.

Secondhand goods, as used in this chapter, means the following items of tangible personal property sold or traded by a secondhand dealer:

C. ...guns, luggage, boots and furs;

Section 6.44.070. Records required.

A. A person engaged in business as a secondhand dealer shall keep and make a record containing the following information:

- 1.** For all secondhand goods except those goods as described in paragraph 2 of this subsection:
 - a.** , address and date of birth of the seller or trader;
 - b.** Date, time, the place of sale or trade and the amount of the transaction;
 - c.** An accurate and detailed account and description of the items sold or traded, including, but not limited to, any trademark, identification number, serial number, model number, brand name or other identifying mark on such items;
 - d.** The identification number from any of the following forms of identification of the seller or trader:
 - i.** Valid Colorado driver's license;
 - ii.** An identification card issued in accordance with C.R.S. 42-2-302;
 - iii.** Valid driver's license, containing a picture, issued by another state;
 - iv.** A military identification card;
 - v.** A valid passport;
 - vi.** An alien registration card; or
 - vii.** A nonpicture identification document issued by a State or Federal government entity. Should a nonpicture ID be used, a fingerprint of the right index finger of the seller or trader will be recorded on the transaction form;
- 2.** For all secondhand goods purchased by a secondhand dealer from a location other than the licensed premises:
 - a.** Date, time, the place of sale or trade, the name and address of the auctioneer or person conducting the estate sale if purchased at an auction or estate sale, and the amount of the transaction;
 - b.** An accurate and detailed account and description of the items sold or traded, including, but not limited to, any trademark, identification number, serial number, model number, brand name or other identifying mark on such items.

B. The above information shall be recorded on prenumbered forms supplied by the city, and it is the duty of the person engaging in business as a secondhand dealer to complete the form.

C. The completed part of the form marked for police must be mailed or delivered to the Longmont police department within three days of the date of sale or delivery. The dealer must keep the dealer's copy of the completed form for three years from the date of the transaction.

**Title 10 – Public Peace, Morals and Welfare
Chapter 10.28 – Weapons**

Section 10.28.080. Possession of a weapon by an intoxicated person.

- A.** It is unlawful to knowingly possess a firearm while under the influence of any intoxicating liquor or substance.
- B.** It is not a defense that the defendant had a concealed weapon permit or is a peace officer.

Lyons Code of Ordinances

Current through Ordinance 1024, enacted November 19, 2018. (Supplement 7)

Chapter 10 – General Offenses

Article 10 – Weapons

Section 10.10-40. Unlawful use of weapons.

It is unlawful to:

- (4)** Have in one's possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit or a temporary emergency permit issued pursuant to state statutes is no defense to a violation of this Paragraph.

Mancos Code of Ordinances

Current through Ordinance 707, adopted December 9, 2015. (Supplement 5)

**Chapter 10 – General Offenses
Article 9 – Weapons**

Section 10.9-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he:

(4) Has in his possession a firearm while he is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section.

Section 10.9-60. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Manitou Springs Code of Ordinances

Current through Ordinance Number 707, adopted December 9, 2015. (Supplement Number 5)

Title 9 – Public Peace, Morals and Welfare

VIII – Weapons

Chapter 9.52 – Possession of Use of Weapons

Section 9.52.010. Definitions.

As used in this chapter unless the context otherwise requires:

I. **"Firearm"** means any firearm, pistol, revolver, rifle, handgun, shotgun, spring gun, air gun, BB gun or other instrument or device capable of discharging bullets or cartridges or other explosive charges.

Section 9.52.020. Unlawful possession and sale.

It is unlawful for any person:

C. To possess any firearm or knife, whether concealed or not, if the person is under the influence of alcohol or any narcotic or dangerous drug. Possession of a permit or license for the possession or carrying of the weapon in question is no defense to a violation of this subsection;

D. To purchase for, sell, loan or furnish any firearm or knife to any person intoxicated or under the influence of alcohol or any narcotic or dangerous drug, or to any person in a condition of agitation or excitement;

Mead Code of Ordinances

Current through Ordinance 931, enacted April 27, 2020. (Supplement 15)

Chapter 10 – General Offenses

Article X – Offenses Relating to Firearms and Weapons

Section 10.10-70. Possession of a weapon by an intoxicated person.

(a) It is unlawful to knowingly possess a firearm while under the influence of any intoxicating liquor or substance.

(b) It is not a defense that the defendant had a concealed weapon permit or is a peace officer.

Meeker Code of Ordinances

Current through Ordinance 01-2020, enacted January 21, 2020. (Supplement 10)

Title 9 – General Offenses

Chapter 9.6 – Offenses Relating to Public Peace, Order and Safety

Section 9.6.111. Prohibited use of weapons.

(a) **Definitions.** For the purpose of this Chapter, the following terms, phrases, words and their derivation shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number the plural. The word shall is always mandatory and not merely directory.

Firearm means any handgun, automatic revolver, pistol, rifle, shotgun or other instrument or device capable of or intended to be capable of discharging bullets, cartridges or other explosive charges.

(b) A person commits a criminal offense if:

(7) He or she has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance, as defined in Section 12-22-303(7), C.R.S., as amended. Possession of a permit issued under Section 18-12-105(2), C.R.S., as amended, shall not be a defense to a violation of this Subsection;

Milliken Code of Ordinances

Current through Ordinance 779, adopted April 5, 2020. (Supplement 17, Update 1)

Chapter 10 – General Offenses

Article IX – Weapons

Section 10.9-10. Definitions.

(a) As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Bomb means any explosive, incendiary device or Molotov cocktail as defined in Section 9-7-103, C.R.S., or any chemical device which causes or can cause an explosion, which is not specifically designed for lawful and legitimate use in the hands of its possessor.

Firearm silencer means any instrument, attachment, weapon or appliance for causing the firing of any gun, revolver, pistol or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

Machine gun means any firearm, whatever its size and usual designation, that shoots automatically more than one (1) shot, without manual reloading, by a single function of the trigger.

Short rifle means a rifle having a barrel less than sixteen (16) inches long or an overall length of less than twenty-six (26) inches.

Short shotgun means a shotgun having a barrel or barrels less than eighteen (18) inches long or an overall length of less than twenty-six (26) inches.

Section 10.9-40. Possession of illegal weapon.

(a) As used in this Section, the term illegal weapon means a blackjack, bomb, firearm silencer, gas gun, machine gun, short shotgun, short rifle, brass knuckles, knives with blades over four (4) inches, switchblade knives, clubs, stun guns or other items which could be used to disfigure, harm or immobilize a person.

(b) A person commits a violation of this Section if he or she knowingly possesses an illegal weapon, unless he or she is a peace officer as defined by the state statutes, a federal officer operating under federal rules or regulations, or is a member of the armed forces of the United States or Colorado National Guard and possesses the weapon as required by his or her superiors and in the performance of his or her duties.

Section 10.9-50. Possession of defaced firearm.

A person commits a violation of this Section if he or she knowingly possesses a firearm, the manufacturer's serial number or any other distinguishing number or identification mark of which has been removed, defaced, altered or destroyed, except by normal wear and tear.

Section 10.9-60. Defacing a firearm.

A person commits a violation of this Section if he or she intentionally removes, defaces, covers, alters or destroys the manufacturer's serial number or any other distinguishing numbers or identification mark of a firearm.

Section 10.9-80. Prohibited use of weapons.

(a) A person commits the offense of prohibited use of weapons if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance, as defined in Section 10-8-10 of this Chapter and Section 18-18-102(5), C.R.S. Possession of a permit issued under Chapter 18, Article 12, C.R.S., is no defense to a violation of this Section;

Section 10.9-100. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Minturn Code of Ordinances

Current through Ordinance 4-2020, adopted May 6, 2020. (Supplement 10, Update 3)

Chapter 10 – General Offenses
Article 12 – Weapons

Section 10.12-10. Definitions.

(a) As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Firearm silencer means any instrument, attachment, weapon or appliance for causing the firing of any gun, revolver, pistol or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

Handgun means a pistol, revolver or other firearm of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable or magazine breech, does not exceed twelve (12) inches.

Machine gun means any firearm, whatever its size and usual designation, that shoots automatically more than one (1) shot, without manual reloading, by a single function of the trigger.

Short rifle means a rifle having a barrel less than sixteen (16) inches long or an overall length of less than twenty-six (26) inches.

Short shotgun means a shotgun having a barrel or barrels less than eighteen (18) inches long or an overall length of less than twenty-six (26) inches.

Section 10.12-40. Possessing an illegal weapon.

(a) As used in this Section, illegal weapon means a ballistic knife, blackjack, bomb, firearm silencer, gas gun, gravity knife, handgun, knife, machine gun, metallic knuckles, short rifle, short shotgun, stun gun or switchblade knife.

(b) A person other than a peace officer or member of the armed forces of the United States or Colorado National Guard acting in the lawful discharge of his or her duties, or a person who has a valid permit and license pursuant to the federal code for such weapon, commits possessing an illegal weapon if he or she knowingly possesses an illegal weapon. The exceptions in this Subsection shall be an affirmative defense.

Section 10.12-50. Defacing a firearm.

A person commits defacing a firearm if he or she knowingly removes, defaces, covers, alters or destroys the manufacturer's serial number or any other distinguishing number or identification mark of a firearm.

Section 10.12-60. Possession of a defaced firearm.

A person commits possession of a defaced firearm if he or she knowingly and unlawfully possesses a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered or destroyed, except by normal wear and tear.

Section 10.12-70. Prohibited use of weapons.

(5) Has in his or her possession a firearm while he or she is in a place licensed for the sale of alcoholic beverages or while he or she is under the influence of intoxicating liquor, a narcotic, dangerous drug or a controlled substance as defined by Section 12-22-303(7), C.R.S. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section.

Section 10.12-80. Prohibited transfer of firearms.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol, rifle or other firearm in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant, depressant or hallucinogen, or to any person in a condition of agitation and excitability, or any person under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Monument Code of Ordinances

Current through Ordinance 04-2020, passed February 18, 2020. (Supplement 35)

Title 5 – Business Licenses and Regulations
Chapter 5.53 – Farmer's Markets

Section 5.53.030. Description.

B. The following items are prohibited from sale at a farmer's market:

5. Firearms.

Title 9 – Public Peace and Welfare

Chapter 9.24 – Weapons

Section 9.24.040. Selling weapons to intoxicated persons.

A. It is unlawful for any person, firm or corporation to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

B. Further, such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person, firm or corporation.

Title 17 – Zoning

Chapter 17.48 – Site Development and Use Standards

Section 17.48.210. Temporary uses.

C. Definitions.

1. A **"mobile vendor"** is a person or persons selling products or services from, or out of, a motorized vehicle or other mobile device, such as a trailer. It does not include individuals selling goods or services from coolers, trays, racks, carts, or other devices not self-propelled, motorized, or able to be attached to a vehicle, unless the goods are brought to the site in a motorized vehicle or mobile device. Vendors who spend less than fifteen (15) minutes in a specific location are exempt from these regulations.

3. A **"kiosk"** is a stationary structure intended to be temporarily affixed to the ground within which goods or services are prepared, processed, stored, and/or sold.

D. Allowed Uses and Activities.

2) Prohibited Uses. The following goods and services are prohibited from being sold by mobile vendors or kiosk operators:

g) Firearms.

Mt. Crested Butte Code of Ordinances

Current through Ordinance 19-13 and the march 20 code supplement.

Chapter 15 – Offenses

Article XI – Offenses Relating to Weapons

Section 15-55. Prohibited use of weapons.

A person commits the crime of prohibited use of weapons if:

(4) He or she has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance defined in section 18-18-102, C.R.S. Possession of a permit issued under section 15-54 is no defense to a violation of this subsection.

Nederland Code of Ordinances

Current through Ordinance 803, enacted December 3, 2019. (Supplement 10)

Chapter 10 – General Offenses

Article IX – Weapons

Section 10.164. Furnishing to certain persons prohibited.

It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol, rifle, shotgun or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or controlled substance, to any person in a condition of agitation and excitability, or to any minor person under the age of eighteen (18) years.

New Castle Code of Ordinances

Current through Ordinance TC2019-1, adopted February 5, 2019. (Supplement 18)

Title 9 – Public Peace, Morals and Welfare

Chapter 9.64 – Weapons and Explosives

Section 9.64.020. Prohibited use of weapons.

A. A person commits a criminal offense if:

7. He or she has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance, as defined in Section 12-22-303(7), C.R.S., as amended. Possession of a permit issued under Section 18-12-105.1, C.R.S., as amended, is no defense to a violation of this subsection.

Section 9.64.030. Selling weapons to intoxicated persons.

A. It is unlawful for any person, firm or corporation to knowingly sell, loan, or furnish a gun, pistol, or other firearm in which any explosive substance can be used, to any person under the influence of intoxicating liquor or of a controlled substance, as defined in Section 12-22-303(7), C.R.S., as amended, or to any person in a condition of agitation and excitability.

B. Any such unlawful sale, loan, or furnishing of a weapon shall be grounds for the revocation of any license issued by the town to such person, firm or corporation.

Section 9.64.050. Possession of illegal weapon.

A. As used in this section, the term "illegal weapon" means a blackjack, bomb, firearm, silencer, gas gun, machine gun, short shotgun, short rifle, metallic knuckles, gravity grip, or switchblade knife or any knife with a blade in excess of three and one-half inches other than a concealed sheath knife.

B. It is unlawful for a person, other than a peace officer or member of the armed forces of the United States or Colorado National Guard acting in the lawful discharge of his or her duties or a person who has a valid permit and license for such weapon, to knowingly possess an illegal weapon. The exceptions in this subsection shall be an affirmative defense.

Oak Creek Code of Ordinances

Current through Ordinance 649, passed January 11, 2018. (Supplement 7)

Title 9 – Public Peace, Morals and Welfare

Chapter 9.40 – Firearms and Weapons

Section 9.40.020. Possessing an illegal weapon.

A. As used in this section, "illegal weapon" means a blackjack, bomb, firearm silencer, gas gun, machine gun, short rifle, short shotgun, metallic knuckles, gravity knife, or switchblade knife.

B. A person, other than a peace officer or member of the armed forces of the United States or Colorado National Guard acting in the lawful discharge of his duties, or a person who has a valid permit and license pursuant to the federal code for such weapon, commits possessing an illegal weapon if he knowingly possesses an illegal weapon. The exceptions in this subsection B shall be an affirmative defense.

Section 9.40.040. Prohibited use of weapons.

A person commits prohibited use of weapons if:

D. He has in his possession a firearm while he is in a place licenses for the sale of alcoholic beverages or while he is under the influence of intoxicating liquor or of a narcotic or dangerous drug. Possession of a permit is no defense to a violation of this section.

Pagosa Springs Code of Ordinances

Current through Ordinance 916, enacted June 20, 2019. (Supplement 8)

Chapter 12 – Offenses

Article 11 – Relating to Weapons

Section 12.11.3. Possession of a Defaced Firearm.

A person commits a municipal offense if he or she knowingly and unlawfully possesses a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered, or destroyed, except by normal wear and tear.

Section 12.11.5. Prohibited Use of Weapons.

(1) A person commits a municipal offense if:

(d) He or she has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance, as defined in 12-22-303(7), C.R.S.

(2) Possession of a permit issued under 18-12-201, et seq., C.R.S., is no defense to a violation of this subsection (1).

Section 12.11.11. Possession of Handguns by Juveniles.

(1) Except as provided in this Section, it is unlawful for any person who has not attained the age of eighteen (18) years knowingly to have any handgun in such person's possession.

(2) Any person possessing any handgun in violation of paragraph (1) of this Section, commits the offense of illegal possession of a handgun by a juvenile.

(3) This Section shall not apply to:

(a) Any person under the age of eighteen (18) years who is:

(i) In attendance at a hunter safety course or a firearms safety course;

(ii) Engaging in practice in the use of a firearm or target shooting while under adult supervision at an established shooting range that has been authorized by the appropriate governing body of the municipality or county; or

(iii) Traveling with any unloaded handgun in such person's possession to or from any activity described in subparagraphs (i) or (ii) of this Subsection (3).

(b) Any person under the age of eighteen (18) years who is on real property under the control of such person's parent, legal guardian, or grandparent and who has the permission of such person's parent or legal guardian to possess a handgun; or

(c) Any person under the age of eighteen (18) years who is at such person's residence and who, with the permission of such person's parent or legal guardian, possesses a handgun for the purpose of exercising self defense as described in 18-1-704 and 704.5, C.R.S., 1973.

(4) For the purpose of this Section, a person is considered to be in possession of a loaded handgun if there is a cartridge in the chamber of the handgun, there is a cartridge in the cylinder of the handgun or revolver, or the handgun and the ammunition for such handgun are carried on the person or are in such close proximity to such person that he or she could readily gain access to the handgun and the ammunition and load the said handgun.

Section 12.11.12. Unlawfully Providing or Permitting a Juvenile to Possess a Handgun.

Any person who intentionally, knowingly, or recklessly provides a handgun with or without remuneration to any person under the age of eighteen (18) years in violation of Section 12.11.11, or any parent or legal guardian or a person under eighteen (18) years of age who knows that such juvenile's conduct violates Section 12.11.11, and fails to make reasonable efforts to prevent such conduct, commits the crime of unlawfully providing or permitting a juvenile to possess a handgun.

Palisade Code of Ordinances

Current through Ordinance 2019-16, adopted November 12, 2019. (Supplement 18)

Chapter 6 – Business Licenses and Regulations

Article IV – Licensing and Regulation of Medical Marijuana Businesses

Section 6-85 Special restrictions and requirements.

(q) Gun sales and pawn shop activities prohibited. No gun sales or pawn shop activities shall be permitted on the licensed premises.

Chapter 10 – General Offenses

Article IX – Offenses Relating to Weapons

Section 10.185. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of twenty-one (21) years.

(b) Further, such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Paonia Code of Ordinances

Current through Ordinance 2019-10, adopted August 13, 2019. (Supplement 2)

Chapter 10 – General Offenses

Article 8 – Weapons

Section 10.8-40. Prohibited use of weapons.

(a) A person commits a violation of this Article if he or she:

(3) Has in his or her possession a firearm while he or she is under the influence of an intoxicating liquor or of a narcotic drug or dangerous drug. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section;

Section 10.8-50. Selling weapons to intoxicated persons or minors.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Parker Code of Ordinances

Current through Ordinance 5.06.44, adopted March 2, 2020. (Supplement 20.1)

Chapter 10 – General Offenses

Article 8 – Weapons

Section 8.09.010. Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Firearm means any pistol, revolver, self-loading pistol, rifle, shotgun or any other device designed to shoot, project, throw or hurl a projectile or projectiles by means of the explosion of gun powder or other explosive substance. Firearm also

includes any BB gun, mechanical gun, pellet gun, air gun, paint pellet gun or other device designed to shoot, project, throw or hurl a projectile or projectiles made of steel, lead or other hard substances by means of compressed gas or air or other mechanical means

Section 8.09.040. Furnishing to certain persons prohibited.

It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol, rifle, shotgun or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation and excitability, or to any minor person under the age of eighteen (18) years.

Parachute Code of Ordinances

Current through Ordinance 783, passed March 19, 2020.

Title 11 – Public Peace, Safety and Morals

Chapter 11.06 – Offenses Relating to Public Peace, Order and Safety

Section 11.06.120. Prohibited use of weapons.

A. A person commits a Class A municipal offense if:

6. He has in his possession a firearm while he is under the influence of intoxicating liquor or of a controlled substance, as defined in § 18-18-102(7), C.R.S., as amended. Possession of a permit issued under § 18-12-105(2)(c), C.R.S., as amended, is no defense to a violation of this subsection.

Section 11.06.130. Selling weapons to intoxicated persons prohibited.

A. It shall be unlawful for any person, firm or corporation to knowingly sell, loan, or furnish a gun, pistol, or other firearm in which any explosive substance can be used, to any person under the influence of intoxicating liquor or of a controlled substance, as defined in § 18-18-102(7), C.R.S., as amended, or to any person in a condition of agitation and excitability.

B. Any such unlawful sale, loan or furnishing of a weapon shall be grounds for the revocation of any license issued by the Town of Parachute to such person, firm or corporation.

Section 11.06.160. Possession of an illegal weapon.

A. As used in this section, the term “**illegal weapon**” means a blackjack, bomb, firearm, silencer, gas gun, machine gun, short shotgun, short rifle, metallic knuckles, gravity knife, or switchblade knife.

B. It shall be unlawful for a person, other than a peace officer or member of the armed forces of the United States or Colorado National Guard acting in the lawful discharge of his duties or a person who has a valid permit and license for such weapon, to knowingly possess an illegal weapon. The exceptions in this subsection shall be an affirmative defense.

Pierce Code of Ordinances

Current through Ordinance 2019-7, enacted August 12, 2019. (Supplement 1)

Chapter 10 – General Offenses

Article 8 – Weapons

Section 10-8-10. Definitions.

(a) As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Bomb means any explosive or incendiary device or Molotov cocktail as defined in Section 9-7-103, C.R.S., or any chemical device which causes or can cause an explosion, which is not specifically designed for lawful and legitimate use in the hands of its possessor.

Firearm silencer means any instrument, attachment, weapon or appliance used for causing the firing of any gun, revolver, pistol or other firearm to be silent or intended to lessen or muffle the noise of the firing of any such weapon.

Machine gun means any firearm, whatever its size and usual designation, that shoots automatically more than one shot, without manual reloading, by a single function of the trigger.

Short rifle means a rifle having a barrel less than 16 inches long or an overall length of less than 26 inches.

Short shotgun means a shotgun having a barrel or barrels less than 18 inches long or an overall length of less than 26 inches.

Section 10-8-20. Illegal weapons.

It is unlawful for any person to carry or have in his or her possession in a public place, a blackjack, bomb, firearm silencer, gas gun, machine gun, short shotgun, short rifle, metallic knuckles, switchblade, Bowie knife, gravity knife or knife with a

blade of three and a half inches or longer. It is a defense to this Section that a knife was a hunting knife or fishing knife carried for sports use or in the performance of a lawful occupation.

Section 10-8-50. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of an intoxicating liquor or of a narcotic drug or dangerous drug. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section.

Section 10-8-60. Selling weapons to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of 18 years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Platteville Code of Ordinances

Current through 2019.

Chapter 10 – General Offenses

Article VIII – Weapons

Section 10-8-50. Prohibited use of weapons.

(a) It is unlawful for any person to:

(4) Have a firearm in his or her possession while he or she is under the influence of intoxicating liquor or of a controlled substance as defined in Section 12-22-303(7), C.R.S. Possession of a permit issued under Section 18-12-105.1, C.R.S., is no defense to a violation of this Section.

Section 10-8-60. Furnishing weapon to intoxicated person.

(a) It is unlawful for any person to sell, loan or furnish a deadly weapon to any person under the influence of alcohol or any controlled substance as defined by Section 12-22-303(7), C.R.S., to any person in a condition of agitation and excitability or to any minor.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Pueblo Code of Ordinances

Current through Ordinance 9698, enacted April 13, 2020. (Supplement 88)

Title IX – Licenses and Permits

Chapter 7 – Mercantile Establishments and Merchants

Section 9-7-11. Firearms; dealing in, license required; fee, terms.

(a) **Firearms** shall mean a pistol, revolver or other weapon of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, and the length of the barrel of which, not including any revolving detachable or magazine breech, does not exceed twelve (12) inches.

(b) It shall be unlawful and a Class 1 municipal offense for any person to engage in the business of the retail sale, rental or exchange of firearms, within the City, without obtaining a license therefor from the License Officer.

(c) The annual fee for such license shall be five dollars (\$5.00).

Section 9-7-12. Record required; contents; hearing on revocation; notice.

Every person engaged within the City in the retail sale, rental or exchange of firearms shall keep a record of such firearm sold, rented or exchanged. Such record shall be made at the time of the transaction in a book kept for that purpose and shall include the name of the person to whom the firearm is sold or rented or with whom exchanged; his or her age, occupation and residence; and if residing in a City, the street and number therein where he or she resides; the make, caliber and finish of such firearm together with its number and serial number, if any; the date of such sale, rental or exchange; and the name of the employee or other person making such sale, rental or exchange. Such record shall be exhibited at all times by such persons for the inspection of any law enforcement officer upon demand. Failure to keep such record or to exhibit the same as aforesaid shall constitute a breach of this Code and shall be cause for the revocation of the license herein required by the License Officer upon hearing after notice to the holder of such license.

Chapter 10 – Other Businesses

Section 9-10-65. Secondhand dealers; license.

(a) Definitions. As used in this Chapter, the term:

(1) **Secondhand dealer** means any person who shall engage in the business of buying, selling or trading secondhand property, or any person who operates a store for the purpose of buying, selling or trading secondhand property, or any person who has repeatedly engaged in the buying, selling or trading of secondhand property. The term secondhand dealer shall not include any person lawfully conducting a casual sale or rummage sale in accordance with the requirements of Section 9-10-72 of this Chapter.

(2) **Secondhand property** means used or previously sold (other than at wholesale) cameras, ... firearms, bows, jewelry, watches, luggage, furs, typewriters, adding machines, computers and computer equipment, portable air conditioners, sewing machines, bicycles and all bicycle equipment. Secondhand property shall also include all used or previously sold items marked, or which were at one (1) time marked, with a serial or manufacturer's identification number and with a value of thirty dollars (\$30.00) or more except for stoves, ovens, ranges, dishwashers, refrigerators, boats, airplanes, washing machines, clothes dryers, freezers, motor vehicles, snowmobiles, all terrain vehicles and any other item which weighs more than six hundred (600) pounds.

(b) Every secondhand dealer shall be required to obtain, upon application to the City License Officer, a secondhand dealer license. Application shall be submitted upon forms provided by the License Officer which shall require the applicant to state his or her name, address, telephone number and the address where business will be conducted. If the applicant is a partnership, the names and addresses of at least three (3) general partners shall also be disclosed, unless there are fewer than three (3) general partners, in which case the names and addresses of all of the general partners shall be identified and the names and addresses of additional limited partners stated. If the applicant is a corporation, the names and addresses of the President, Secretary, Treasurer and any local manager shall be stated. The application shall be accompanied by the annual license fee of fifty dollars (\$50.00), which shall expire at 12:00 midnight on December 31 next following. Licenses may thereafter be annually renewed by payment of the required fee.

(c) It shall be unlawful for any secondhand dealer to operate or to sell, purchase or trade secondhand property without holding a valid secondhand dealer license.

Rifle Code of Ordinances

Current through Ordinance 5, of 2020. (Supplement 15, Update 1)

Chapter 10 – General Offenses

Article IX – Weapons

Section 10.9-40. Prohibited use of weapons.

(a) A person commits an offense under this Section if he or she:

(7) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance, as defined in Section 18-18-102(5), C.R.S. Possession of a permit under Section 18-12-105(2)(c), C.R.S., or a temporary emergency permit issued pursuant to Part 2 of Article 12, Title 18 C.R.S. is no defense to a violation of this Subsection.

Section 10.9-50. Selling weapons to intoxicated persons.

(a) It is a Class A municipal offense for any person to knowingly purchase, sell, loan or furnish a gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or of a controlled substance, as defined in Section 12-22-303(7), C.R.S., to any person in a condition of agitation or excitability, or to any minor under the age of eighteen (18) years.

(b) Any such unlawful purchase, sale, loan or furnishing of a weapon shall be grounds for the revocation of any license issued by the City to such person.

Chapter 16 – Land Use and Development Article XVIII – CB Central Business District Division 10 – Land Uses

Section 16-18-1020. Specific land use regulations.

(1) Residential uses.

b. Live-work unit.

1. All commercial uses permitted in the underlying zoning sub-district shall be permitted in live-work units, with the exception of the following:

- f) Gun and firearms sales, except businesses that involve the crafting and sale of one-of-a-kind, custom firearms only;

Rocky Ford Code of Ordinances

Current through Ordinance 938, enacted November 27, 2018. (Supplement 3)

**Chapter 10 – General Offenses
Article 8 – Weapons**

Section 10.8-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

- (5) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance;

Section 10.8-50. Selling weapons to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of 18 years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the City to such person.

Salida Code of Ordinances

Current through Ordinance 2020-08, adopted April 21, 2020. (Supplement 7, Update 5)

**Chapter 10 – General Offenses
Article VIII – Weapons**

Section 10.8-40. Prohibited use of weapons.

(a) It is illegal for a person to commit any of the following:

- (4) To have in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105.1, C.R.S., as amended, is no defense to a violation of this Section

Section 10.8-50. Selling weapons to intoxicated persons.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the City to such person.

San Luis Code of Ordinances

Current through 2018.

**Chapter 15 – General Offenses
15.7 – Weapons**

Section 15.17.050. Prohibited use of weapons.

A person commits an offense if he or she:

Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance.

Section 15.17.060. Selling weapons to intoxicated person or minor.

It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.

Such unlawful sale, loan or furnishing shall be grounds for revocation of any license issued by the town to such person.

Severance Code of Ordinances

Current through Ordinance 2019-10, enacted July 2, 2019. (Supplement 7)

**Chapter 10 – Offenses
Article 8 – Weapons**

Section 10.8-40. Prohibited use of weapons.

(a) A person commits a violation of this Article if, within the limits of the Town, he or she:

(4) Has in his or her possession a weapon while he or she is under the influence of an intoxicating liquor or of a narcotic drug or dangerous drug. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section;

Sheridan Code of Ordinances

Current through Ordinance 11-2019, enacted December 9, 2019. (Supplement 14)

**Chapter 22 – Business Regulations
Article III – Pawnbrokers**

Section 22-89. Required acts of pawnbrokers.

(i) Every pawnbroker shall clear, through the police department, prior to release, all firearms, other than those which are newly manufactured and which have not been previously sold at retail.

**Chapter 50 – Offenses and Miscellaneous Provisions
Article III – Offenses Against Persons**

Section 50-16. Domestic violence.

(f) Mandatory restraining order against defendant.

(2) Upon motion of the prosecuting attorney, or on the court's motion to protect the alleged victim, the court may enter any of the following further orders against the defendant:

c. An order prohibiting possession or control of firearms or other weapons;

Article IX – Weapons

Section 50-66. Definitions.

As used in this article, the following shall mean as defined herein unless otherwise specifically provided:

Firearm means any handgun, revolver, pistol, rifle, shotgun or other instrument or device from which any shot, bullet or other missile can be discharged.

Section 50-67. Prohibited use of weapons; exception.

It shall be unlawful for any person to:

(4) Have in his or her possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance, as defined in C.R.S. 18-18-102;

Section 50-70. Defacing or possession of defaced firearm.

It shall be unlawful for any person to knowingly:

(1) Remove, deface, cover, alter or destroy the manufacturer's serial number or any other distinguishing number or identification mark of a firearm; or

(2) Possess a firearm, the manufacturer's serial number of which, or other distinguishing number or identification mark, has been removed, defaced, altered, or destroyed, except by normal wear and tear.

Silver Cliff Code of Ordinances

Current through Ordinance 03-2019, August 5, 2019.

**Title 10 – General Offenses
Chapter 8 – Weapons**

Section 10-8-50. Selling weapons to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of 18 years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Silverton Code of Ordinances

Current through Ordinance 2018-08, enacted June 25, 2018. (Supplement 2)

Chapter 10 – General Offenses

Article 8 – Weapons

Section 10.8-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance; possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section;

Section 10.8-50. Selling weapons to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of 18 years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Silverthorne Code of Ordinances

Current through Ordinance 2019-22, adopted December 11, 2019. (Supplement 29)

Chapter 2 – Public Safety

Article IV – Offenses Against Town

Section 2-4-26. Sale of weapons to intoxicated persons or minors.

(a) It shall be unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant or to any minor under the age of eighteen (18) years.

(b) Further, conviction for any unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Superior Code of Ordinances

Current through Ordinance O-14-2019, adopted November 18, 2019. (Supplement 24)

Chapter 10 – General Offenses

Article IX – Weapons

Section 10.9-30. Prohibited use.

(e) It is unlawful to:

(4) Possess a firearm while under the influence of intoxicating liquor or of a controlled substance;

Section 10.9-40. Furnishing to certain persons prohibited.

It is unlawful for a person to purchase, sell, loan or furnish a gun, pistol, rifle, shotgun or other firearm in which any explosive substance can be used, to a person under the influence of alcohol or controlled substance, to a person in a condition of agitation and excitability or to a minor person under the age of eighteen (18) years.

Thornton Code of Ordinances

Current through Ordinance 3554, adopted April 28, 2020. (Supplement 42)

Chapter 18 – Development Code

Article IV – Uses and Use Regulations

Division 2 – Accessory Uses

Section 18-167. Home occupation.

(a) All home occupations shall comply with all of the following standards and requirements:

7) No toxic, explosive, flammable, radioactive, or other hazardous materials, including ammunition, as defined by the International Building Code or the International Fire Code of the City of Thornton, shall be used, sold, or stored on the site for the use and in association with the home occupation.

Chapter 38 – Law Enforcement, Offenses and Traffic

Article VII – Offenses Against Public Peace or Safety

Division 2 – Weapons

Section 38-237. Dangerous weapons.

(a) Definitions. The following words, terms and phrases, when used in this section and applicable to this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Dangerous weapon means any ... machine gun, short rifle, or shotgun, ... as defined in this subsection, or other weapon, device, instrument, material or substance, whether animate or inanimate, which, in the manner it is used, is intended to produce bodily injury.

Firearm means any handgun, automatic, revolver, pistol, rifle, shotgun, or other instrument or device capable of or intended to be capable of discharging bullets, cartridges or other explosive charges, excluding gas guns, as defined in Section 38-239(a).

Handgun means a pistol, revolver, or other firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable, or magazine breech, does not exceed twelve inches.

Machine gun means any firearm, whatever its size and usual designation, that shoots automatically more than one shot, without manual reloading, by a single function of the trigger.

Short rifle means a rifle having a barrel less than 16 inches long or an overall length of less than 26 inches.

Short shotgun means a shotgun having a barrel or barrels less than 18 inches long or an overall length of less than 26 inches.

(b) Unlawful acts.

(1) It shall be unlawful for any person to knowingly possess on or about the person or within such person's immediate reach any dangerous weapon.

(3) It shall be unlawful for any juvenile to knowingly possess on or about said person or within said person's immediate reach any dangerous weapon or handgun. It is also unlawful for any juvenile to possess, on or about said person or within said person's immediate reach, any air gun, bludgeon or slingshot. Provided, however, it shall not be unlawful for a juvenile to possess an air gun, bludgeon or slingshot if the juvenile is under the immediate and continuous supervision of a parent or adult who has legal custody; or a grandparent who has been given control of any juvenile by such juvenile's parent or adult who has legal custody over such juvenile and such possession occurs on the property of such parent or adult who has legal custody of the juvenile.

(4) It shall be unlawful for a parent of any juvenile to knowingly allow such juvenile to possess any dangerous weapon, as defined herein, or any air gun, bludgeon or slingshot, unless under the immediate and continuous supervision of a parent or adult who has legal custody; or an adult who has been given control of any juvenile by such juvenile's parent or adult who has legal custody over such juvenile.

(6) It shall be unlawful for any person to knowingly supply, sell, loan or furnish any air gun, slingshot, firearm, prohibited weapon, or dangerous weapon, as defined in Section 38-239(a) and subsection (a) of this section to:

a. Any person under the influence of intoxicating liquor or of a controlled substance, as defined in C.R.S. § 12-22-303(7); or

b. A firearm other than a handgun, to any juvenile unless the juvenile is accompanied by a parent or an adult who has legal custody; over such juvenile.

(7) It shall be unlawful for any person to possess a dangerous weapon, as defined in subsection (a) of this section, or a prohibited weapon, as defined in Section 38-239(a), or a firearm, while under the influence of intoxicating liquor or of a controlled substance as defined in C.R.S. § 12-22-303(7). Possession of a concealed handgun permit, issued pursuant to applicable provisions of state law, is not a defense to a violation of this section.

(c) Affirmative defenses. It shall be an affirmative defense to a violation of subsection (b)(1) of this section that:

(1) A person is in a private automobile or other mode of vehicular transportation and is transporting a dangerous weapon to or from such person's business, or a place for use in lawful hunting activity or an authorized hunter's safety course, or a firearm safety course, or to or from lawful demonstrations or exhibitions or organized competitions for the use of such weapons at any lawful firing range, or is being transported for the purpose of sale or repair to or from a place of sale or repair, and such dangerous weapon is unloaded and in a closed carrying case or other such device. For purposes of this subsection, a weapon is loaded if there is a cartridge or ammunition in any part of the weapon. In the case of a juvenile, the affirmative defenses contained in this subparagraph (c)(1) shall only apply if the juvenile is accompanied by a parent or adult who has legal custody; or an adult who has been given control of any juvenile by such juvenile's parent or an adult who has legal custody over such juvenile, except a juvenile may possess an

unconcealed baseball bat, hockey stick, or other like instrument or equipment for use in a commonly recognized sporting activity;

(2) A manager or other designated owner's agent or employee is lawfully in control of a bona fide business establishment, as defined in Section 38-1, is actually on the premises of that establishment and is acting in the course and within the scope of such employee's assigned duties;

(3) A person is employed by or under contract with the owner, owner's agent or a person in lawful control of a bona fide business establishment or public or private facility, as defined in Section 38-1, when the purpose of such employment or contract is to provide security or protection to that business or public or private facility and such person so employed or under contract is actually physically present on the premises at which such person is employed or to which such person is under contract;

(d) Exceptions. The prohibitions contained in subsection (b)(1) of this section shall not apply to:

(1) A person in such person's own dwelling or place of business or on real property owned and under such person's control.

(2) A mobile guard or courier guard, as defined in Section 38-1, in uniform, employed or engaged in the business of making deliveries or pickups of goods, wares, currency or other items of value and who, in the course of such employment or business activity, walks, drives or rides from one location to another when such person is either in a private automobile, truck or other private means of conveyance or when such person is upon the property of another who has given authorization for the person so employed to be in possession of or to carry an openly displayed dangerous weapon. This subsection (d)(2) shall also constitute an exemption for Section 38-241 herein. This category will not provide an exemption when such person is not acting within such person's official employment capacity, or on the property of a person or entity who has not authorized the carrying of such openly displayed dangerous weapon.

(3) A mobile guard or roving patrol guard, as defined in Section 38-1, in uniform, carrying an openly displayed dangerous weapon, when in uniform and when actually acting in the capacity of providing guard, security, watch or patrol services. Such person is only exempted from prohibitions in subsection (b)(1) of this section when such person is either in a private automobile, truck or other private means of conveyance or when such person is upon the property of another person or entity who has given authorization for the mobile guard or roving patrol guard to be in possession of or to carry an openly displayed dangerous weapon. This subsection (d)(2) shall also constitute an exemption for Section 38-241 herein. This category will not provide an exemption when such person is on publicly owned property, unless such person is acting within said person's scope of employment, or the exemption will not apply if such person is not acting within said person's scope of employment or is on property of a person or entity who has not authorized the carrying of such openly displayed dangerous weapon.

(4) A person issued a written permit to carry a concealed handgun issued by any sheriff authorized to issue such permits within the state and the carrying of such weapon is within the terms of such permit.

(5) A person carrying a knife or firearm as defined in Section 38-237 in a private automobile or other private means of conveyance for hunting or for lawful protection of such person's or another's person or property while traveling into, through, or within a municipal, county, or city and county jurisdiction, regardless of the number of times the person stops in a jurisdiction.

(6) The prohibition contained in subsection (b)(3) of this section shall not apply to a juvenile who possess a firearm during attendance at a hunter's safety course, or a firearm safety course at an authorized firing range, engaged in hunting with a valid license or traveling with an unloaded handgun to or from such activities. For purposes of this subsection, unloaded means no cartridges in the chamber or cylinder and ammunition for the handgun is not in the possession of or in the immediate reach of the juvenile.

Timnath Code of Ordinances

Current through Ordinance 21, 2018, adopted December 11, 2018. (Supplement 3)

Chapter 18 – Development Code Article IV – Uses and Use Regulations

Section 10.8-40. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance.

Section 10.8-60. Furnishing weapons to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability or to any minor person under the age of 18 years.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Vail Code of Ordinances

Current through Ordinance 11, series of 2019.

Title 6 – Police Regulations

Chapter 3G – General Offenses

Article G – Weapons, Criminal Attempt and Complicity

Section 6-3G-6. Selling weapons to certain persons prohibited.

It shall be unlawful for any person to purchase, sell, loan, or furnish any dangerous or deadly weapon to any person intoxicated or under the influence of alcohol or any narcotic or dangerous drug or glue or to any person suffering from a mental disease or defect as defined in Colorado Revised Statutes section 16-8-101, as amended, who presents a danger to himself or others.

Section 6-3G-7. Possession of firearm while intoxicated.

It shall be unlawful for any person to have in his or her possession a firearm while under the influence of intoxicating liquor or of a "**controlled substance**", as defined in Colorado Revised Statutes section 12-22-303(7). Possession of a permit issued under section 18-12-105.1 is not defense to a violation of this Section.

Chapter 3H – General Offenses

Article H. Assault Weapons

Section 6-3H-2. Definitions.

The following words and phrases, when used in this Article, shall have these meanings respectively ascribed to them:

Assault Weapon: The general characteristics of an assault weapon may include the following features: a shorter length than recreational firearms; a folding stock; a modification of an automatic firearm originally designed for military use; a greater rate of fire or firing capacity than reasonably necessary for legitimate sports, recreational or protection activities and shall include all firearms with any of the following characteristics:

- A.** All semi-automatic action, centerfire rifles with a detachable magazine with a capacity of twenty one (21) or more rounds.
- B.** All semi-automatic shotguns with a folding stock or a magazine capacity of more than six (6) rounds or both.
- C.** Any firearm which has been modified to be operable as an "assault weapon" as defined herein.
- D.** Any part or combination of parts designed or intended to convert a firearm into an assault weapon, including a detachable magazine with a capacity of twenty one (21) or more rounds, or any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person.
- E.** Any weapon listed in Section 6-3H-8 of this Article.

Fixed Cartridge: That self-contained unit consisting of the case, primer, propellant charge and projectile or projectiles.

Magazine: A box, drum or other container which holds and feeds ammunition into a semi-automatic rifle, shotgun or pistol.

Pistol: A weapon originally designed, made and intended to fire a projectile (bullet) from one or more barrels when held in one hand and having:

- A.** A chamber as an integral part of or permanently aligned with the bore or having a breech-loading chambered cylinder so arranged that the cocking of the hammer or movement of the trigger rotates it and brings the next cartridge in line with the barrel for firing; and
- B.** A short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s).

Rifle: A weapon designed or redesigned, made or remade and intended to be fired from the shoulder or hip and designed or redesigned or made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger and shall include any such weapon which may be readily restored to fire a fixed cartridge.

Semi-Automatic: A weapon which fires a single projectile for each single pull of the trigger which automatically chambers the next round for firing and which employs a magazine.

Shotgun: A weapon designed or redesigned, made or remade and intended to be fired from the shoulder or hip and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger and shall include any such weapon which may be readily restored to fire a fixed shotgun shell.

Section 6-3H-3. Specific weapons not included.

As used in this Article, assault weapon does not include any of the following:

A. All weapons that do not use fixed cartridges, all weapons that were in production prior to 1898, all manually operated bolt-action weapons, all lever-action weapons, all slide-action weapons, all single-shot weapons, all multiple-barrel weapons, all revolving-cylinder weapons, all semi-automatic weapons for which there is no fixed magazine with a capacity of twenty one (21) or more rounds available, all semi-automatic weapons that use exclusively en bloc clips, all semi-automatic weapons in production prior to 1954 and all rimfire weapons that employ a tubular magazine.

B. Any firearm that uses .22 caliber rimfire ammunition.

C. Any assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an "assault weapon".

Section 6-3H-4. Supplemental provisions.

Except as specifically stated herein, the provisions of this Article are independent of and supplemental to any other provisions of law, and nothing shall prevent a device defined as an "assault weapon" in this Article from also being regulated under other provision of law.

Section 6-3H-5. Possession of assault weapons unlawful; exceptions.

It shall be unlawful to carry, store, keep, manufacture, sell or otherwise possess within the Town a weapon or weapons defined herein as "assault weapons", except that this Section shall not apply to:

A. Government Officials: Any Federal, State or local government agency or to any sworn members of said agencies acting within their official capacities.

B. Movie Props: Any assault weapon which is being used as a movie prop for any motion picture or television program which is being filmed in whole or in part within the Town if, prior to such use, the Police Department is notified in advance in writing of the date, time, location, production schedule and days upon which such use shall take place and the type and serial numbers of the firearms.

C. Nonresidents Transporting Legally: The transportation of any assault weapon through the Town by a nonresident who is in legal possession of an assault weapon or a person carrying a permit issued under Section 6-3H-6 of this Article.

Section 6-3H-6. Conditional exception.

Any person over the age of twenty one (21) years who obtained an assault weapon legally prior to the effective date hereof may obtain a permit to keep, store and possess said assault weapon if:

A. Said weapon is properly identifiable and contains its original serial number.

B. An application for a permit for each assault weapon is filed with the Police Department within sixty (60) days of the effective date hereof pursuant to such procedures as the Department may establish. The application shall contain a description of the firearm that identifies it uniquely, including all identification marks and numbers, the full name, address, date of birth and fingerprints of the owner and the address where such assault weapon will be stored and such other information as the Department may deem appropriate. The place of storage and possession shall not be changed without notification to the Department of the proposed change in location and when said weapon will be transported. The Department may charge a fee for registration not to exceed the actual processing costs of the Department.

C. The Department shall issue a permit which shall identify the weapon and where it is to be stored.

D. The information required for the registration and permitting of assault weapons shall be treated as confidential and shall not be made available to members of the general public. The Council finds that release of such information would constitute an unwarranted invasion of personal privacy and could endanger the life or safety of person at the premises where an assault weapon is located. The information on a permit application shall be used by the Town only for law enforcement purposes.

Section 6-3H-7. Sale or transfer unlawful.

It is unlawful to sell or transfer possession of an assault weapon possessed pursuant to Section 6-3H-6 of this Article within the Town.

Section 6-3H-8. Specific prohibited assault weapons.

It is unlawful to carry, store or otherwise possess within the Town any of the following weapons which are hereby declared to be assault weapons except as provided in and subject to all the provisions of this Article:

A. Rifles Prohibited: All of the following specified rifles are prohibited:

1. Norinco, Mitchell and Poly Technologies Avtomat Kalashnikovs (all models).
2. Action Arms Israeli Military Industries UZI and Galil.
3. Beretta AR-70 (SC-70).
4. CETME G3.
5. Colt AR-15 and CAR-15.
6. Daewoo K-1, K-2, Max 1 and Max 2.
7. Fabrique Nationale (FN/FAL, FN/LAR and FNC).
8. FAMAS MAS223.
9. Heckler & Koch HK-91, H-93, HK-94 and PSG-1.
10. MAC 10 and MAC 11.
11. SKS with detachable magazine.
12. SIG AMT, SIG 500 Series and SIG PE-57.
13. Springfield Armory BM59 and SAR-48.
14. Sterling MK-6 and SAR.
15. Steyr AUG.
16. Valmet M62, M71S and M78.
17. Armalite AR-180 Carbine.
18. Bushmaster Assault Rifle (armgun).
19. Calico M-900 Assault Carbine.
20. Mandall THE TAC-1 Carbine.
21. Plainfield Machine Company Carbine.
22. PJK M-68 Carbine.
23. Weaver Arm Nighthawk.

B. Pistols Prohibited: All of the following specified pistols are prohibited:

1. Action Arms UZI.
2. Encom MP-9 and MP-45.
3. MAC 10 and MAC 11.
4. INTRATEC TEC-9.
5. Mitchell Arms Spectre Auto.
6. Sterling MK-7.
7. Calico M-900.

C. Shotguns Prohibited: All of the following specified shotguns are prohibited:

1. Franchi SPAS 12 and LAW 12.
2. Gilbert Equipment Company Striker 12.
3. Encom CM-55.

D. Other Models: Other models by the same manufacturer that are identical to firearms listed in subsection A, B or C of this section except for slight modifications or enhancements, including, but not limited to, a folding or retractable stock;

adjustable sight; case deflector for left handed shooters; shorter barrel; wooden, plastic or metal stock; larger clip size; different caliber, provided the caliber exceeds .22 rimfire; or bayonet mount.

E. Redesigned, Renamed, Renumbered Firearms: Firearms which have been redesigned from, renamed, renumbered or patterned after one of the listed firearms in subsections A, B, and C of this section or those described in subsection D of this section regardless of the company of production or distribution or the country of origin or any firearm which has been manufactured or sold by another company under a licensing agreement to manufacture or sell the identical or nearly identical firearms as those listed in subsections A, B, and C of this section or those described in subsection D of this section regardless of the company of production or distribution or the country of origin. (Ord. 15(1994) § 1)

Section 6-3H-9. Magazine capacity.

It shall be unlawful to carry, store or otherwise possess a magazine which will hold or may be modified to hold twenty one (21) or more rounds.

Walsenburg Code of Ordinances
Current through Ordinance 1115, adopted May 1, 2018.

Chapter 10 – General Offenses
Article 9 – Weapons

Section 10-9-50. Prohibited use of weapons.

(a) A person commits a misdemeanor if he or she:

(4) Has in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance. Possession of a permit issued under Section 18-12-105(2)(c), C.R.S., is no defense to a violation of this Section.

Section 10-9-60. Selling weapon to intoxicated person or minor.

(a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability or to any minor.

(b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the City to such person.

Wellington Code of Ordinances
Current through Ordinance 8-2020, enacted March 24, 2020. (Supplement 2)

Chapter 10 – General Offenses
Article 9 – Weapons

Section 10-9-10. Definitions.

As used in this Article, unless the context otherwise requires, the following definitions shall apply:

Deadly weapon means any of the following which in the manner it is used or intended to be used is capable of producing death or serious bodily injury:

a. A firearm, whether loaded or unloaded;

Section 10-9-30. Carrying concealed weapon or possessing weapon on school grounds.

(a) A person unlawfully carries a concealed weapon if he or she knowingly and unlawfully and without legal authority carries, brings or has in his or her possession a deadly weapon as defined in Section 10-9-10 above in or on the real estate and all improvements erected thereon of any public or private elementary or secondary school or any public or private college, university or seminary, except for the purpose of presenting an authorized public demonstration or exhibition pursuant to instruction in conjunction with an organized school or class, for the purpose of carrying out the necessary duties and functions of an employee of an educational institution which require the use of a deadly weapon or for the purpose of participation in an authorized extracurricular activity or athletic team.

(b) It shall not be an offense under this Section if:

(1) The weapon is unloaded and remains inside a motor vehicle while upon the real estate of any public or private college, university or seminary;

(2) The person is in his or her own dwelling or place of business or on property owned or under his or her control at the time of the act of carrying;

- (3) The person is in a private automobile or other private means of conveyance and is carrying a weapon for lawful protection of that person's or another's person or property while traveling;
- (4) The person, prior to the time of carrying a concealed weapon, has been issued a written permit pursuant to state law to carry the weapon by the chief of police of a town, city or city and county or the sheriff of a county;
- (5) The person is a peace officer, level I or level Ia, as defined in Section 18-1-901(3)(1)(I) or (II), C.R.S.;
- (6) The person is a peace officer, level II, as defined in Section 18-1-901(3)(1)(III), C.R.S., while on duty;
- (7) The person is a peace officer, level IIIa, as defined in Section 18-1-901(3)(1)(IV.5), C.R.S. while on duty and under supervision; or
- (8) The person has possession of the weapon for use in an educational program approved by a school, which program includes, but is not limited to, any course designed for the repair or maintenance of weapons.

Section 10-9-40. Prohibited use of weapons.

- (4) Have in his or her possession a firearm while he or she is under the influence of intoxicating liquor or of a controlled substance as defined in Section 10-8-10 of this Code. Possession of a permit issued under Section 18-12-105.1, C.R.S. is no defense to a violation of this Section.

Section 10-9-60. Selling weapons to intoxicated persons.

- (a) It is unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol or any narcotic drug, stimulant or depressant, to any person in a condition of agitation and excitability, or to any minor under the age of eighteen (18) years.
- (b) Such unlawful purchase, sale, loan or furnishing shall be grounds for revocation of any license issued by the Town to such person.

Westminster Code of Ordinances

Current through Ordinance 4032, enacted May 11, 2020. (Supplement 8, Update 2)

Title VI – Police Regulations Chapter 2 – Crimes Against Peace; Firearms

Section 6-2-12. Possession of firearms by juveniles.

(A) It shall be unlawful for any juvenile to have in such juvenile's possession any firearm.

(B) The prohibition contained in subsection (A) of this section shall not apply when a juvenile is in the actual company of the juvenile's parent or legal guardian.

(C) It shall be an affirmative defense to the offense described in subsection (A) of this section that the juvenile was, at the time of such possession:

(1) Traveling directly to or from or engaging in:

(a) A hunter's safety course approved by the Colorado Division of Wildlife; or

(b) An organized firearms safety course taught by an adult of at least 21 years of age; or

(c) Practicing the use of firearms at an authorized shooting range; or

(d) An organized competition involving the use of firearms at an authorized shooting range; or

(e) Holding a valid hunting license issued pursuant to Article 4 of Title 33, C.R.S., and was actively engaged in traveling to or returning from a lawful activity relating to hunting, pursuant to any such license; and such juvenile was at all times traveling or engaging in such activity under the direct supervision of an adult who is 21 years of age or older and who has the permission of the juvenile's parent or legal guardian to supervise the juvenile in the use of the firearm.

(2) In the juvenile's residence.

(D) Definitions: The following words, terms and phrases, when used in this section, shall have the following meaning, unless the context clearly indicates otherwise:

Authorized shooting range shall mean any shooting ranges within the City whose safety rules have been approved by the City Manager pursuant to Section 6-2-9(B), W.M.C., and any established shooting ranges operating outside of the City limits.

Juvenile shall mean a person 17 years of age or younger.

(E) It shall be unlawful for any adult to provide a firearm intentionally, knowingly, or by criminal negligence to any juvenile in violation of this section, or for any parent or legal guardian of any juvenile, who knows of such juvenile's violation of this section, to fail to make reasonable efforts to prevent such violation.

(F) It shall be unlawful for any person to store or keep a firearm in such a criminally negligent manner so as to create a situation or circumstance that allows a juvenile to gain access or makes it likely that a juvenile will gain access to such firearm under circumstances not described in subsection (B) above. Criminal negligence may be inferred if a juvenile gains access to a firearm because it was not secured in a locked place.

Wheat Ridge Code of Ordinances

Current through Ordinance 1683, adopted January 27, 2020. (Supplement 64)

Chapter 11 – Licenses, Permits and Miscellaneous Business Regulations Article VII – Pawnbrokers and Secondhand Dealers

Section 11-183. Required acts of pawnbrokers and secondhand dealers.

(I) Firearms. Every pawnbroker and secondhand dealer shall clear, through the police department, prior to release, all firearms, other than those which are newly manufactured and which have not been previously sold at retail.

Chapter 16 – Offenses, Miscellaneous Article V – Offenses Against the Public Peace

Section 16-110. Domestic violence.

(f) Mandatory restraining order against defendant:

(2) Upon motion of the prosecuting attorney, or on the court's motion to protect the alleged victim, the court may enter any of the following further orders against the defendant:

c. An order prohibiting possession or control of firearms or other weapons;

Woodland Park Code of Ordinances

Current through Ordinance Number 1285-2016, passed July 7, 2016. (Supplement Number 18-2016)

**Title 9 – Public Peace, Morals and Welfare
Chapter 9.70 – Dangerous or Deadly Weapons**

Section 9.70.010. Definitions.

For purposes of this chapter, "**dangerous or deadly weapons**" means:

- A.** Any firearm, whether loaded or unloaded, including any pistol, revolver, rifle, shotgun, air gun, gas-operated gun, spring gun, BB gun, any bow made for the purpose of throwing or projecting missiles of any kind by any means whatsoever, any cross knuckles, or knuckles of lead, brass or other metal, any bludgeon, or any knife, dirk, or dagger or any knife with a switchblade or device whereby the blade or blades can be opened by any mechanical contrivance, or any other object resembling any such weapons; or
- B.** Any other weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner used or intended to be used is calculated to produce serious bodily injury.

Section 9.70.070. Selling weapons to intoxicated persons or minors.

It is unlawful for any person to purchase, sell, loan, or furnish any dangerous or deadly weapon to any person intoxicated or under the influence of alcohol or any narcotic or dangerous drug or glue, or to any person in a condition of agitation and excitement, or to any minor under the age of eighteen years.

**Title 18 – Zoning
Chapter 18.09 – Districts Established**

Section 18.09.090. Districts established, Table of permitted uses for business, industrial and residential districts.

The following table of permitted uses shall define the uses permitted in the commercial, industrial and residential districts of Woodland Park:

Permitted Uses	SR	UR	MFS	MFU	MHP	AG	P/SPL	NC	CC	SC	CBD	HSCLI	PUD
P. Personal and Consumer Services.													
7. Repairs or adjustments to ... guns, and similar personal goods when conducted wholly within a building with no outside storage of materials or equipment.								P	P	P	P		PC

Zoning District:

- SR = Suburban Residential
- UR = Urban Residential
- MFS = Multi-family Residential
- MFU = Multi-family Urban
- MHP = Mobile Home Park
- PUD = Planned Unit Development
- P/SPL = Public/Semi Public Land

Use Key:

- P = Permitted Use
- C = Conditional Use
- PC = Permitted Conditionally

Yuma Code of Ordinances

Current through Ordinance 2-2019, passed March 5, 2019.

Chapter 17.04 – Use Regulations

Section 17.04.402. Schedule of Permitted Uses

The following charts list the uses permitted in each zoning district. Applicants shall refer to these charts when making requests for land use activities. Uses by right are denoted by the letter "X"; conditional uses are denoted by the letter "C"; temporary uses are denoted by the letter "T"; uses not permitted are denoted by a blank space.

	R-1	R-2	R-3	C-1	C-2	I-1	I-2	A-1	MH
Gun and ammunition sales (explosives)				C	C				