

## Ordinance - Discharge of Firearms

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RESOLUTION NO. 406-83 It was moved by Commissioner Brooks and duly seconded by Commissioner Dittmore to adopt the following Resolution:

WHEREAS, Colorado Revised Statutes Title 30, Article 20, Part 3 (1973) as amended, allows the Board of County Commissioners to prohibit the discharge of firearms in certain unincorporated areas of Arapahoe County; and

WHEREAS, by prior action on September 27, 1966, the Board of County Commissioners adopted Resolution No. 375-66, which designated certain areas within unincorporated Arapahoe County where it would be unlawful to discharge any firearms, except as authorized by the aforementioned statute; and

WHEREAS, within the aforementioned Resolution, the Board defined a certain area; and

WHEREAS, due to population growth within Arapahoe County, and the health, safety, and welfare of the citizens of Arapahoe County, the Board is desirous of superceding Resolution No. 375-66 to expand the area where the discharge of firearms is to be prohibited; and

WHEREAS, at a public bearing held this date the Board of County Commissioners has received evidence and testimony regarding said designation expansion; and

WHEREAS, the Board is desirous of taking action at this time.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. As utilized within this Resolution and pursuant to C.R.S. 30-15-301 (1973) as amended, the term "Firearm" or "Firearms" means and includes any pistol, revolver, rifle, or other weapon of any description from which any shot, projectile, or bullet may be discharged.
2. It shall be unlawful for any person to discharge any firearm(s), except a duly authorized law enforcement officer acting in the line of duty, in the unincorporated territory of Arapahoe County, Colorado described as follows:

All of the unincorporated area of Arapahoe County lying west of a line described to-wit: Beginning where Gun Club Road intersects with Interstate 70, then west of Gun Club Road to the intersection of Smoky Hill Road. West of Smoky Hill Road from the intersection of South Gun Club Road to County Line Road.

3. Excluded from the aforementioned designated areas are those sections of land with less than an average population density of one hundred persons per square mile. Nothing in this Resolution shall prevent the discharge of any firearm in shooting galleries, or in any private grounds or residence under circumstances when such firearm can be discharged in such manner as not to endanger persons

or property, and also in such a manner as to prevent the projectile from any such firearms from traversing any grounds or space outside the limits of such shooting gallery, grounds, or residence, and nothing contained in this Resolution shall be construed to restrict or otherwise affect any person's constitutional right to bear arms or his right to the defense of his person, his family, or his property.

4. Pursuant to C.R.S. 30-15-303 (1973) as amended, any person violating the provisions of this Resolution shall be guilty of a misdemeanor and, upon conviction shall be punished by a fine of not to exceed one hundred dollars (\$100.00).

5. The County Court in and for the County of Arapahoe, and State of Colorado shall have jurisdiction in prosecutions of any violation of this Resolution, and it shall be the duty of the Arapahoe County Sheriff and his Undersheriffs and Deputies to enforce the provisions of this Resolution.

6. The Board of County Commissioners hereby determines this designation is necessary for the health, safety, and welfare of the citizens of Arapahoe County.

7. By the action taken on this date by the Board of County Commissioners, Resolution No. 375-66 shall be and hereby is declared to be null, void, and of no effect.

Upon roll call the vote was:

Commissioner Dittmore, Yes; Commissioner Brooks, Yes; Commissioner Eggert, Yes.

The Chairman of the Board declared the motion carried and so ordered.