

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 22
SERIES OF 2024**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING
ARTICLE IX OF CHAPTER 10 OF THE RIFLE MUNICIPAL CODE TO
EXPRESSLY PROVIDE THAT POSSESSION OF A DEADLY WEAPON IS
PROHIBITED ON SCHOOL PROPERTY.

WHEREAS, Article IX of Chapter 10 of the Rifle Municipal Code (the “Code”) regulates Weapons in the City of Rifle (the “City”); and

WHEREAS, City staff have recommended updates to the Code to expressly include knowingly possessing a deadly weapon on school property is prohibited, which previously was not included in the Code; and

WHEREAS, Colorado Revised Statute, Section 18-12-105.5, states that a person shall not knowingly and unlawfully and without legal authority carry, bring, or possess a weapon on school, college, or university grounds; and

WHEREAS, the City Council finds and determines that it is in the best interests of the citizens of Rifle to amend Article IX of Chapter 10 of the Code accordingly.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 10-9-40 of the Rifle Municipal Code, “Prohibited Use of Weapons”, is hereby amended as follows, with underlined text added:

Sec. 10-9-40. – Prohibited use of weapons.

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

(1) Knowingly and unlawfully displays or aims a deadly weapon at another person, another person's property, or a domestic animal in a manner calculated to alarm.

(2) Recklessly or with criminal negligence fires, discharges, swings, or throws any firearm, bow and arrow, or other deadly weapon not specifically addressed by this Subsection (a) anywhere within the City.

(3) Recklessly or with criminal negligence discharges any air gun, gas gun, B.B. gun, pellet gun, or slingshot within the City.

(4) Sets off or explodes any firecracker, torpedo ball, rocket or other fireworks, except on the celebration of a holiday or event by the consent of the Mayor or City Manager.

(5) Explodes or sets off a bomb or any combustible or explosive material.

(6) Knowingly sets a loaded gun, trap or device designed to cause explosion, discharge or fire upon being tripped or approached.

(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.

(8) Knowingly possesses a throwing star or nunchaku in a public place except for the purpose of presenting an authorized public demonstration or exhibition or pursuant to instruction in conjunction with an organized school or class. When transporting throwing stars or nunchaku for a public demonstration or exhibition or for a school or class, they shall be transported in a closed, nonaccessible container.

(8.5) Knowingly, and without legal authority, possesses a deadly weapon on any public or private school property.

(9) Unless the context otherwise requires, "deadly weapon" means for this Subsection (a) a firearm, whether loaded or unloaded, or a knife, bludgeon, or any other weapon, device, instrument, material, or substance, whether animate or inanimate, that, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury.

(b) The Mayor or the City Manager may grant an exception to the prohibitions contained in Subsection (a) above, in writing, for contests, sporting events, historical reenactments, indoor shooting galleries, arcade games, construction and/or maintenance work, or other valid reasons or for the use of any such instruments in any private grounds or residences under circumstances when such instrument can be fired, discharged or operated in such a manner as not to endanger persons or property and also in such manner as to prevent a projectile from traversing any grounds or space outside the limits of such gallery, grounds or residence. If the acts described in Subsection (a) are committed under an exception granted pursuant to this Subsection (b), such acts shall not constitute an offense under this Section 10-9-40. Such permission shall limit the time and place of firing and shall be subject to being revoked by the City Council at any time after the same has been granted.

(c) Any violation of Paragraph (a)(4) above is a Class B municipal offense; any violation of the other paragraphs of this Section is a Class A municipal offense.

(d) It is an affirmative defense to Subsection (a) above that the actor 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 or her duties.

(e) Every person convicted of any violation of this Section shall forfeit to the City such firearm or weapon involved in the violating act.

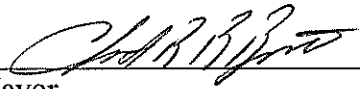
INTRODUCED on October 16, 2024, read by title, passed on first reading, and ordered

published as required by the Charter.


INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado held on November 6, 2024, passed without amendment, approved, and ordered published in full as required by the Charter.

CITY OF RIFLE, COLORADO

By


Mayor

ATTEST:


City Clerk

