

FIREARMS, DISCHARGE OF
RESOLUTION NO. 406-83

STATE OF COLORADO, }
County of Arapahoe } ss. At a regular meeting of the
Board of County Commissioners for Arapahoe County, Colorado, held at the Court
House in Littleton, Colorado on Tuesday the 5th
day of April, A. D. 1983, there were present:

Thomas R. Eggert, Chairman,
Betty Ann Dittmore, Commissioner,
Bob Brooks, Commissioner,
Larry Vana, County Attorney,
Marjorie Page, Clerk,
Deputy,

when the following proceedings, among others, were had and done, to-wit:

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 hearing 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 Commis-
sioners 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 dis-
charged.

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STATE OF COLORADO, }
County of Arapahoe } ss. I, Marjorie Page
County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State
aforesaid, do hereby certify that the annexed and foregoing Order is truly copied from the Records of the
proceedings of the Board of County Commissioners for said Arapahoe County,
now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of
said County, at Littleton, Colorado this
5th day of April, A. D. 1983

Marjorie Page
COUNTY CLERK.
Per _____ DEPUTY.
Judith K. Loose

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.

FIREWORKS STAND PERMIT SYSTEM

ORDINANCE NO. 86-1

ORDINANCE NO. 86-1
A COUNTY WIDE FIREWORKS STAND PERMIT SYSTEM
PENALTY PROVISIONS FOR FAILURE TO OBTAIN PERMITS
AND ENFORCEMENT PROVISIONS PERTAINING THERETO FOR
UNINCORPORATED ARAPAHOE COUNTY

WHEREAS, pursuant to Colorado Revised Statutes 30-15-401 as amended, the Board of County Commissioners of Arapahoe County has the power to adopt ordinances for control or licensing of those matters of purely local concern; and

WHEREAS, pursuant to Colorado Revised Statutes 30-15-401 as amended, matters of purely local concern include the prevention and suppression of riots, routs, affrays, disturbances, and disorderly assemblies in any public or private place, to control and regulate the movement and parking of motor vehicles on public property; and to do all acts and make all regulations which may be necessary or expedient for the promotion of health; and

WHEREAS, it has come to the attention of the Board of County Commissioners of Arapahoe County that unregulated and unpermitted fireworks stands create health and safety problems and in certain unauthorized locations create fire and/or traffic hazards; and

WHEREAS, it is the opinion of the Board of County Commissioners of Arapahoe County that in order to preserve the public peace, health, safety, and welfare of the citizens of Arapahoe County, they should take the following action.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Arapahoe County, the following:

Section I. Violations Involving Failure to Obtain
Necessary County Fireworks Stand Permits

It shall be unlawful for any person, business, organization, association or entity to establish, create or set up a fireworks stand to sell, attempt to sell or advertise for sale fireworks as defined by Colorado Revised Statutes 12-28-101(1)(a) as amended. Further, in order to sell those items as defined within Colorado Revised Statutes 12-28-101(1)(b) as amended, necessary permits must be obtained first from the Arapahoe County Building Department. Permits issued hereunder shall only be valid for a period commencing on June fifteenth and ending on July seventh at midnight in any year.

Section II. Permit to be Displayed

Any and all fireworks stands permits issued hereunder shall be prominently displayed by said licensee at the licensed location.

Section III. License Fees

All licensees issued permits hereinunder shall pay an annual permit fee, in advance, of \$500.00 per fireworks stand location. In addition a refundable \$250.00 clean-up deposit shall be required per fireworks stand location. Failure to obtain necessary permits prior to selling or attempting to sell those items defined within Colorado Revised Statutes 12-28-101(1)(b) shall be considered a violation of this Ordinance.

Section IV. Liability Insurance

All licensees hereinunder shall procure and maintain comprehensive general liability insurance, which affords coverage for all claims for bodily injury including death, with limits of liability of at least \$500,000.00 per occurrence and in the aggregate, and all claims for destruction of or damage to property, with limits of liability of at least \$500,000.00 per

occurrence and in the aggregate, arising out of or in connection with the sales of fireworks. Evidence of insurance must be presented to Arapahoe County Building Department prior to the issuance of necessary permits.

Section V. Penalty

Any violation of the provisions of this Ordinance by an individual shall be a Class 2 Petty Offense and shall be punishable by a fine of three hundred dollars (\$300.00) for each violation. The Board herein by reference adopts the Penalty Assessment Procedure set forth within Colorado Revised Statutes Title 16, Article 2, Part 2, as amended. The Board expressly declines to adopt a graduated fine schedule in relation to this Ordinance.

Section VI. Enforcement

The provisions of this Ordinance shall be enforced by the Arapahoe County Sheriff, Undersheriff and Deputies.

Section VII. Disposition of Fines

All fines imposed and collected for the violation of this Ordinance shall be paid into the General Fund of Arapahoe County daily as collected.

Section VIII. Separate Offense

Each day during which a violation of this Ordinance occurs and/or continues, shall be deemed a separate offense.

Section IX. Severability Clause

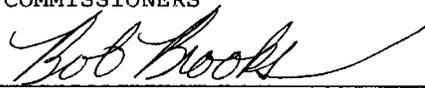
If any of the various provisions of this Ordinance are determined by a court of law to be invalid, such determination shall not affect the remaining provisions of this Ordinance.

Upon roll call the vote was:

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

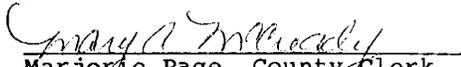
The Chairman declared the motion carried and so ordered.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS
ARAPAHOE COUNTY



Bob Brooks, Chairman
Arapahoe County
Board of County Commissioners

ATTEST:


Marjorie Page, County Clerk
By: Mary A. McCready, Deputy Clerk

First Publication: May 2, 1986
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