

ORDINANCE NO. 2022-2**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BOULDER COUNTY, COLORADO PROHIBITING THE PURCHASE OF FIREARMS BY ANYONE UNDER THE AGE OF TWENTY-ONE****RECITALS**

A. Individuals eighteen to twenty commit gun homicides at rates four times higher than those twenty-one and older.

B. Research shows that there are fundamental developmental differences between the minds of adults and teenagers and that regions of the minds governing behavior do not fully mature until the twenties.

C. Evidence shows that the firearm suicide rate among young men increases 26.9 percent between the ages of twenty and twenty-one.

D. Under current law a person must be twenty-one to purchase a handgun from a licensed gun dealer but is able to purchase a high-powered semiautomatic rifle or shotgun from a gun dealer at eighteen.

E. Pursuant to Section 30-11-101(2) of the Colorado Revised Statutes, a county has the authority to adopt and enforce ordinances regarding issues of health, safety, and welfare.

F. Pursuant to Section 29-11.7-103 of the Colorado Revised Statutes, a county has the authority to adopt and enforce ordinances regulating the sale, purchase, transfer and possession of firearms.

BE IT ORDAINED, by the Board of County Commissioners of the County of Boulder, the following:

SECTION 1. PROHIBITION ON PURCHASING FIREARMS

- (a) No person under the age of twenty-one shall purchase a firearm.
- (b) No person shall sell a firearm to a person under the age of twenty-one.
- (c) This subsection shall not apply to:
 - (1) Any federal, state or local law enforcement officer when purchasing or selling firearms in connection with official duties.
 - (2) Any member of the United States Armed Forces or Colorado National Guard when engaged in official duties.

(d) As used in this section:

(1) "Firearm" has the same meaning as set forth in 18 U.S.C. § 921 (a)(3), as amended.

(2) "Purchase" and "Sell" mean the transfer of ownership of a firearm in consideration of payment or promise of payment.

SECTION 2. VIOLATIONS AND PENALTIES

Any violation of the provisions of this ordinance by a person who knew or reasonably should have known that their conduct was prohibited is an unclassified misdemeanor that upon conviction shall be punished by a fine of no more than \$1,000, a sentence of no more than 364 days in the county jail, or both a fine and imprisonment.

SECTION 3. SAFETY CLAUSE

This ordinance shall take effect immediately upon its adoption. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the county due in part to the need to control the activity subject to this ordinance as soon as possible.

SECTION 4. SEVERABILITY

If any section, clause, sentence, or part of this ordinance is adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, impair, or invalidate the other provisions of this ordinance which can be given effect without such invalid provision.

[SIGNATURE ON FOLLOWING PAGE]

ADOPTED ON SECOND AND FINAL READING at a public hearing on August 2, 2022.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF BOULDER, COLORADO

Marta Loachamin

Marta Loachamin, Chair

ATTEST:

Cecilia Lacey

Name: Cecilia Lacey
Clerk to the Board

CERTIFICATION AND ATTESTATION

I, Molly Fitzpatrick, Boulder County Clerk and Recorder, do hereby certify that the foregoing Ordinance No. 2022-2, entitled “**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BOULDER COUNTY, COLORADO PROHIBITING THE PURCHASE OF FIREARMS BY ANYONE UNDER THE AGE OF TWENTY-ONE**” is a true, correct and complete copy from the records in my office, that said ordinance was duly adopted by the Board of County Commissioners of the County of Boulder. The first reading of Ordinance 2022-2 took place on July 5, 2022, at a regular Board of County Commissioners Meeting. It was published in full in the Boulder Daily Camera on July 8, 2022. The Ordinance was adopted on second reading at a public hearing held before the Board of County Commissioners on August 2, 2022. Further, one (1) copy of the Ordinance is now filed in the office of the Clerk and Recorder for the County of Boulder, Colorado, and may be inspected during regular business hours.

Molly Fitzpatrick

Clerk and Recorder