

**NOTICE OF PUBLIC HEARING
ORDINANCE No. 1836, SERIES 2022**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Louisville, Colorado, to be held on June 7, 2022 at the hour of 6:00 p.m., at Louisville City Hall, 749 Main Street, Louisville, Colorado 80027 or in an electronic meeting, the City Council will hold a Public Hearing on the final passage and adoption of a proposed **ORDINANCE AMENDING TITLE 9, ARTICLE VIII OF THE LOUISVILLE MUNICIPAL CODE TO REGULATE THE POSSESSION OF UNFINISHED FRAMES AND RECEIVERS, AND UNSERIALIZED FIREARMS.**

Published in the *Daily Camera* on May 22, 2022 with full ordinance.

Full copies available in the City Clerk's Office, 749 Main Street, Louisville CO 80027.

**ORDINANCE NO. 1836
SERIES 2022**

**AN ORDINANCE AMENDING TITLE 9, ARTICLE VIII OF THE LOUISVILLE
MUNICIPAL CODE TO REGULATE THE POSSESSION OF UNFINISHED FRAMES
AND RECEIVERS, AND UNSERIALIZED FIREARMS**

WHEREAS, there are gaps in our current law that make it easy for people with dangerous histories to purchase widely available firearms parts without a background check and easily convert them into firearms without a serial number; and

WHEREAS, untraceable and unserialized firearms, commonly known as “ghost guns,” are a public safety risk because they allow people with dangerous histories to avoid background check requirements and assemble guns without serial numbers that cannot be traced by law enforcement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Section 9.80.010 of the Louisville Municipal Code (Definitions) is hereby amended by the addition of the following definitions, to be inserted alphabetically:

Sec. 9.80.010 Definitions.

For the purposes of this Article the following terms, phrases, words, and their derivatives shall have the meanings given in this section:

Federal licensee means a federally licensed firearms manufacturer, importer, or dealer licensed under 18 U.S.C. 923(a), or other federal licensee authorized to identify firearms with serial numbers.

Frame or receiver means the part of a firearm that, when the complete weapon is assembled, is visible from the exterior and provides the housing or structure designed to hold or integrate one or more fire control components, even if pins or other attachments are required to connect those components to the housing or structure. For models of firearms in which multiple parts provide such housing or structure, the part or the parts that the Director of the federal Bureau of Alcohol, Tobacco, Firearms & Explosives has determined are a frame or receiver constitute the frame or receiver. For the purposes of this definition, the term “fire control component” means a component necessary for the firearm to initiate, complete, or continue the firing sequence, and includes a hammer, bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing pin, striker, or slide rails.

Unfinished frame or receiver means any forging, casting, printing, extrusion, machined body or similar article that:

- (a) has reached a stage in manufacture where it may readily be completed, assembled or converted to be used as the frame or receiver of a functional firearm; or
- (b) is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once completed, assembled or converted.

For the purposes of this definition, the term “assemble” means to fit together component parts. In determining whether a forging, casting, printing, extrusion, machined body, or similar article may be readily completed, assembled, or converted to a functional state, the city manager may consider any available instructions, guides, templates, jigs, equipment, tools, or marketing materials.

Section 2. Chapter 9.82 of the Louisville Municipal Code (Firearms) is hereby amended by the addition of a new Section 9.82.120 to read as follows:

Sec. 9.82.120 Serial numbers required.

(a) Except as provided in subsection (d), it shall be a noncriminal offense for any person to possess any firearm that has not been identified with a serial number by a federal licensee.

(b) A first violation of the prohibition in subsection (a) shall result in a fine of \$250. A second or subsequent violation of the prohibition in subsection (a) shall be a criminal offense.

(c) A violation of subsection (a) that includes a finding that the person possessed one or more firearms that have not been identified with a serial number by a federal licensee with an intent to sell or distribute the firearms unlawfully is a criminal offense.

(d) Subsection (a) shall not apply to:

- (1) a federal licensee;
- (2) any firearm made before October 22, 1968 (unless remanufactured after that date); or
- (3) A local, state, or federal law enforcement officer who possesses a firearm pursuant to their official duties.

Section 3. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares it would have passed and approved this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 4. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 6. Except as otherwise set forth herein, any person convicted of violating this ordinance may be punished as set forth in 1.28.010 of the Louisville Municipal Code, as may be amended but which currently provides violations shall be punished by a fine of not more than \$2,650.00, as shall be adjusted for inflation on January 1, 2014 and on January 1 of each year thereafter, or by imprisonment not to exceed 364 days, or by both such fine and imprisonment.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED
PUBLISHED** this ____ day of _____, 2022.

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

APPROVED AS TO FORM:

Kelly PC, City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this ____ day of _____, 2022.

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk