

## Legislation Text

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**File #:** Ordinance 02-2021, **Version:** 2

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Agenda Date: 02/02/2021

**Subject:**

Ordinance 02-2021: An ordinance on second reading adding Chapter 24, entitled Firearms Retailer, to Title 3 Business Regulations

Prepared by: Reid Betzing, City Attorney
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**PURPOSE:**

To introduce a proposed licensing ordinance for firearms retailers operating within the City of Littleton.

**PRESENTATIONS:**

**Staff Presenter(s):** Reid Betzing, City Attorney and Doug Stephens, Chief of Police

**Additional Presenter(s):** N/A

**SUMMARY:**

Recent burglaries at gun stores throughout the metropolitan area, including the City of Littleton, have resulted in scores of stolen firearms becoming available for criminal use in our communities. Often these burglaries could have been prevented through use of deterrent methods by firearms retailers. The proposed licensing ordinance for firearms retailers will help to ensure that those selling firearms are less likely to become targets and in so doing helps ensure the health, safety and welfare of our community at large.

Between first and second readings two changes were made to the proposed ordinance. 3-24-8(E) was amended to clarify that a notice to show cause would be issued as well as the evidentiary standard of review in that determination. A new section 2 was added to place the effective date for the ordinance on August 1, 2021. Due to the potential financial investment and supply chain delays caused by the current economic environment, the change was proposed to ensure that retailers would have enough time to come into compliance.

**PRIOR ACTIONS OR DISCUSSIONS:**

A study session occurred on September 15, 2020 to receive direction as to whether Council would be in favor of proposed regulations relating to firearms retailers. At the study session staff presented recommendations to Council including:

- locking up all firearms in guns safes or reinforced safe rooms during non-business hours;
- making the police department the first contact for any alarm notifications; and
- having the police department partner with retailers to do on site assessments to identify security enhancements.

Council provided direction to staff to proceed and staff met with the licensed firearms retailers in our City to

discuss the proposed changes.

This ordinance passed on first reading on January 19, 2021.

**ANALYSIS:**

Staff Analysis

Crime data shows the City of Littleton has experienced 10 burglaries at five different gun stores, including pawn shops, in the past four years, resulting in 144 firearms illegally entering the criminal market and greatly jeopardizing the safety of our community. Six of the 10 burglaries occurred at two businesses (three times each), one business was burglarized twice, and two businesses were burglarized one time each. A review of crime reports shows that almost all gun store burglaries involved the loss of firearms that were not secured in a gun safe, or safe room, designed to deter or delay burglars from quickly accessing the firearms. In only two cases were firearms secured properly and those burglaries resulted in no firearms stolen (and no repeat burglaries at those two businesses). In every other instance, the stolen firearms were left in glass display cases, were unsecured on wall displays, or had inadequate security measures which were easily defeated by burglars. Burglars utilized a variety of methods to defeat exterior security, including alarms, video, tempered glass, metal gates, and vehicle bollards to gain access to businesses and then quickly gathered dozens of unsecured weapons.

The “typical” burglary would be completed in under three minutes from the time of entry and would result in the theft of 14 firearms on average; in the last burglary 52 firearms were stolen in under three minutes. In all cases it can be safely assumed these firearms quickly found their way into the hands of other criminals who use them in the commission of further crimes against our community. In each of these cases the burglary could have been prevented through the practice of securing firearms in gun safes or vault rooms designed to prevent the ability to quickly access weapons after business hours. In two instances, that was proven true by the retailer’s proper storage of firearms which resulted in no loss, and no repeat burglary attempt.

Council Goal, Objective, and/or Guiding Principle

Building a quality community and aligning with the Envision Littleton 2040 Report valuing safety and security from crime.

Fiscal Impacts

N/A

Alternatives

Continue without regulations which may lead to the reoccurrence of the successful burglaries of firearms retailers.

**STAFF RECOMMENDATION:**

Staff recommends approval of the licensing requirements for firearms retailers.

**PROPOSED MOTION:**

I move to approve Ordinance 02-2021 on second reading adding chapter 24 entitled Firearms Retailers to Title 3 Business regulations.