

ORDINANCE NO. 18-_____

AN ORDINANCE AMENDING SECTIONS 101 (DEFINITIONS), 103 (POSSESSION OR DISPLAY), 105 (EXCEPTIONS TO THE PROHIBITIONS) OF PART 1 (DANGEROUS AND DEADLY WEAPONS) OF ARTICLE 7 (DANGEROUS WEAPONS AND SUBSTANCES) OF CHAPTER 9 (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO DANGEROUS WEAPONS

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

Section 1. Section 101 (Definitions) of Part 1 (Dangerous and Deadly Weapons) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

9.7.101: DEFINITIONS:

DANGEROUS OR DEADLY WEAPONS: Include:

* * *

~~F. Any "gravity knife"; which term shall mean any knife that has a blade released from the handle or sheath by the force of gravity or the application of centrifugal force, that when released is locked into place by means of a button, spring, lever or other device; or~~

~~G. Any "switchblade knife"; which term shall mean any knife, the blade of which opens automatically by hand pressure applied to a button, spring or other device in its handle; or~~

~~HE. * * *~~

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Section 2. Section 103 (Possession or Display) of Part 1 (Dangerous and Deadly Weapons) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

9.7.103: POSSESSION OR DISPLAY:

~~A. It is unlawful for any person to sell, display, use, possess or carry any switchblade or gravity knife or blackjack. Any weapon is declared to be contraband and shall be destroyed.~~

~~BA.~~ * * *

~~CB.~~ For purposes of this section, "display" means any opening, or unfolding, manifestation, exhibition, ostentatious showing, or exhibition for effect meant to intimidate, threaten, alarm, or frighten any person.

~~DC.~~ * * *

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Section 3. Section 105 (Exceptions to the Prohibitions) of Part 1 (Dangerous and Deadly Weapons) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

9.7.105: EXCEPTIONS TO THE PROHIBITIONS:

~~B. It shall be an exception to an allegation of a violation of possession of a switchblade or gravity knife or blackjack, in violation of subsection 9.7.103A of this part, that the person so accused was a member of the armed forces of the United States, or the Colorado National Guard, acting in the lawful discharge of the person's duties, or the person had a valid permit and license for possession of the weapon.~~

~~CB.~~ It shall be an exception to an allegation of a violation of section 9.7.102 of this part, prohibiting the carrying of concealed dangerous or deadly weapons, that:

1. * * *

5. Where the weapon in question is a knife, ~~other than a switchblade or gravity knife, that the~~ **with a blade length** of the knife is three and one-half inches (3 ½") or less in length, or that the knife was a hunting or fishing knife carried for sports use.

DC. * * *

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Section 4. Any person convicted of violating Section 103 (Possession or Display) and Section 105 (Exceptions to the Prohibitions) of Part 1 (Dangerous and Deadly Weapons) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) shall be punished as provided in Section 110 (Penalties) of Part 1 (General Provisions) of Article 1 (Administration and Enforcement) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended.

Section 5. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 6. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2018.

Finally passed: _____

Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk