



Legislation Details (With Text)

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On agenda: 5/26/2015 **Final action:** 5/26/2015

Title: Ordinance No. 15-34 amending Part 2 (Private Security Services) of Article 3 (Sales of Goods and Services) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to private security

Sponsors:

Indexes:

Code sections:

Attachments: 1. 051215 Private Security Business Licensing Ordinance, 2. Signed Ordinance No. 15-34

Date	Ver.	Action By	Action	Result
5/26/2015	5	City Council	finally passed	Pass
5/12/2015	4	City Council	approved on first reading	Pass
4/27/2015	4	City Council Work Session	referred	
3/23/2015	3	City Council Work Session	received	
1/26/2015	1	City Council Work Session	referred	
11/24/2014	1	City Council Work Session	referred	

Ordinance No. 15-34 amending Part 2 (Private Security Services) of Article 3 (Sales of Goods and Services) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to private security

From:

Eileen Lynch Gonzalez, City Council Administrator

Summary:

During February and March 2015, City Council staff convened stakeholder discussions relating to private security business licenses. The discussions included City staff from the City Clerk’s Office, the Police Department, and the City Attorney’s Office, representatives of the contract security industry, and subject matter experts on the issue of firearms training. The group examined existing sections of City Code that relate to licensing of private security businesses, and discussed a variety of issues, including the prohibition on licensed uniformed private security officers from carrying concealed weapons in the course of their duties.

As a result of those discussions, the City Attorney’s Office has drafted the attached revised ordinance, which generally addresses the following changes to the City’s licensing of private security businesses and officers:

1. Licensed security officers are authorized to carry a concealed weapon during the course of their

duties provided they possess a valid concealed weapons permit and complete additional training. If a licensee carries a concealed firearm, that licensee may not also carry another firearm during the course of their licensed duties.

2. References to “Conductive Energy Device” (i.e. “stun gun” or Taser) have been updated to refer to “Conductive Energy Weapon” to align with current terminology.

3. The training requirement for officers wishing to carry a concealed weapon have been updated to include a requirement for additional classroom and live fire practice.

4. The authorized types of firearms and ammunition have been updated to more accurately reflect current terminology and technology.

5. Requirements for licensees to report to the City Clerk’s Office the discharge of a firearm during the course of practicing licensed security services have been updated to better align with the Clerk’s Office needs and industry practices.

Previous Council Action:

City Council approved revisions to the business licensing section of City Code pursuant to the City Clerk’s recommendations on October 14, 2014.

On November 18, 2014, the Office of the City Attorney issued a memorandum relating to its analysis of the City’s authority to regulate the carrying of concealed weapons by private security officers. At its work session meeting on November 24, 2014, City Council discussed this memorandum and the consensus of Council was to release the confidential privilege of this attorney client communication; it is attached to this item for Council’s information. At a Council work session in February 2015, City Council directed staff to convene a group of stakeholders, including Councilmember Andy Pico, to discuss issues and develop recommendations relating to the topic.

Background:

In 2009, the City formed the Security Training Advisory Board (STAB) to address training needs for security officer licenses. The group met during late 2009 and early 2010, and made recommendations relating to required training for licensed private security officers.

Financial Implications:

N/A

Board/Commission Recommendation:

N/A

Stakeholder Process:

In addition to City Council staff, the following stakeholders participated in discussions on this topic:

Councilmember Andy Pico

Chief Peter Carey, Colorado Springs Police Department

Deputy Chief Vince Niski, Colorado Springs Police Department

Sarah Johnson, City Clerk

Bill Powell, Deputy City Clerk

Frederick Stein, City Attorney’s Office

Lindsay Rose, City Attorney’s Office

David Andrews, Legislative Counsel, City Attorney’s Office

Spencer Stringham, Operations/Training Manager, Advanced Patrol and Alarm

Daniel Lanotte, President and Chief Instructor, Falcon Personal Security

Aaron Pelouze, Vista Defense Training
Ryan Knight, CEO/Owner, Knight Security
Natascha Modral, Managing Director, Mercurial Security Solutions
Mark Smith, Alpha Security

The stakeholder group met three times, on February 13, March 5, and March 17, 2015. During the meetings, the group came to consensus on potential code changes relating to the types of firearms permitted to be carried by licensees, changes in terminology relating to conductive energy weapons, reporting by licensees of critical incidents, and the carrying of concealed weapons by licensees.

Alternatives:

City Council could decide to leave the licensing of private security companies and officers as it currently stands, or it could decide to amend the proposed ordinances.

Proposed Motion:

Approve the ordinance as proposed.

An Ordinance amending Part 2 (Private Security Services) of Article 3 (Sales of Goods and Services) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to private security