

ORDINANCE NO. 25-17

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA AMENDING SECTION 133.02 OF CHAPTER 133 OF TITLE XIII OF ORDINANCE NO. 24-01 (COLUMBUS CITY CODE) REGARDING CONCEALED WEAPONS TO CONFORM WITH STATE LAW; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

WHEREAS, in 2023, the Nebraska Legislature adopted Legislative Bill 77 ("LB77") and said bill revised the conceal carry law for firearms in the State; and

WHEREAS, LB77 eliminated the requirement that individuals seeking to legally carry a concealed handgun had to first obtain a Carrying Concealed Weapon permit; and

WHEREAS, under LB77 Individuals who are not legally permitted to possess or carry a firearm or other weapon (such as minors and convicted felons) still violate State law if they carry a concealed weapon; and

WHEREAS, Neb. Rev. Stat. Stat. § 13-330, now states:

(2)(a) that cities do not have the power to regulate the ownership, possession, storage, transportation, sale, or transfer of firearms or other weapons, except as expressly provided by state law.

(3) any city ordinance, permit, or regulation in violation of subsection (2) of this section is declared to be null and void.

and

WHEREAS, the City has a "Concealed Weapons" provision in its Municipal Code and it desires to amend said Municipal Code to conform with LB77.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA that:

Section 1. That Section 133.02 of Chapter 133 of Title XIII of the Columbus City Code be amended and revised to read as follows:

§ 133.02 CONCEALED WEAPONS.

It shall be unlawful for any minor or prohibited person to carry concealed on or about his or her person any pistol or revolver. It shall be unlawful for any person in the city to carry concealed or about his or her person any Bowie knife, dirk or knife with a dirk blade attachment, brass or iron knuckles or

any other dangerous or deadly weapon unless otherwise permitted by state law. If upon the trial of any case arising under the terms of this section it shall clearly and satisfactorily appear from the testimony that the accused was, at the time of carrying any weapon as aforesaid, engaged in the pursuit of a lawful business or employment and that the circumstances in which the accused was placed were such as to justify a prudent person in carrying the weapon found upon the person for the person's own defense or the defense of the person's family, that person shall be acquitted.

Section 2. This Ordinance shall repeal all Ordinances or portions thereof and conflict herewith.

Section 3. This Ordinance shall be in full force and effect from and after its passage approval of publication according to law. Publication shall be in pamphlet form as authorized by §16-405 of Nebraska Revised Statutes with distribution to be made by making copies available to the public upon request at the City office.

INTRODUCED BY COUNCIL MEMBER AS Perry

PASSED AND ADOPTED THIS 6 DAY OF October, 2025.



[Signature]
MAYOR

ATTEST:

Linda Nickerson
ASSISTANT CITY CLERK

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY