

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-12**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
KEYSTONE, COLORADO, ADOPTING REGULATIONS RELATED TO
VIOLATIONS AGAINST GOVERNMENT AND PUBLIC OFFICIALS**

WHEREAS, the Town of Keystone (“Town” or “Keystone”) is a home rule municipal corporation created pursuant to Article XX of the Colorado Constitution; and

WHEREAS, Section 31-15-103 C.R.S. grants municipalities the authority to adopt ordinances and regulations to protect public health and safety; and

WHEREAS, the Town Council finds that the efficient, safe, and lawful functioning of government operations is essential to maintaining public order and the delivery of services to the community; and

WHEREAS, obstruction of government officials, employees, or operations through force, threats, or interference undermines the public interest and impairs the ability of the Town to carry out its legal responsibilities; and

WHEREAS, it is necessary to clearly define and prohibit conduct that unlawfully obstructs the duties of public officials while recognizing limited, constitutionally protected exceptions such as lawful labor activity or the right to resist unlawful government conduct; and

WHEREAS, the unauthorized impersonation of peace officers or other public officials poses a significant threat to public trust and safety, and may be used to mislead, coerce, or otherwise harm community members; and

WHEREAS, the Town has a compelling interest in protecting the public from individuals who wear or replicate police uniforms, insignia, or other identifying apparel in order to falsely represent themselves as law enforcement officers; and

WHEREAS, peace officers and firefighters must be able to perform their duties without interference in order to preserve public safety, enforce the law, and respond to emergencies in an effective and timely manner; and

WHEREAS, the Town Council finds that it is necessary to establish clear prohibitions against obstructing peace officers or firefighters through the use or threat of force, physical interference, or failure to comply with lawful commands; and

WHEREAS, these provisions are intended to promote public safety, protect governmental integrity, and align municipal regulations with constitutional standards and community expectations;

**THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
ORDAINS:**

Section 1. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the Town Council.

Section 2. Town Council adopts the following regulations related to violations against government and government officials.

Section 1. Obstructing government operations.

- (a) It is unlawful for any person to obstruct government operations.
- (b) A person commits obstructing government operations if the person intentionally obstructs, impairs or hinders the performance of a governmental function by a public official, employee or agent, by using or threatening to use violence, force or any form of physical interference or obstacle.
- (c) It is an affirmative defense that:
 - (1) The obstruction, impairment or hindrance was of unlawful conduct by a public official or employee; or
 - (2) The obstruction, impairment or hindrance was by lawful activities in connection with a labor dispute with the government; or
 - (3) The obstruction, impairment or hindrance was of the making of an arrest.

Section 2. Impersonating a peace officer.

- (a) It is unlawful for any person, other than an official police officer of the town, to wear a uniform, badge, insignia, or other apparel that is the same as, closely resembles, or is a convincing imitation of the official uniform or insignia used by the town's police officers.
- (b) It is unlawful for any person to create, reproduce, or cause to be created or reproduced any uniform, badge, insignia, or other identifying apparel that imitates or closely resembles that used by the town's police department.
- (c) It is unlawful for any person, without proper authority, to:
 - (1) Exercise or attempt to exercise the powers or duties of a police officer, sheriff, deputy sheriff, town employee, or town official; or
 - (2) Falsely represent or hold themselves out as such an officer or official for any reason or purpose.

Section 3. Obstructing a peace officer or firefighter.

- (a) It is unlawful for any person to willfully fail or refuse to comply with any lawful command, signal, or direction of a police officer issued in the discharge of the police officer's duties.
- (b) It is unlawful for any person to, in any way, interfere with, obstruct, or hinder any police officer who is discharging or apparently discharging their duties.
- (c) It is unlawful to obstruct a peace officer or firefighter.
- (d) A person commits obstructing a peace officer or firefighter when, by using or threatening to use violence, force, or any physical interference or obstacle, that person knowingly obstructs, impairs or hinders:
 - (1) The enforcement of the law or the preservation of the peace by a peace officer, acting under color of their official authority; or
 - (2) The prevention, control or abatement of fire by a firefighter, acting under color of their official authority.
- (e) It is not a defense to a prosecution under this Section that the peace officer or firefighter was acting in an illegal manner, if the peace officer or firefighter was acting under color of his or her official authority.
- (f) This Section does not apply to conduct that obstructs, impairs, or hinders the making of an arrest.

Section 4. False reporting to authorities.

It is unlawful for any person to knowingly make or cause a false report to be made to authorities. A person commits false reporting to authorities if they:

- (1) Knowingly cause a false alarm of fire or other emergency to be transmitted to or within an official or volunteer fire department, ambulance service or any other government agency which deals with emergencies involving danger to life or property;
- (2) Knowingly make or cause a false report to be transmitted to law enforcement authorities concerning a crime or other incident within their official jurisdiction, knowing that the crime or incident did not occur;
- (3) Knowingly provide false information to any law enforcement officer with the intent to implicate another person; or
- (4) Provide a false name, address, or age to a law enforcement officer with the intent to conceal their true identity or age.

Section 5. Failure to assist a police officer.

- (a) It is unlawful for any person, when lawfully requested by a peace officer acting in the course and scope of their official duties, to refuse or fail to assist the officer in preventing the commission of a crime, securing the custody of a person subject to arrest, or protecting another person from imminent harm, provided that such assistance does not place the person at unreasonable risk of physical harm.
- (b) This section shall not apply where:
 - (1) The person lacks the physical or mental capacity to provide the requested assistance;
 - (2) Compliance would place the person in danger of serious bodily injury;
 - (3) The request for assistance is not clearly communicated or is not reasonably understood as a lawful command.
- (c) Nothing in this section shall be construed to impose a duty to act where such a duty would violate constitutional rights or protections.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 4. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 5. Effective Date. This ordinance shall take effect and be enforced thirty (30) days after final publication.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON _____, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS _____ DAY OF _____, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

READ, PASSED AND ADOPTED WITH A ROLL CALL VOTE OF ____ IN FAVOR AND ____ OPPOSED ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS _____ DAY OF _____, 2025.

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Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney