

ORDINANCE NUMBER 2015- 62

AN ORDINANCE OF SUWANNEE COUNTY, FLORIDA, EXPRESSLY RECOGNIZING THE PRE-EMPTING OF THE REGULATION OF FIREARMS BY THE STATE OF FLORIDA; PROHIBITING THE BEARING OR POSSESSION OF OTHER WEAPONS IN STRUCTURES OWNED OR OPERATED BY SUWANNEE COUNTY AND/OR ITS BOARD OF COUNTY COMMISSIONERS; PROVIDING EXCEPTIONS; PROVIDING PENALTIES; REPEALING A SPECIFIED PORTION OF ORDINANCE 1985-07; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SUWANNEE COUNTY, FLORIDA:

SECTION 1. The Board of County Commissioners of Suwannee County (hereinafter referred to as the "Board") hereby finds, determines and declares the following:

- A. Florida Statute 790.33 expressly occupies the whole field of regulation of firearms, ammunition, and the components thereof, and the Board seeks to conform to the regulations listed in Florida Statute 790.33; and
- B. There exists a need for security in the Suwannee County Courthouse and other buildings owned and/or operated by the Board; and
- C. The bearing or possession of firearms and other weapons in the Courthouse, and the bearing or possession of weapons in other buildings owned and/or operated by the Board threatens to obstruct and interrupt the administrations of the governmental proceedings conducted therein and constitutes a threat to County and Court personnel, to jurors, to witnesses and to the general public that enter such structures.

SECTION 2. Definitions.

- A. "Weapon" shall mean any dirk, metallic knuckles, slingshot, billie, tear gas gun, chemical weapon or device, or any other deadly weapon, excepting firearms regulated by the State.
- B. "Courthouse" shall mean the entire Suwannee County Courthouse, including yard areas.

SECTION 3. Restrictions.

- A. No person shall bear or possess any weapon in the Suwannee County Courthouse, except as expressly permitted by Chapter 790, Florida

Statutes, or duly adopted judicial order lawfully in effect. It is recognized that Chapter 790 and any duly adopted judicial order in effect shall restrict firearms at the Courthouse.

- B. No person shall bear or possess any weapon in any other structure or building owned or operated by the Board, except as authorized in writing by the County Administrator when such authorization is not in conflict with law or judicial order.
- C. Law enforcement officers, as defined in Florida Statute 790.001, are exempt from the provisions of this subsection 3.

SECTION 4. Preemption; Repeal and Replace. Any specific provision of any Suwannee County ordinance, resolution, rule, or policy in conflict with Chapter 790, Florida Statutes or this Ordinance is declared null, void, and repealed to the extent of such conflict. The specific reference to firearms in Codified Ordinance of Suwannee County, Section 54-3(4), created by Suwannee County Ordinance 85-07, is hereby expressly repealed.

SECTION 5. Penalties: Authority to Arrest. Any person violating any of the provisions of this Ordinance shall be prosecuted in the same manners as misdemeanors are prosecuted and shall, upon conviction, be punished by a fine not to exceed \$500.00, or by imprisonment in the county jail not to exceed sixty (60) days, or by both such fine and imprisonment. Each day that an offense or violation of this Ordinance continues, shall be deemed a separate offense. The Suwannee County Sheriff's Office or other competent law enforcement agency having jurisdiction has the power to arrest any person violating this Ordinance.

SECTION 6. Effective date: This Ordinance shall take effect immediately upon receipt of official acknowledgement by the Office of the Department of State, to the Clerk of the Board of County Commissioners that same has been filed.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF SUWANNEE COUNTY, FLORIDA, on this 4th day of August, 2015.

ATTEST: BARRY A. BAKER, CLERK

BOARD OF COUNTY COMMISSIONERS
OF SUWANNEE COUNTY, FLORIDA

By: [Signature]
Deputy Clerk

BY: [Signature]
ITS: _____

Effective Date: Aug. 4th, 2015