

ORDINANCE 2011-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MINNEOLA, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF MINNEOLA, RELATING TO THE REGULATION OF WEAPONS AND FIREARMS; SPECIFICALLY REMOVING SECTIONS 46-5 AND 46-6 OF THE CODE OF ORDINANCES RELATING TO THE REGULATION OF FIREARMS; PROVIDING FOR CONFLICT WITH EXISTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature passed House Bill 45, which imposes penalties on governments, elected officials, or staff that adopt policies or take enforcement action violating the existing state law preemption of firearms and ammunition regulation; and

WHEREAS, the City of Minneola City Council desires to ensure that there are no Code provisions or City policies that would violate the state law preemption on firearms and ammunition regulation; and

WHEREAS, the City of Minneola City Council has found and determined that it is in the best interests of the City of Minneola to delete sections 46-5 and 46-6 of the Minneola Code of Ordinances relating to firearms.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINNEOLA, FLORIDA:

Section 1. Sections 46-5 and 46-6 of the City of Minneola Code of Ordinances are hereby deleted as follows:

Section 2. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This Ordinance shall become effective immediately upon passing.

Section 4. The provisions of this ordinance are intended to be incorporated into the Code of Ordinances of the City of Minneola, Florida, and the sections of this ordinance may be renumbered, relettered, and the word "ordinance" may be changed to "section," "article," or such other word or phrase in order to accomplish such intention.

Section 5. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

PASSED AND ORDAINED this 6th day of September, 2011, by the City Council of the City of Minneola, Florida.

Pat Kelley, Mayor

ATTEST:

Jan McDaniel, CITY CLERK

Approved as to form:

Scott A. Gerken, City Attorney

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