

ORDINANCE NUMBER 2011- 33

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF 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 ST. JOHNS COUNTY AND/OR ITS BOARD OF COUNTY COMMISSIONERS; PROVIDING EXCEPTIONS; PROVIDING PENALTIES; REPEALING AND REPLACING ORDINANCE 2011-14; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. The Board of County Commissioners of St. Johns 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 St. Johns 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 Richard O. Watson Judicial Center including courtyard.

SECTION 3. Restrictions.

- A. No person shall bear or possess any weapon in the St. Johns 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. Law enforcement officers, as defined in Florida Statute 790.001, are exempt from the provisions of this subsection 3.B.

SECTION 4. Preemption: Repeal and Replace. Any specific provision of any St. Johns 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. St. Johns County Ordinances 2011-14, 1988-1, and 1982-18 are hereby expressly repealed and replaced.

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 St. Johns 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 ST. JOHNS COUNTY, FLORIDA this 20 day of September, 2011.

ATTEST: CHERYL STRICKLAND, CLERK

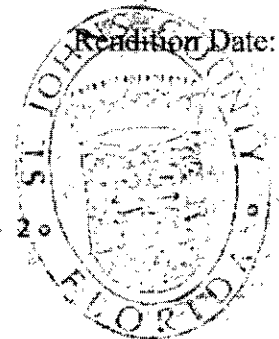
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: *U. Horne King*
Deputy Clerk

By: *J. Ken Bryan*
J. Ken Bryan, Chairman

Effective Date: 09/20/11

Recondition Date: 09/22/11



SJC MINUTES & RECORDS C/O CLER
ATTN MS.P DEGRANDE
500 SAN SEBASTIAN VIEW
SAINT AUGUSTINE FL 32084

Ref.#: L2323-11
P.O.#: L2323-11

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA


STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **HEATHER L SHUGART**
who on oath says that he/she is an Employee of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement being a **NOTICE OF HEARING**
In the matter of **FIREARMS ORDINANCE - HEARING SEPTEMBER 20, 2011**
was published in said newspaper on **09/09/2011**

Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper
heretofore has been continuously published in said St. Johns County, Florida,
each day and has been entered as second class mail matter at the post office in the
City of St. Augustine, in said St. Johns County, for a period of one year preceding
the first publication of the copy of advertisement; and affiant further says that
he/she has neither paid nor promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this 9th day of September 2011
by Heather L Shugart who is personally known to me
or who has produced as identification

Sabrina L Woods
(Signature of Notary Public)


SABINA L WOODS
MY COMMISSION # EE023372
EXPIRES September 06, 2014
(407) 338-0153 FloridaNotaryService.com

(Seal)

**NOTICE OF A PUBLIC HEARING
BY THE ST. JOHNS COUNTY
BOARD OF COUNTY
COMMISSIONERS**

NOTICE IS HEREBY GIVEN that
the Board of County Commissioners
of St. Johns County, Florida,
will hold a public hearing on Tues-
day, September 20, 2011 at 9:00
a.m. in the County Auditorium at
the County Administration Build-
ing, 500 San Sebastian View, St.
Augustine, Florida, to consider
adoption of the following ordi-
nance:

**AN ORDINANCE OF THE COUNTY
OF ST. JOHNS, STATE OF
FLORIDA, EXPRESSLY RECOGNIZING
PRE-EMPTION OF THE REGULATION
OF FIREARMS BY THE STATE OF
FLORIDA; PROHIBITING THE BEARING
OR POSSESSION OF OTHER WEAPONS
IN STRUCTURES OWNED OR OPERATED
BY ST. JOHNS COUNTY AND/OR ITS
BOARD OF COUNTY COMMISSIONERS;
PROVIDING RELATED PROVISIONS
AND EXCEPTIONS; PROVIDING
PENALTIES; REPEALING AND
REPLACING ORDINANCE 2011-14;
AND PROVIDING AN EFFECTIVE DATE.**

The proposed ordinance is on file in
the office of the Clerk of the Board
of County Commissioners at the St.
Johns County Administration Building,
500 San Sebastian View, St. Augustine,
Florida and may be examined by parties
interested prior to the public hearing.

Interested parties may appear at the
public hearing and be heard with
respect to the proposed ordinance.

If a person decides to appeal any
decision made by the Board of
County Commissioners with respect to
any matter considered at the public
hearing, he/she will need a record of
the proceedings, and for such purposes
he/she may need to ensure that a
verbatim record of the proceedings is
made, which record includes the
testimony and evidence upon which
the appeal is to be based.

**NOTICE TO PERSONS NEEDING
SPECIAL ACCOMMODATIONS
AND TO ALL HEARING IMPAIRED
PERSONS:** In accordance with the
Americans with Disabilities Act,
persons needing a special
accommodation to participate in
the proceedings should contact
ADA Coordinator, at (904) 209-
0650 at the St. Johns County
Administration Building, 500 San
Sebastian View, St. Augustine, FL
32084. For hearing impaired
individuals: Telecommunication
Device for the Deaf (TDD):
Florida Relay Service: 1-800-955-
8770, no later than 5 days prior to
the date of the hearing.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**
CHERYL STRICKLAND, ITS
CLERK
By: Patricia DeGrande, Deputy
Clerk
L2323-11 Sep 9, 2011



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

DIVISION OF LIBRARY AND INFORMATION SERVICES

KURT S. BROWNING
Secretary of State

September 26, 2011

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

RECEIVED
DIVISION OF LIBRARY AND INFORMATION SERVICES
2011 OCT -14 AM 9:57
ST. AUGUSTINE, FL

Attention: Ms. Yvonne King, Deputy Clerk, Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated September 23, 2011 and certified copies of Ordinance Nos. 2011-32 and 2011-33, which were filed in this office on September 26, 2011.

Sincerely,

A handwritten signature in black ink that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/jw

