COUNCIL ITEM 8J
DATE 8/22/11

~~COUNCIL ITEM 10J~~
~~DATE~~ 8/8/11

ORDINANCE 11-64

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTION 96.64, PORT ST. LUCIE CITY CODE; PERTAINING TO HUNTING AND FIREARMS; AMENDING ORDINANCE TO REMOVE REFERENCES TO FIREARMS, RIFLES AND GUNS, AND AMMUNITION THEREFOR; PROVIDING AN EFFECTIVE DATE

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Port St. Lucie City Code Section 96.64 is hereby amended by removing references to firearms, and said section shall read as follows:

Section 96.64 – Hunting and Firearms.

No person shall hunt, trap, or pursue wildlife at any time except as provided in section 92.12. ~~Shooting into park areas from beyond park boundaries is forbidden~~. Except as permitted by state law, no person shall use, carry, or possess ~~firearms of any description, air rifles, spring guns,~~ bow and arrows, slings, or any other forms of weapons potentially inimical to wildlife and dangerous to human safety, ~~or any instrument which can be loaded with and fire blank cartridges,~~ or any other kind of trapping device.

Section 2. This Ordinance shall become effective ten (10) days after its final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of_____, 2011.

CITY COUNCIL
CITY OF PORT ST. LUCIE

BY:_____
JoAnn M. Faiella, Mayor

ATTEST:

_____
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

By:_____
Roger G. Orr, City Attorney

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Additions to text are indicated by underline; deletions by ~~strikeout~~

MEMORANDUM

TO: JERRY A. BENTROTT, CITY MANAGER

THRU: ROGER G. ORR, CITY ATTORNEY

FROM: GABRIELLE TAYLOR, ASSISTANT CITY ATTORNEY

DATE: AUGUST 2, 2011

SUBJECT: ORDINANCES AMENDING SECTIONS 94.02, 95.21 AND 96.64 TO REMOVE REFERENCES TO FIREARMS

The changes being made to the attached ordinances are to eliminate the prohibitions on shooting, carrying and possessing firearms in sections 94.02 and 96.64, lest there be any perception that we are trying to improperly regulate firearms. We are also eliminating the prohibition on possession of firearms by litter officers in section 95.21(b)3. These changes are made in order to comport with section 790.33, Florida Statutes, which will become effective October 1, 2011.

Please advise if you have any further questions in this regard.

GT/mh
Attach.

cc: City Council
Karen A. Phillips, City Clerk

RECEIVED
AUG 03 2011
City Manager's Office