

CITY COUNCIL ORDINANCE NO. 2020-2169

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE CODE OF THE CITY OF LAKE CITY, FLORIDA AMENDING THE REGULATIONS RELATED TO THE DISCHARGE OF FIREARMS TO ALLOW HUNTING ON ANNEXED TRACTS OF LAND UPON WHICH HUNTING HAD BEEN PERMITTED BY COLUMBIA COUNTY, FLORIDA IMMEDIATELY PRIOR TO ANNEXATION; PROVIDING CERTAIN SAFETY REGULATIONS; PROVIDING FOR THE TERMINATION OF SUCH HUNTING UPON ANY ZONING RECLASSIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake City, Florida, (hereinafter the “City”), is a municipality which has the authority to regulate the discharge of firearms within its municipal boundaries; and

WHEREAS, in general, the discharge of firearms is prohibited within the City; and

WHEREAS, the City provides for hunting on some limited tracts of land; and

WHEREAS, the City on occasion annexes lands upon which hunting had been permitted by Columbia County, Florida, and

WHEREAS, the City does not desire to terminate the privilege of hunting on such annexed land just because of the annexation; and

WHEREAS, it is appropriate to “borrow” Columbia County’s hunting regulations for the annexed property; and

WHEREAS, the use of the Columbia County regulations should cease whenever the zoning classification of an annexed tract of land changes.

NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this ordinance.

Section 2. That Section 66-5, of the Code of the City of Lake City, Florida, is hereby amended to read as follows (additions are underlined and deletions are ~~stricken~~):

SECTION 66-5 Same - Discharge

It shall be unlawful for any person to knowingly discharge a gun, pistol, rifle, shotgun or any type of firearm in any public place, or on the rights-of-way of any public road, highway or street, or on any public or private premises within the corporate limits of the city. This section does not apply to either:

(1) Any person lawfully defending life or property, or performing official duties requiring the discharge of a firearm; or

(2) Any person lawfully engaged in hunting upon any tract of land containing 300 or more contiguous acres of unimproved and unoccupied land, provided that such hunting shall not be permitted within 100 feet of any public road which either bounds or traverses such unimproved and unoccupied tract of land; or

(3) Any person lawfully engaged in hunting upon any tract of land which (a) contains more than twelve (12) contiguous acres, whether improved ~~and~~ or occupied, ~~and~~ which is zoned under the zoning classification of "A" agricultural, ~~and (c) is not within 500 feet of a public road and~~ (c) is not part of any recorded residential subdivision, provided that such hunting shall not be permitted within 500 feet of a public road and (e) is not within 500 feet or of any lot in any existing recorded residential subdivision; or

(4) Any person lawfully engaged in hunting upon any (a) unimproved and unoccupied tract of land, (b) annexed by the City of Lake City, (c) upon which hunting had been permitted by Columbia County immediately prior to said annexation, and (d) which land retains its Columbia County Zoning Classification, provided that such hunting shall not be permitted within 500 feet of a public road or of any lot in any existing recorded residential subdivision.

Any person found guilty of violating the provisions of this section shall be punished as provided for in section 1-11.

Section 3. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 4. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 5. Codification. It is the intention of the City Council of the City of Lake, City, Florida, that the provisions of this ordinance shall become and be made part of the Code of the City of Lake City, Florida.

Section 6. Effective Date. This ordinance shall become effective upon adoption.

PASSED upon first reading this ____ day of October 2020.

NOTICE PUBLISHED on the _____ day of _____ 2020.

PASSED AND ADOPTED on the _____ day of _____ 2020.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Audrey E. Sikes, City Clerk

By: _____
Frederick L. Koberlein, Jr.,
City Attorney