

Approved by:

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	\$ _____	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0- <i>* see below</i>	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget?	Yes _____	No _____			
Budget Account No.:	Fund _____	Depart _____	Unit _____		
	Object _____	Program _____			

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

** No fiscal impact.*

OFMB

UA

8/3/11

Contract Dev. and Control

B. Legal Sufficiency:

Anne Delgent 8/4/11
Assistant County Attorney

C. Other Department Review:

Department Director

ORDINANCE NO. 2011-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING PALM BEACH COUNTY CODE, CHAPTER 28, ARTICLE II, FIREARMS; AMENDING SECTION 28-22. DISCHARGE OF FIREARMS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners has determined that Chapter 28, Article II of the Palm Beach County Code, Firearms, needs to be amended in order to comply with Chapter 2011-109 Laws of Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that: Chapter 28 of the Palm Beach County Code of Law and Ordinances, Article II, Firearms is hereby amended as follows:

Section 1.

Sec. 28-22. Discharge of firearms.

- (a) ~~Prohibited activity:~~ No person shall discharge a firearm east of the boundary described in Exhibit "A" attached hereto and made part of hereof. Further, no person shall discharge a firearm west of said boundary within three hundred (300) yards of any structure.
- (b) ~~Exceptions:~~ The prohibitions set forth in subsection (a) above shall not apply to a person lawfully defending life or property or performing official duties requiring the discharge of firearms. Further, this article shall not apply to the discharge of firearms within the confines of approved and licensed shooting ranges as provided for in article 6 of the Palm Beach County Unified Land Development Code, law enforcement agency ranges, existing commercial and private shooting ranges and gun clubs, and official hunting areas. The prohibition is also not applicable to the discharge of shotguns utilizing shot shells on land which is zoned agricultural and which has a minimum parcel size of five (5) acres so long as no discharge of firearms is conducted within three hundred (300) yards of any structure situated on another's property. Further, the discharge of blank or non lethal shells or cartridges is not prohibited by this article.

Section 2. REPEAL OF LAWS IN CONFLICT:

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. SEVERABILITY:

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a Court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 4. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:

The provisions of this Ordinance shall become and be made a part of the Palm Beach County Code. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. CAPTIONS:

The captions, section headings, and section designations used in this Ordinance are for convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.

Section 6. EFFECTIVE DATE:

The provisions of this Ordinance shall become effective on filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the ____ day of _____, 20____.

**SHARON R. BOCK, CLERK AND
COMPTROLLER**

**PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS**

By: _____
Deputy Clerk

By: _____
Karen T. Marcus, Chair

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: Anne Delgado
County Attorney

Filed with the Department of State on the ____ day of _____, 20____.