

SUMTER COUNTY ORDINANCE 2012 - _____

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, AMENDING CHAPTER 13 OF THE SUMTER COUNTY CODE OF ORDINANCES THROUGH THE AMENDMENT OF THE LIST OF ALLOWABLE USES REFLECTED IN TABLE 13-362A, CONTAINED WITHIN SECTION 13-362(C)(1) OF THE SUMTER COUNTY LAND DEVELOPMENT CODE, TO INCLUDE SPORT SHOOTING RANGES AS A SPECIAL USE; PROVIDING FOR RESOLUTION OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Sumter County Board of County Commissioners previously established Table 13-362A (Table of Uses) within Chapter 13 of the Sumter County Code of Ordinances, Division 5, Land Development Code, to promulgate rules and regulations for the Permitted, Special and Conditional Uses of land within Sumter County, Florida; and,

WHEREAS, it is the policy and desire of the Sumter County Board of County Commissioners to preserve the right of citizens to keep and bear arms and to promote the safe use of firearms for sport shooting purposes; and

WHEREAS, the Sumter County Land Development Code's Table of Uses is not all inclusive, but provides the Director with the authority to classify non-listed uses, taking such factors as similarity in nature, size and effect on the community into consideration; and

WHEREAS, the Sumter County Land Development Code specifically identifies law enforcement firing ranges in its Table of Uses, but does not specifically address recreational shooting ranges, although said uses are closely associated with each other and are similar in nature, size and their effect on the community; and

WHEREAS, the Florida Statute §823.16(6) references the National Rifle Association gun safety and shooting range standards as related to the operation of shooting ranges; and

WHEREAS, it is the intent of the Sumter County Board of County Commissioners to recognize that recreational shooting ranges and law enforcement firing ranges are similar in nature, size and effect on the community, and to further recognize and require that recreational shooting ranges and law enforcement firing ranges conform to certain standards

B. Section 5.600 of Table 13-362A, entitled “EMERGENCY SERVICES/DETENTION FACILITIES”, is hereby amended as follows:

5.630 Firing range (<u>design and operation must conform to the current National Rifle Association gun safety and shooting range standards as detailed in the NRA Range Sourcebook, as may be amended from time to time, pursuant to FS 823.16(6).</u>)	S	S											S
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SECTION 4. CODIFICATION.

It is the intention of the Sumter County Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the Sumter County, Florida, with the exception of Sections 2, 4, 5 and 6. The word "Ordinance," or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention. The Code codifier is granted liberal authority to rescind those sections of the Code declared null and void as set forth herein, within Chapter 13 of the Land Development Code.

SECTION 5. CONFLICTS AND REPEALER.

This Ordinance shall be cumulative of all provisions of the Ordinances of Sumter County, Florida, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event all Ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its adoption by the Sumter County Board of County Commissioners.

PASSED AND ADOPTED BY THE SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS, SUMTER COUNTY, FLORIDA, THIS ____ DAY OF OCTOBER, 2012.

SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS

GARRY BREEDEN, CHAIRMAN

ATTEST:

GLORIA HAYWARD,
SUMTER COUNTY CLERK OF COURT
BY: CONNIE WEBB, Deputy Clerk

Approved as to form for the reliance of
The Sumter County Board of County
Commissioners, only:

GEORGE ANGELIADIS, ESQ.,
THE HOGAN LAW FIRM, COUNTY ATTORNEY