

## Florida Statutes

The Florida Code and Constitution are updated through the 2018 regular session.

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**Florida Statutes**  
**Title XLVI. Crimes**  
**Chapter 790. Weapons and Firearms**

**§ Sec. 790.001 Definitions.**

As used in this chapter, except where the context otherwise requires:

**(1) “Antique firearm”** means any firearm manufactured in or before 1918 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1918, and also any firearm using fixed ammunition manufactured in or before 1918, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

**(2) “Concealed firearm”** means any firearm, as defined in subsection (6), which is carried on or about a person in such a manner as to conceal the firearm from the ordinary sight of another person.

**(3) (a) “Concealed weapon”** means any ... tear gas gun, chemical weapon or device, or other deadly weapon carried on or about a person in such a manner as to conceal the weapon from the ordinary sight of another person.

**(4) “Destructive device”** means any bomb, grenade, mine, rocket, missile, pipebomb, or similar device containing an explosive, incendiary, or poison gas and includes any frangible container filled with an explosive, incendiary, explosive gas, or expanding gas, which is designed or so constructed as to explode by such filler and is capable of causing bodily harm or property damage; any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled; any device declared a destructive device by the Bureau of Alcohol, Tobacco, and Firearms; any type of weapon which will, is designed to, or may readily be converted to expel a projectile by the action of any explosive and which has a barrel with a bore of one-half inch or more in diameter; and ammunition for such destructive devices, but not including shotgun shells or any other ammunition designed for use in a firearm other than a destructive device. “Destructive device” does not include:

**(a)** A device which is not designed, redesigned, used, or intended for use as a weapon;

**(b)** Any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, line-throwing, safety, or similar device;

**(c)** Any shotgun other than a short-barreled shotgun; or

**(d)** Any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game.

**(5) “Explosive”** means any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame, or shock, including but not limited to dynamite, nitroglycerin, trinitrotoluene, or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, and detonators; but not including:

**(a)** Shotgun shells, cartridges, or ammunition for firearms;

**(b)** Fireworks as defined in § 791.01;

**(c)** Smokeless propellant powder or small arms ammunition primers, if possessed, purchased, sold, transported, or used in compliance with § 552.241;

**(d)** Black powder in quantities not to exceed that authorized by chapter 552, or by any rules adopted thereunder by the Department of Financial Services, when used for, or intended to be used for, the manufacture of target and sporting ammunition or for use in muzzle-loading flint or percussion weapons.

The exclusions contained in paragraphs (a)-(d) do not apply to the term “explosive” as used in the definition of “firearm” in subsection (6).

(6) **“Firearm”** means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term “firearm” does not include an antique firearm unless the antique firearm is used in the commission of a crime.

(7) **“Indictment”** means an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding 1 year may be prosecuted.

(8) **“Law enforcement officer”** means:

(a) All officers or employees of the United States or the State of Florida, or any agency, commission, department, board, division, municipality, or subdivision thereof, who have authority to make arrests;

(b) Officers or employees of the United States or the State of Florida, or any agency, commission, department, board, division, municipality, or subdivision thereof, duly authorized to carry a concealed weapon;

(c) Members of the Armed Forces of the United States, the organized reserves, state militia, or Florida National Guard, when on duty, when preparing themselves for, or going to or from, military duty, or under orders;

(d) An employee of the state prisons or correctional systems who has been so designated by the Department of Corrections or by a warden of an institution;

(e) All peace officers;

(f) All state attorneys and United States attorneys and their respective assistants and investigators.

(9) **“Machine gun”** means any firearm, as defined herein, which shoots, or is designed to shoot, automatically more than one shot, without manually reloading, by a single function of the trigger.

(10) **“Short-barreled shotgun”** means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches.

(11) **“Short-barreled rifle”** means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches.

(12) **“Slungshot”** means a small mass of metal, stone, sand, or similar material fixed on a flexible handle, strap, or the like, used as a weapon.

(13) **“Weapon”** means any ... tear gas gun, chemical weapon or device, or other deadly weapon except a firearm....

(16) **“Readily accessible for immediate use”** means that a firearm or other weapon is carried on the person or within such close proximity and in such a manner that it can be retrieved and used as easily and quickly as if carried on the person.

(17) **“Securely encased”** means in a glove compartment, whether or not locked; snapped in a holster; in a gun case, whether or not locked; in a zippered gun case; or in a closed box or container which requires a lid or cover to be opened for access.

(18) **“Sterile area”** means the area of an airport to which access is controlled by the inspection of persons and property in accordance with federally approved airport security programs.

(19) **“Ammunition”** means an object consisting of all of the following:

(a) A fixed metallic or nonmetallic hull or casing containing a primer.

(b) One or more projectiles, 1 or more bullets, or shot.

(c) Gunpowder.

All of the specified components must be present for an object to be ammunition.

#### **§ Sec. 790.01 Carrying of concealed weapons or concealed firearms.**

(1) A person is authorized to carry a concealed weapon or concealed firearm, as that term is defined in s. 790.06(1), if he or she:

(a) Is licensed under s. 790.06; or

(b) Is not licensed under s. 790.06, but otherwise satisfies the criteria for receiving and maintaining such a license under s. 790.06(2)(a)-(f) and (i)-(n), (3), and (10).

(2) Except as provided in subsection (5), a person who does not meet the criteria in subsection (1) and who carries a concealed weapon or electric weapon or device, as those terms are defined in s. 790.001, on or about his or her person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) Except as provided in subsection (5), a person who does not meet the criteria in subsection (1) and who carries a concealed firearm, as that term is defined in s. 790.001, on or about his or her person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) In any prosecution for a violation of subsection (2) or subsection (3), the state bears the burden of proving, as an element of the offense, both that a person is not licensed under s. 790.06 and that he or she is ineligible to receive and maintain such a license under the criteria listed in s. 790.06(2)(a)-(f) and (i)-(n), (3), and (10).

(5) A person does not violate this section if he or she:

(a) Is lawfully in possession of a concealed weapon or a concealed firearm, as those terms are defined in s. 790.001, and carries such concealed weapon or concealed firearm on or about his or her person while in the act of evacuating during a mandatory evacuation order issued during a state of emergency declared by the Governor pursuant to chapter 252 or declared by a local authority pursuant to chapter 870. As used in this subsection, the term "in the act of evacuating" means the immediate and urgent movement of a person away from the evacuation zone within 48 hours after a mandatory evacuation is ordered. The 48 hours may be extended by an order issued by the Governor.

(b) Carries for purposes of lawful self-defense, in a concealed manner:

1. A self-defense chemical spray.

2. A nonlethal stun gun or dart-firing stun gun or other nonlethal electric weapon or device that is designed solely for defensive purposes.

(6) This section does not preclude any prosecution for the use of an electric weapon or device, a dart-firing stun gun, or a self-defense chemical spray during the commission of any criminal offense under s. 790.07, s. 790.10, s. 790.23, or s. 790.235, or for any other criminal offense.

**§ Sec. 790.013 Carrying of concealed weapons or concealed firearms without a license.** A person who carries a concealed weapon or concealed firearm without a license as authorized under s. 790.01(1)(b):

(1)(a) Must carry valid identification at all times when he or she is in actual possession of a concealed weapon or concealed firearm and must display such identification upon demand by a law enforcement officer.

(b) A violation of this subsection is a noncriminal violation punishable by a \$25 fine, payable to the clerk of the court.

(2) Is subject to s. 790.06(12) in the same manner as a person who is licensed to carry a concealed weapon or concealed firearm.

**§ Sec. 790.015 Nonresidents; reciprocity. –**

(1) A nonresident of Florida may carry a concealed weapon or concealed firearm, as that term is defined in s. 790.06(1), while in this state if the nonresident is a resident of the United States who is 21 years of age or older and he or she:

(a) Satisfies the criteria for receiving and maintaining a license to carry a concealed weapon or concealed firearm under s. 790.06(2)(a)-(f) and (i)-(n), (3), and (10); or

(b) Has in his or her immediate possession a valid license to carry a concealed weapon or concealed firearm issued to the nonresident in his or her state of residence.

(2) A nonresident is subject to the same laws and restrictions with respect to carrying a concealed weapon or concealed firearm as a resident of Florida.

(3) If the resident of another state who is the holder of a valid license to carry a concealed weapon or concealed firearm issued in another state establishes legal residence in this state by:

(a) Registering to vote;

(b) Making a statement of domicile pursuant to s. 222.17; or

(c) Filing for homestead tax exemption on property in this state,

the license shall be recognized as valid for 90 days following the date on which the holder of the license establishes legal state residence.

(4) The requirement in subsection (1) that a nonresident be 21 years of age or older to carry a concealed weapon or concealed firearm does not apply to a person who:

(a) Is a servicemember, as defined in s. 250.01; or

(b) Is a veteran of the United States Armed Forces who was discharged under honorable conditions.

**§ Sec. 790.02 Officer to arrest without warrant and upon probable cause.**

The carrying of a concealed weapon is declared a breach of peace, and any officer authorized to make arrests under the laws of this state may make arrests without warrant of persons violating the provisions of s. 790.01 when said officer has reasonable grounds or probable cause to believe that the offense of carrying a concealed weapon is being committed.

**§ Sec. 790.06 License to carry concealed weapon or concealed firearm.**

(1)(a) For the purposes of this section, the term “concealed weapon or concealed firearm” means a handgun, electric weapon or device, tear gas gun, knife, or billie, but does not include a machine gun as that term is defined in s. 790.001.

(b) The Department of Agriculture and Consumer Services is authorized to issue licenses to carry concealed weapons or concealed firearms to persons qualified as provided in this section. Each license must bear a color photograph of the licensee.

(c) Licenses are valid throughout the state for 7 years after the date of issuance. A licensee must carry valid identification at all times in which the licensee is in actual possession of a concealed weapon or concealed firearm and must display such identification upon demand by a law enforcement officer. Violations of the provisions of this subsection shall constitute a noncriminal violation with a penalty of \$25, payable to the clerk of the court.

(2) The Department of Agriculture and Consumer Services shall issue a license if the applicant:

(a) Is a resident of the United States and a citizen of the United States or a permanent resident alien of the United States, as determined by the United States Bureau of Citizenship and Immigration Services, or is a consular security official of a foreign government that maintains diplomatic relations and treaties of commerce, friendship, and navigation with the United States and is certified as such by the foreign government and by the appropriate embassy in this country;

(b) Is 21 years of age or older;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a weapon or firearm;

(d) Is not ineligible to possess a firearm pursuant to s. 790.23 by virtue of having been convicted of a felony;

(e) Has not been:

1. Found guilty of a crime under the provisions of chapter 893 or similar laws of any other state relating to controlled substances within a 3-year period immediately preceding the date on which the application is submitted; or

2. Committed for the abuse of a controlled substance under chapter 397 or under the provisions of former chapter 396 or similar laws of any other state. An applicant who has been granted relief from firearms disabilities pursuant to s. 790.065(2)(a)4.d. or pursuant to the law of the state in which the commitment occurred is deemed not to be committed for the abuse of a controlled substance under this subparagraph;

(f) Does not chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages or other substances to the extent that his or her normal faculties are impaired if the applicant has been convicted under s. 790.151 or has been deemed a habitual offender under s. 856.011(3), or has had two or more convictions under s. 316.193 or similar laws of any other state, within the 3-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a concealed weapon or concealed firearm for lawful self-defense;

(h) Demonstrates competence with a firearm by any one of the following:

1. Completion of any hunter education or hunter safety course approved by the Fish and Wildlife Conservation Commission or a similar agency of another state;

2. Completion of any National Rifle Association firearms safety or training course;

3. Completion of any firearms safety or training course or class available to the general public offered by a law enforcement agency, junior college, college, or private or public institution or organization or firearms training school, using instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

5. Presents evidence of equivalent experience with a firearm through participation in organized shooting competition or military service;

6. Is licensed or has been licensed to carry a concealed weapon or concealed firearm in this state or a county or municipality of this state, unless such license has been revoked for cause; or

7. Completion of any firearms training or safety course or class conducted by a state-certified or National Rifle Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses or classes; an affidavit from the instructor, school, club, organization, or group that conducted or taught such course or class attesting to the completion of the course or class by the applicant; or a copy of any document that shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph. A person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm in his or her physical presence and that the discharge of the firearm included live fire using a firearm and ammunition as defined in s. 790.001;

(i) Has not been adjudicated an incapacitated person under s. 744.331, or similar laws of any other state. An applicant who has been granted relief from firearms disabilities pursuant to s. 790.065(2)(a)4.d. or pursuant to the law of the state in which the adjudication occurred is deemed not to have been adjudicated an incapacitated person under this paragraph;

(j) Has not been committed to a mental institution under chapter 394, or similar laws of any other state. An applicant who has been granted relief from firearms disabilities pursuant to s. 790.065(2)(a)4.d. or pursuant to the law of the state in which the commitment occurred is deemed not to have been committed in a mental institution under this paragraph;

(k) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or expunction has occurred;

(l) Has not had adjudication of guilt withheld or imposition of sentence suspended on any misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been expunged;

(m) Has not been issued an injunction that is currently in force and effect and that restrains the applicant from committing acts of domestic violence or acts of repeat violence; and

(n) Is not prohibited from purchasing or possessing a firearm by any other provision of Florida or federal law.

(3) The Department of Agriculture and Consumer Services shall deny a license if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged. The Department of Agriculture and Consumer Services shall revoke a license if the licensee has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence within the preceding 3 years. The department shall, upon notification by a law enforcement agency, a court, or the Florida Department of Law Enforcement and subsequent written verification, suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license under this section, until final disposition of the case. The department shall suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence.

(4) The application shall be completed, under oath, on a form adopted by the Department of Agriculture and Consumer Services and shall include:

(a) The name, address, place of birth, date of birth, and race of the applicant;

(b) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3);

(c) A statement that the applicant has been furnished a copy of or a website link to this chapter and is knowledgeable of its provisions;

(d) A conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under s. 837.06;

(e) A statement that the applicant desires a concealed weapon or concealed firearms license as a means of lawful self-defense; and

(f) Directions for an applicant who is a servicemember, as defined in s. 250.01, or a veteran, as defined in s. 1.01, to request expedited processing of his or her application.

(5) The applicant shall submit to the Department of Agriculture and Consumer Services or an approved tax collector pursuant to s. 790.0625:

(a) A completed application as described in subsection (4).

(b) A nonrefundable license fee of up to \$55 if he or she has not previously been issued a statewide license or of up to \$45 for renewal of a statewide license. The cost of processing fingerprints as required in paragraph (c) shall be borne by the applicant. However, an individual holding an active certification from the Criminal Justice Standards and Training Commission as a law enforcement officer, correctional officer, or correctional probation officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the licensing requirements of this section. If such individual wishes to receive a concealed weapon or concealed firearm license, he or she is exempt from the background investigation and all background investigation fees but must pay the current license fees regularly required to be paid by nonexempt applicants. Further, a law enforcement officer, a correctional officer, or a correctional probation officer as defined in s. 943.10(1), (2), or (3) is exempt from the required fees and background investigation for 1 year after his or her retirement.

(c) A full set of fingerprints of the applicant administered by a law enforcement agency or the Division of Licensing of the Department of Agriculture and Consumer Services or an approved tax collector pursuant to s. 790.0625 together with any personal identifying information required by federal law to process fingerprints. Charges for fingerprint services under this paragraph are not subject to the sales tax on fingerprint services imposed in s. 212.05(1)(i).

(d) A photocopy of a certificate, affidavit, or document as described in paragraph (2)(h).

(e) A full frontal view color photograph of the applicant taken within the preceding 30 days, in which the head, including hair, measures 7/8 of an inch wide and 1 1/8 inches high.

(f) For expedited processing of an application:

1. A servicemember shall submit a copy of the Common Access Card, United States Uniformed Services Identification Card, or current deployment orders.

2. A veteran shall submit a copy of the DD Form 214, issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs.

(6)(a) The Department of Agriculture and Consumer Services, upon receipt of the items listed in subsection (5), shall forward the full set of fingerprints of the applicant to the Department of Law Enforcement for state and federal processing, provided the federal service is available, to be processed for any criminal justice information as defined in s. 943.045. The cost of processing such fingerprints shall be payable to the Department of Law Enforcement by the Department of Agriculture and Consumer Services.

(b) The sheriff's office shall provide fingerprinting service if requested by the applicant and may charge a fee not to exceed \$5 for this service.

(c) The Department of Agriculture and Consumer Services shall, within 90 days after the date of receipt of the items listed in subsection (5):

1. Issue the license; or

2. Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsection (2) or subsection (3). If the Department of Agriculture and Consumer Services denies the application, it shall notify the applicant in writing, stating the ground for denial and informing the applicant of any right to a hearing pursuant to chapter 120.

3. In the event the department receives criminal history information with no final disposition on a crime which may disqualify the applicant, the time limitation prescribed by this paragraph may be suspended until receipt of the final disposition or proof of restoration of civil and firearm rights.

(d) In the event a legible set of fingerprints, as determined by the Department of Agriculture and Consumer Services or the Federal Bureau of Investigation, cannot be obtained after two attempts, the Department of Agriculture and Consumer Services shall determine eligibility based upon the name checks conducted by the Florida Department of Law Enforcement.

(e) A consular security official of a foreign government that maintains diplomatic relations and treaties of commerce, friendship, and navigation with the United States and is certified as such by the foreign government and by the appropriate embassy in this country must be issued a license within 20 days after the date of the receipt of a completed application, certification document, color photograph as specified in paragraph (5)(e), and a nonrefundable license fee of \$300. Consular security official licenses shall be valid for 1 year and may be renewed upon completion of the application process as provided in this section.

(f) The Department of Agriculture and Consumer Services shall, upon receipt of a completed application and the identifying information required under paragraph (5)(f), expedite the processing of a servicemember's or a veteran's concealed weapon or concealed firearm license application.

(7) The Department of Agriculture and Consumer Services shall maintain an automated listing of licenseholders and pertinent information, and such information shall be available online, upon request, at all times to all law enforcement agencies through the Florida Crime Information Center.

(8) Within 30 days after the changing of a permanent address, or within 30 days after having a license lost or destroyed, the licensee shall notify the Department of Agriculture and Consumer Services of such change. Failure to notify the Department of Agriculture and Consumer Services pursuant to the provisions of this subsection shall constitute a noncriminal violation with a penalty of \$25.

(9) In the event that a concealed weapon or concealed firearm license is lost or destroyed, the license shall be automatically invalid, and the person to whom the same was issued may, upon payment of \$15 to the Department of Agriculture and Consumer Services, obtain a duplicate, or substitute thereof, upon furnishing a notarized statement to the Department of Agriculture and Consumer Services that such license has been lost or destroyed.

(10) A license issued under this section shall be suspended or revoked pursuant to chapter 120 if the licensee:

(a) Is found to be ineligible under the criteria set forth in subsection (2);

(b) Develops or sustains a physical infirmity which prevents the safe handling of a weapon or firearm;

(c) Is convicted of a felony which would make the licensee ineligible to possess a firearm pursuant to s. 790.23;

(d) Is found guilty of a crime under chapter 893, or similar laws of any other state, relating to controlled substances;

(e) Is committed as a substance abuser under chapter 397, or is deemed a habitual offender under s. 856.011(3), or similar laws of any other state;

(f) Is convicted of a second violation of s. 316.193, or a similar law of another state, within 3 years after a first conviction of such section or similar law of another state, even though the first violation may have occurred before the date on which the application was submitted;

(g) Is adjudicated an incapacitated person under s. 744.331, or similar laws of any other state; or

(h) Is committed to a mental institution under chapter 394, or similar laws of any other state.

Notwithstanding s. 120.60(5), service of a notice of the suspension or revocation of a concealed weapon or concealed firearm license must be given by either certified mail, return receipt requested, to the licensee at his or her last known mailing address furnished to the Department of Agriculture and Consumer Services, or by personal service. If a notice given by certified mail is returned as undeliverable, a second attempt must be made to provide notice to the licensee at that address, by either first-class mail in an envelope, postage prepaid, addressed to the licensee at his or her last known mailing address furnished to the department, or, if the licensee has provided an e-mail address to the department, by e-mail. Such mailing by the department constitutes notice, and any failure by the licensee to receive such notice does not stay the effective date or term of the suspension or revocation. A request for hearing must be filed with the department within 21 days after notice is received by personal delivery, or within 26 days after the date the department deposits the notice in the United States mail (21 days plus 5 days for mailing). The department shall document its attempts to provide notice, and such documentation is admissible in the courts of this state and constitutes sufficient proof that notice was given.

(11)(a) At least 90 days before the expiration date of the license, the Department of Agriculture and Consumer Services shall mail to each licensee a written notice of the expiration and a renewal form prescribed by the Department of Agriculture and Consumer Services. The licensee must renew his or her license on or before the expiration date by filing with the Department of Agriculture and Consumer Services the renewal form containing an affidavit submitted under oath and under penalty of perjury stating that the licensee remains qualified pursuant to the criteria specified in subsections (2) and (3), a color photograph as specified in paragraph (5)(e), and the required renewal fee. Out-of-state residents must also submit a complete set of fingerprints and fingerprint processing fee. The license shall be renewed upon receipt of the completed renewal form, color photograph, appropriate payment of fees, and, if applicable, fingerprints. Additionally, a licensee who fails to file a renewal application on or before its expiration date must renew his or her license by paying a late fee of \$15. A license may not be renewed 180 days or more after its expiration date, and such a license is deemed to be permanently expired. A person whose license has been permanently expired may reapply for licensure; however, an application for licensure and fees under subsection (5) must be submitted, and a background investigation shall be conducted pursuant to this section. A person who knowingly files false information under this subsection is subject to criminal prosecution under s. 837.06.

(b) A license issued to a servicemember, as defined in s. 250.01, is subject to paragraph (a); however, such a license does not expire while the servicemember is serving on military orders that have taken him or her over 35 miles from his or her residence and shall be extended, as provided in this paragraph, for up to 180 days after his or her return to such residence. If the license renewal requirements in paragraph (a) are met within the 180-day extension period, the servicemember may not be charged any additional costs, such as, but not limited to, late fees or delinquency fees, above the normal license fees. The servicemember must present to the Department of Agriculture and Consumer Services a copy of his or her official military orders or a written verification from the member's commanding officer before the end of the 180-day period in order to qualify for the extension.

(12)(a) A license issued under this section does not authorize any person to openly carry a handgun or carry a concealed weapon or concealed firearm into:

1. Any place of nuisance as defined in s. 823.05;
2. Any police, sheriff, or highway patrol station;
3. Any detention facility, prison, or jail;
4. Any courthouse;
5. Any courtroom, except that nothing in this section precludes a judge from carrying a concealed weapon or concealed firearm or determining who will carry a concealed weapon or concealed firearm in his or her courtroom;
6. Any polling place;
7. Any meeting of the governing body of a county, public school district, municipality, or special district;
8. Any meeting of the Legislature or a committee thereof;
9. Any school, college, or professional athletic event not related to firearms;
10. Any elementary or secondary school facility or administration building;
11. Any career center;
12. Any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose;
13. Any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile;
14. The inside of the passenger terminal and sterile area of any airport, provided that no person shall be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or
15. Any place where the carrying of firearms is prohibited by federal law.

(b) A person licensed under this section is not prohibited from carrying or storing a firearm in a vehicle for lawful purposes.

(c) This section does not modify the terms or conditions of s. 790.251(7).

(d) Any person who knowingly and willfully violates any provision of this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(13) Notwithstanding any other law, for the purposes of safety, security, personal protection, or any other lawful purpose, a person licensed under this section may carry a concealed weapon or concealed firearm on property owned, rented, leased, borrowed, or lawfully used by a church, synagogue, or other religious institution. This subsection does not limit the private property rights of a church, synagogue, or other religious institution to exercise control over property that the church, synagogue, or other religious institution owns, rents, leases, borrows, or lawfully uses.

(14) All moneys collected by the department pursuant to this section shall be deposited in the Division of Licensing Trust Fund, and the Legislature shall appropriate from the fund those amounts deemed necessary to administer the provisions of this section. All revenues collected, less those costs determined by the Department of Agriculture and Consumer Services to be nonrecurring or one-time costs, shall be deferred over the 7-year licensure period. Notwithstanding the provisions of s. 493.6117, all moneys collected pursuant to this section shall not revert to the General Revenue Fund; however, this shall not abrogate the requirement for payment of the service charge imposed pursuant to chapter 215.

(15) All funds received by the sheriff pursuant to the provisions of this section shall be deposited into the general revenue fund of the county and shall be budgeted to the sheriff.

(16) The Legislature finds as a matter of public policy and fact that it is necessary to provide statewide uniform standards for issuing licenses to carry concealed weapons and concealed firearms and finds it necessary to occupy the field of regulation of the bearing of concealed weapons or concealed firearms. The Department of Agriculture and Consumer Services shall implement and administer this section. The Legislature does not delegate to the Department of Agriculture and Consumer Services the authority to regulate or restrict the issuing of licenses provided for in this section, beyond those provisions contained in this section. Subjective or arbitrary actions or rules which encumber the issuing process by placing burdens on the applicant beyond those sworn statements and specified documents detailed in this section or which create restrictions beyond those specified in this section are in conflict with the intent of this section and are prohibited. This section shall be liberally construed to carry out the constitutional right to bear arms. This section is supplemental and additional to existing rights to bear arms, and nothing in this section shall impair or diminish such rights.

(17) The Department of Agriculture and Consumer Services shall maintain statistical information on the number of licenses issued, revoked, suspended, and denied.

(18) As amended by chapter 87-24, Laws of Florida, this section shall be known and may be cited as the "Jack Hagler Self Defense Act."

**§ Sec. 790.064 Firearm possession and firearm ownership disability.**

(1) A person who has been adjudicated mentally defective or who has been committed to a mental institution, as those terms are defined in s. 790.065(2), may not own a firearm or possess a firearm until relief from the firearm possession and firearm ownership disability is obtained.

(2) The firearm possession and firearm ownership disability runs concurrently with the firearm purchase disability provided in s. 790.065(2).

(3) A person may petition the court that made the adjudication or commitment, or that ordered that the record be submitted to the Department of Law Enforcement pursuant to s. 790.065(2), for relief from the firearm possession and firearm ownership disability.

(4) The person seeking relief must follow the procedures set forth in s. 790.065(2) for obtaining relief from the firearm purchase disability in seeking relief from the firearm possession and firearm ownership disability.

(5) The person may seek relief from the firearm possession and firearm ownership disability simultaneously with the relief being sought from the firearm purchase disability, if such relief is sought, pursuant to the procedure set forth in s. 790.065(2).

**§ Sec. 790.065 Sale and delivery of firearms.**

**(1)**

**(a)** A licensed importer, licensed manufacturer, or licensed dealer may not sell or deliver from her or his inventory at her or his licensed premises any firearm to another person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, until she or he has:

1. Obtained a completed form from the potential buyer or transferee, which form shall have been promulgated by the Department of Law Enforcement and provided by the licensed importer, licensed manufacturer, or licensed dealer, which shall include the name, date of birth, gender, race, and social security number or other identification number of such potential buyer or transferee and has inspected proper identification including an identification containing a photograph of the potential buyer or transferee.

2. Collected a fee from the potential buyer for processing the criminal history check of the potential buyer. The fee shall be established by the Department of Law Enforcement and may not exceed \$8 per transaction. The Department of Law Enforcement may reduce, or suspend collection of, the fee to reflect payment received from the Federal Government applied to the cost of maintaining the criminal history check system established by this section as a means of facilitating or supplementing the National Instant Criminal Background Check System. The Department of Law Enforcement shall, by rule, establish procedures for the fees to be transmitted by the licensee to the Department of Law Enforcement. All such fees shall be deposited into the Department of Law Enforcement Operating Trust Fund, but shall be segregated from all other funds deposited into such trust fund and must be accounted for separately. Such segregated funds must not be used for any purpose other than the operation of the criminal history checks required by this section. The Department of Law Enforcement, each year prior to February 1, shall make a full accounting of all receipts and expenditures of such funds to the President of the Senate, the Speaker of the House of Representatives, the majority and minority leaders of each house of the Legislature, and the chairs of the appropriations committees of each house of the Legislature. In the event that the cumulative amount of funds collected exceeds the cumulative amount of expenditures by more than \$2.5 million, excess funds may be used for the purpose of purchasing soft body armor for law enforcement officers.

3. Requested, by means of a toll-free telephone call or other electronic means, the Department of Law Enforcement to conduct a check of the information as reported and reflected in the Florida Crime Information Center and National Crime Information Center systems as of the date of the request.

4. Received a unique approval number for that inquiry from the Department of Law Enforcement, and recorded the date and such number on the consent form.

**(b)** However, if the person purchasing, or receiving delivery of, the firearm is a holder of a valid concealed weapons or firearms license pursuant to the provisions of § 790.06 or holds an active certification from the Criminal Justice Standards and Training Commission as a "law enforcement officer," a "correctional officer," or a "correctional probation officer" as defined in § 943.10(1), (2), (3), (6), (7), (8), or (9), this subsection does not apply.

**(c)** This subsection does not apply to the purchase, trade, or transfer of a rifle or shotgun by a resident of this state when the resident makes such purchase, trade, or transfer from a licensed importer, licensed manufacturer, or licensed dealer in another state.

**(2)** Upon receipt of a request for a criminal history record check, the Department of Law Enforcement shall, during the licensee's call or by return call, forthwith:

**(a)** Review any records available to determine if the potential buyer or transferee:

1. Has been convicted of a felony and is prohibited from receipt or possession of a firearm pursuant to § 790.23;
2. Has been convicted of a misdemeanor crime of domestic violence, and therefore is prohibited from purchasing a firearm;
3. Has had adjudication of guilt withheld or imposition of sentence suspended on any felony or misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred; or
4. Has been adjudicated mentally defective or has been committed to a mental institution by a court or as provided in sub-sub-subparagraph b.(II), and as a result is prohibited by state or federal law from purchasing a firearm.

**a.** As used in this subparagraph, "adjudicated mentally defective" means a determination by a court that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease, is a danger to himself or herself or to others or lacks the mental capacity to contract or manage his or her own affairs. The phrase includes a judicial finding of incapacity under § 744.331(6)(a), an acquittal by reason of insanity of a person charged with a criminal offense, and a judicial finding that a criminal defendant is not competent to stand trial.

**b.** As used in this subparagraph, "committed to a mental institution" means:

**(I)** Involuntary commitment, commitment for mental defectiveness or mental illness, and commitment for substance abuse. The phrase includes involuntary inpatient placement as defined in § 394.467, involuntary outpatient placement as defined in § 394.4655, involuntary assessment and stabilization under § 397.6818, and involuntary substance abuse treatment under § 397.6957, but does not include a person in a mental institution for observation or discharged from a mental institution based upon the initial review by the physician or a voluntary admission to a mental institution; or

**(II)** Notwithstanding sub-sub-subparagraph (I), voluntary admission to a mental institution for outpatient or inpatient treatment of a person who had an involuntary examination under § 394.463, where each of the following conditions have been met:

**(A)** An examining physician found that the person is an imminent danger to himself or herself or others.

**(B)** The examining physician certified that if the person did not agree to voluntary treatment, a petition for involuntary outpatient or inpatient treatment would have been filed under § 394.463(2)(g)4., or the examining physician certified that a petition was filed and the person subsequently agreed to voluntary treatment prior to a court hearing on the petition.

**(C)** Before agreeing to voluntary treatment, the person received written notice of that finding and certification, and written notice that as a result of such finding, he or she may be prohibited from purchasing a firearm, and may not be eligible to apply for or retain a concealed weapon or firearms license under § 790.06 and the person acknowledged such notice in writing, in substantially the following form:

"I understand that the doctor who examined me believes I am a danger to myself or to others. I understand that if I do not agree to voluntary treatment, a petition will be filed in court to require me to receive involuntary treatment. I understand that if that petition is filed, I have the right to contest it. In the event a petition has been filed, I understand that I can subsequently agree to voluntary treatment prior to a court hearing. I understand that by agreeing to voluntary treatment in either of these situations, I may be prohibited from buying firearms and from applying for or retaining a concealed weapons or firearms license until I apply for and receive relief from that restriction under Florida law."

**(D)** A judge or a magistrate has, pursuant to sub-sub-subparagraph c.(II), reviewed the record of the finding, certification, notice, and written acknowledgment classifying the person as an imminent danger to himself or herself or others, and ordered that such record be submitted to the department.

**c.** In order to check for these conditions, the department shall compile and maintain an automated database of persons who are prohibited from purchasing a firearm based on court records of adjudications of mental defectiveness or commitments to mental institutions.

**(I)** Except as provided in sub-sub-subparagraph **(II)**, clerks of court shall submit these records to the department within 1 month after the rendition of the adjudication or commitment. Reports shall be submitted in an automated format. The reports must, at a minimum, include the name, along with any known alias or former name, the sex, and the date of birth of the subject.

**(II)** For persons committed to a mental institution pursuant to sub-sub-subparagraph **b.(II)**, within 24 hours after the person's agreement to voluntary admission, a record of the finding, certification, notice, and written acknowledgment must be filed by the administrator of the receiving or treatment facility, as defined in § 394.455, with the clerk of the court for the county in which the involuntary examination under § 394.463 occurred. No fee shall be charged for the filing under this sub-sub-subparagraph. The clerk must present the records to a judge or magistrate within 24 hours after receipt of the records. A judge or magistrate is required and has the lawful authority to review the records *ex parte* and, if the judge or magistrate determines that the record supports the classifying of the person as an imminent danger to himself or herself or others, to order that the record be submitted to the department. If a judge or magistrate orders the submittal of the record to the department, the record must be submitted to the department within 24 hours.

**d.** A person who has been adjudicated mentally defective or committed to a mental institution, as those terms are defined in this paragraph, may petition the court that made the adjudication or commitment, or the court that ordered that the record be submitted to the department pursuant to sub-sub-subparagraph **c.(II)**, for relief from the firearm disabilities imposed by such adjudication or commitment. A copy of the petition shall be served on the state attorney for the county in which the person was adjudicated or committed. The state attorney may object to and present evidence relevant to the relief sought by the petition. The hearing on the petition may be open or closed as the petitioner may choose. The petitioner may present evidence and subpoena witnesses to appear at the hearing on the petition. The petitioner may confront and cross-examine witnesses called by the state attorney. A record of the hearing shall be made by a certified court reporter or by court-approved electronic means. The court shall make written findings of fact and conclusions of law on the issues before it and issue a final order. The court shall grant the relief requested in the petition if the court finds, based on the evidence presented with respect to the petitioner's reputation, the petitioner's mental health record and, if applicable, criminal history record, the circumstances surrounding the firearm disability, and any other evidence in the record, that the petitioner will not be likely to act in a manner that is dangerous to public safety and that granting the relief would not be contrary to the public interest. If the final order denies relief, the petitioner may not petition again for relief from firearm disabilities until 1 year after the date of the final order. The petitioner may seek judicial review of a final order denying relief in the district court of appeal having jurisdiction over the court that issued the order. The review shall be conducted *de novo*. Relief from a firearm disability granted under this sub-subparagraph has no effect on the loss of civil rights, including firearm rights, for any reason other than the particular adjudication of mental defectiveness or commitment to a mental institution from which relief is granted.

**e.** Upon receipt of proper notice of relief from firearm disabilities granted under sub-subparagraph **d.**, the department shall delete any mental health record of the person granted relief from the automated database of persons who are prohibited from purchasing a firearm based on court records of adjudications of mental defectiveness or commitments to mental institutions.

**f.** The department is authorized to disclose data collected pursuant to this subparagraph to agencies of the Federal Government and other states for use exclusively in determining the lawfulness of a firearm sale or transfer. The department is also authorized to disclose this data to the Department of Agriculture and Consumer Services for purposes of determining eligibility for issuance of a concealed weapons or concealed firearms license and for determining whether a basis exists for revoking or suspending a previously issued license pursuant to § 790.06(10). When a potential buyer or transferee appeals a nonapproval based on these records, the clerks of court and mental institutions shall, upon request by the department, provide information to help determine whether the potential buyer or transferee is the same person as the subject of the record. Photographs and any other data that could confirm or negate identity must be made available to the department for such purposes, notwithstanding any other provision of state law to the contrary. Any such information that is made confidential or exempt from disclosure by law shall retain such confidential or exempt status when transferred to the department.

**(b)** Inform the licensee making the inquiry either that records demonstrate that the buyer or transferee is so prohibited and provide the licensee a nonapproval number, or provide the licensee with a unique approval number.

**(c)**

**1.** Review any records available to it to determine whether the potential buyer or transferee has been indicted or has had an information filed against her or him for an offense that is a felony under either state or federal law, or, as mandated by federal law, has had an injunction for protection against domestic violence entered against the potential buyer or transferee under § 741.30, has had an injunction for protection against repeat violence entered against the potential buyer or transferee under § 784.046, or has been arrested for a dangerous crime as specified in § 907.041(4)(a) or for any of the following enumerated offenses:

- a.** Criminal anarchy under §§. 876.01 and 876.02.
- b.** Extortion under § 836.05.
- c.** Explosives violations under § 552.22(1) and (2).
- d.** Controlled substances violations under chapter 893.
- e.** Resisting an officer with violence under § 843.01.
- f.** Weapons and firearms violations under this chapter.
- g.** Treason under § 876.32.
- h.** Assisting self-murder under § 782.08.
- i.** Sabotage under § 876.38.
- j.** Stalking or aggravated stalking under § 784.048.

If the review indicates any such indictment, information, or arrest, the department shall provide to the licensee a conditional non-approval number.

**2.** Within 24 working hours, the department shall determine the disposition of the indictment, information, or arrest and inform the licensee as to whether the potential buyer is prohibited from receiving or possessing a firearm. For purposes of this paragraph, “working hours” means the hours from 8 a.m. to 5 p.m. Monday through Friday, excluding legal holidays.

**3.** The office of the clerk of court, at no charge to the department, shall respond to any department request for data on the disposition of the indictment, information, or arrest as soon as possible, but in no event later than 8 working hours.

**4.** The department shall determine as quickly as possible within the allotted time period whether the potential buyer is prohibited from receiving or possessing a firearm.

**5.** If the potential buyer is not so prohibited, or if the department cannot determine the disposition information within the allotted time period, the department shall provide the licensee with a conditional approval number.

**6.** If the buyer is so prohibited, the conditional nonapproval number shall become a nonapproval number.

**7.** The department shall continue its attempts to obtain the disposition information and may retain a record of all approval numbers granted without sufficient disposition information. If the department later obtains disposition information which indicates:

- a.** That the potential buyer is not prohibited from owning a firearm, it shall treat the record of the transaction in accordance with this section; or
- b.** That the potential buyer is prohibited from owning a firearm, it shall immediately revoke the conditional approval number and notify local law enforcement.

**8.** During the time that disposition of the indictment, information, or arrest is pending and until the department is notified by the potential buyer that there has been a final disposition of the indictment, information, or arrest, the conditional nonapproval number shall remain in effect.

**(3)** In the event of scheduled computer downtime, electronic failure, or similar emergency beyond the control of the Department of Law Enforcement, the department shall immediately notify the licensee of the reason for, and estimated length of, such delay. After such notification, the department shall forthwith, and in no event later than the end of the next business day of the licensee, either inform the requesting licensee if its records demonstrate that the buyer or transferee is prohibited from receipt or possession of a firearm pursuant to Florida and Federal law or provide the licensee with a unique approval number. Unless notified by the end of said next business day that the buyer or transferee is so prohibited, and without regard to whether she or he has received a unique approval number, the licensee may complete the sale or transfer and shall not be deemed in violation of this section with respect to such sale or transfer.

**(4)**

**(a)** Any records containing any of the information set forth in subsection (1) pertaining to a buyer or transferee who is not found to be prohibited from receipt or transfer of a firearm by reason of Florida and federal law which records are created by the Department of Law Enforcement to conduct the criminal history record check shall be confidential and exempt from the provisions of § 119.07(1) and may not be disclosed by the Department of Law Enforcement or any officer or employee thereof to any person or to another agency. The Department of Law Enforcement shall destroy any such records forthwith after it communicates the approval and nonapproval numbers to the licensee and, in any event, such records shall be destroyed within 48 hours after the day of the response to the licensee's request.

**(b)** Notwithstanding the provisions of this subsection, the Department of Law Enforcement may maintain records of NCIC transactions to the extent required by the Federal Government, and may maintain a log of dates of requests for criminal history records checks, unique approval and nonapproval numbers, license identification numbers, and transaction numbers corresponding to such dates for a period of not longer than 2 years or as otherwise required by law.

**(c)** Nothing in this chapter shall be construed to allow the State of Florida to maintain records containing the names of purchasers or transferees who receive unique approval numbers or to maintain records of firearm transactions.

**(d)** Any officer or employee, or former officer or employee of the Department of Law Enforcement or law enforcement agency who intentionally and maliciously violates the provisions of this subsection commits a felony of the third degree punishable as provided in § 775.082 or § 775.083.

**(5)** The Department of Law Enforcement shall establish a toll-free telephone number which shall be operational 7 days a week with the exception of Christmas Day and New Year's Day, for a period of 12 hours a day beginning at 9 a.m. and ending at 9 p.m., for purposes of responding to inquiries as described in this section from licensed manufacturers, licensed importers, and licensed dealers. The Department of Law Enforcement shall employ and train such personnel as are necessary expeditiously to administer the provisions of this section.

**(6)** Any person who is denied the right to receive or purchase a firearm as a result of the procedures established by this section may request a criminal history records review and correction in accordance with the rules promulgated by the Department of Law Enforcement.

**(7)** It shall be unlawful for any licensed dealer, licensed manufacturer, or licensed importer willfully and intentionally to request criminal history record information under false pretenses, or willfully and intentionally to disseminate criminal history record information to any person other than the subject of such information. Any person convicted of a violation of this subsection commits a felony of the third degree punishable as provided in § 775.082 or § 775.083.

**(8)** The Department of Law Enforcement shall promulgate regulations to ensure the identity, confidentiality, and security of all records and data provided pursuant to this section.

**(9)** This section shall become effective at such time as the Department of Law Enforcement has notified all licensed importers, licensed manufacturers, and licensed dealers in writing that the procedures and toll-free number described in this section are operational. This section shall remain in effect only during such times as the procedures described in subsection (2) remain operational.

**(10)** A licensed importer, licensed manufacturer, or licensed dealer is not required to comply with the requirements of this section in the event of:

**(a)** Unavailability of telephone service at the licensed premises due to the failure of the entity which provides telephone service in the state, region, or other geographical area in which the licensee is located to provide telephone service to the premises of the licensee due to the location of said premises; or the interruption of telephone service by reason of hurricane, tornado, flood, natural disaster, or other act of God, war, invasion, insurrection, riot, or other bona fide emergency, or other reason beyond the control of the licensee; or

**(b)** Failure of the Department of Law Enforcement to comply with the requirements of subsections (2) and (3).

**(11)** Compliance with the provisions of this chapter shall be a complete defense to any claim or cause of action under the laws of any state for liability for damages arising from the importation or manufacture, or the subsequent sale or transfer to any person who has been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year, of any firearm which has been shipped or transported in interstate or foreign commerce. The Department of Law Enforcement, its agents and employees shall not be liable for any claim or cause of action under the laws of any state for liability for damages arising from its actions in lawful compliance with this section.

**(12)**

**(a)** Any potential buyer or transferee who willfully and knowingly provides false information or false or fraudulent identification commits a felony of the third degree punishable as provided in § 775.082 or § 775.083.

**(b)** Any licensed importer, licensed manufacturer, or licensed dealer who violates the provisions of subsection (1) commits a felony of the third degree punishable as provided in § 775.082 or § 775.083.

(c) Any employee or agency of a licensed importer, licensed manufacturer, or licensed dealer who violates the provisions of subsection (1) commits a felony of the third degree punishable as provided in § 775.082 or § 775.083.

(d) Any person who knowingly acquires a firearm through purchase or transfer intended for the use of a person who is prohibited by state or federal law from possessing or receiving a firearm commits a felony of the third degree, punishable as provided in § 775.082 or § 775.083.

(13) A person younger than 21 years of age may not purchase a firearm. The sale or transfer of a firearm to a person younger than 21 years of age may not be made or facilitated by a licensed importer, licensed manufacturer, or licensed dealer. A person who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The prohibitions of this subsection do not apply to the purchase of a rifle or shotgun by a law enforcement officer or correctional officer, as those terms are defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a service member as defined in s. 250.01.

(14) This section does not apply to employees of sheriff's offices, municipal police departments, correctional facilities or agencies, or other criminal justice or governmental agencies when the purchases or transfers are made on behalf of an employing agency for official law enforcement purposes.

#### **§ Sec. 790.0655 Purchase and delivery of handguns; mandatory waiting period; exceptions; penalties.**

(1)

(a) A mandatory waiting period is imposed between the purchase and delivery of a firearm. The mandatory waiting period is 3 days, excluding weekends and legal holidays, or expires upon the completion of the records checks required under s. 790.065, whichever occurs later. "Purchase" means the transfer of money or other valuable consideration to the retailer. "Retailer" means and includes a licensed importer, licensed manufacturer, or licensed dealer engaged in the business of making firearm sales at retail or for distribution, or use, or consumption, or storage to be used or consumed in this state, as defined in s. 212.02(13).

(b) Records of firearm sales must be available for inspection by any law enforcement agency, as defined in s. 934.02, during normal business hours.

(2) The waiting period does not apply in the following circumstances:

(a) When a firearm is being purchased by a holder of a concealed weapons permit as defined in s. 790.06.

(b) To a trade-in of another firearm.

(c) To the purchase of a rifle or shotgun, upon a person's successfully completing a minimum of a 16-hour hunter safety course and possessing a hunter safety certification card issued under s. 379.3581. A person who is exempt from the hunter safety course requirements under s. 379.3581 and holds a valid Florida hunting license, is exempt from the mandatory waiting period under this section for the purchase of a rifle or shotgun.

(d) When a rifle or shotgun is being purchased by a law enforcement officer or correctional officer, as those terms are defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a service member as defined in s. 250.01.

(3) It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

(a) For any retailer, or any employee or agent of a retailer, to deliver a firearm before the expiration of the waiting period, subject to the exceptions provided in subsection (2).

(b) For a purchaser to obtain delivery of a firearm by fraud, false pretense, or false representation.

#### **§ Sec. 790.07 Persons engaged in criminal offense, having weapons.**

(1) Whoever, while committing or attempting to commit any felony or while under indictment, displays, uses, threatens, or attempts to use any weapon or electric weapon or device or carries a concealed weapon is guilty of a felony of the third degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

(2) Whoever, while committing or attempting to commit any felony, displays, uses, threatens, or attempts to use any firearm or carries a concealed firearm is guilty of a felony of the second degree, punishable as provided in § 775.082, § 775.083, and § 775.084.

(3) The following crimes are excluded from application of this section: Antitrust violations, unfair trade practices, restraints of trade, nonsupport of dependents, bigamy, or other similar offenses.

(4) Whoever, having previously been convicted of a violation of subsection (1) or subsection (2) and, subsequent to such conviction, displays, uses, threatens, or attempts to use any weapon, firearm, or electric weapon or device, carries a concealed weapon, or carries a concealed firearm while committing or attempting to commit any felony or while under

indictment is guilty of a felony of the first degree, punishable as provided in § 775.082, § 775.083, or § 775.084. Sentence shall not be suspended or deferred under the provisions of this subsection.

**§ Sec. 790.08 Taking possession of weapons and arms; reports; disposition; custody.**

(1) Every officer making an arrest under § 790.07, or under any other law or municipal ordinance within the state, shall take possession of any weapons, electric weapons or devices, or arms mentioned in § 790.07 found upon the person arrested and deliver them to the sheriff of the county, or the chief of police of the municipality wherein the arrest is made, who shall retain the same until after the trial of the person arrested.

(2) If the person arrested as aforesaid is convicted of violating § 790.07, or of a similar offense under any municipal ordinance, or any other offense involving the use or attempted use of such weapons, electric weapons or devices, or arms, such weapons, electric weapons or devices, or arms shall become forfeited to the state, without any order of forfeiture being necessary, although the making of such an order shall be deemed proper, and such weapons, electric weapons or devices, or arms shall be forthwith delivered to the sheriff by the chief of police or other person having custody thereof, and the sheriff is hereby made the custodian of such weapons, electric weapons or devices, and arms for the state.

(3) If the person arrested as aforesaid is acquitted of the offenses mentioned in subsection (2), the said weapons, electric weapons or devices, or arms taken from the person as aforesaid shall be returned to him or her; however, if he or she fails to call for or receive the same within 60 days from and after his or her acquittal or the dismissal of the charges against him or her, the same shall be delivered to the sheriff as aforesaid to be held by the sheriff as hereinafter provided. This subsection shall likewise apply to persons and their weapons, electric weapons or devices, or arms who have heretofore been acquitted or the charges against them dismissed.

(4) All such weapons, electric weapons or devices, and arms now in, or hereafter coming into, the hands of any of the peace officers of this state or any of its political subdivisions, which have been found abandoned or otherwise discarded, or left in their hands and not reclaimed by the owners shall, within 60 days, be delivered by such peace officers to the sheriff of the county aforesaid.

(5) Weapons, electric weapons or devices, and arms coming into the hands of the sheriff pursuant to subsections (3) and (4) aforesaid shall, unless reclaimed by the owner thereof within 6 months from the date the same come into the hands of the said sheriff, become forfeited to the state, and no action or proceeding for their recovery shall thereafter be maintained in this state.

(6) Weapons, electric weapons or devices, and arms coming into the hands of the sheriff as aforesaid shall be listed, kept, and held by him or her as custodian for the state. Any or all such weapons, electric weapons or devices, and arms suitable for use by the sheriff may be so used. All such weapons, electric weapons or devices, and arms not needed by the said sheriff may be loaned to any other department of the state or to any county or municipality having use for such weapons, electric weapons or devices, and arms. The sheriff shall take the receipt of such other department, county, or municipality for such weapons, electric weapons or devices, and arms loaned to them. All weapons, electric weapons or devices, and arms which are not needed or which are useless or unfit for use shall be destroyed or otherwise disposed of by the sheriff as provided in chapter 705 or as provided in the Florida Contraband Forfeiture Act. All sums received from the sale or other disposition of the said weapons, electric weapons or devices, or arms disposed of by the sheriff under chapter 705 as aforesaid shall be paid into the State Treasury for the benefit of the State School Fund and shall become a part thereof. All sums received from the sale or other disposition of any such weapons, electric weapons or devices, or arms disposed of by the sheriff under the Florida Contraband Forfeiture Act shall be disbursed as provided therein.

(7) This section does not apply to any municipality in any county having home rule under the State Constitution.

**§ Sec. 790.10 Improper exhibition of dangerous weapons or firearms.**

If any person having or carrying any dirk, sword, sword cane, firearm, electric weapon or device, or other weapon shall, in the presence of one or more persons, exhibit the same in a rude, careless, angry, or threatening manner, not in necessary self-defense, the person so offending shall be guilty of a misdemeanor of the first degree, punishable as provided in § 775.082 or § 775.083.

**§ Sec. 790.115 Possessing or discharging weapons or firearms at a school-sponsored event or on school property prohibited; penalties; exceptions.**

(1) A person who exhibits any sword, sword cane, firearm, electric weapon or device, destructive device, or other weapon as defined in § 790.001(13), including a razor blade, box cutter, or common pocketknife, except as authorized in support of school-sanctioned activities, in the presence of one or more persons in a rude, careless, angry, or threatening manner and not in lawful self-defense, at a school-sponsored event or on the grounds or facilities of any school, school bus, or school bus stop, or within 1,000 feet of the real property that comprises a public or private elementary school, middle school, or secondary school, during school hours or during the time of a sanctioned school activity, commits a felony of

the third degree, punishable as provided in § 775.082, § 775.083, or § 775.084. This subsection does not apply to the exhibition of a firearm or weapon on private real property within 1,000 feet of a school by the owner of such property or by a person whose presence on such property has been authorized, licensed, or invited by the owner.

**(2)**

**(a)** A person shall not possess any firearm, electric weapon or device, destructive device, or other weapon as defined in § 790.001(13), including a razor blade or box cutter, except as authorized in support of school-sanctioned activities, at a school-sponsored event or on the property of any school, school bus, or school bus stop; however, a person may carry a firearm:

1. In a case to a firearms program, class or function which has been approved in advance by the principal or chief administrative officer of the school as a program or class to which firearms could be carried;
2. In a case to a career center having a firearms training range; or
3. In a vehicle pursuant to § 790.25(5); except that school districts may adopt written and published policies that waive the exception in this subparagraph for purposes of student and campus parking privileges.

For the purposes of this section, “**school**” means any preschool, elementary school, middle school, junior high school, secondary school, career center, or postsecondary school, whether public or nonpublic.

**(b)** A person who willfully and knowingly possesses any electric weapon or device, destructive device, or other weapon as defined in § 790.001(13), including a razor blade or box cutter, except as authorized in support of school-sanctioned activities, in violation of this subsection commits a felony of the third degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

**(c)**

1. A person who willfully and knowingly possesses any firearm in violation of this subsection commits a felony of the third degree, punishable as provided in § 775.082, § 775.083, or § 775.084.
2. A person who stores or leaves a loaded firearm within the reach or easy access of a minor who obtains the firearm and commits a violation of subparagraph 1. commits a misdemeanor of the second degree, punishable as provided in § 775.082 or § 775.083; except that this does not apply if the firearm was stored or left in a securely locked box or container or in a location which a reasonable person would have believed to be secure, or was securely locked with a firearm-mounted push-button combination lock or a trigger lock; if the minor obtains the firearm as a result of an unlawful entry by any person; or to members of the Armed Forces, National Guard, or State Militia, or to police or other law enforcement officers, with respect to firearm possession by a minor which occurs during or incidental to the performance of their official duties.

**(d)** A person who discharges any weapon or firearm while in violation of paragraph (a), unless discharged for lawful defense of himself or herself or another or for a lawful purpose, commits a felony of the second degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

**(e)** The penalties of this subsection shall not apply to persons licensed under § 790.06. Persons licensed under § 790.06 shall be punished as provided in § 790.06(12), except that a license holder who unlawfully discharges a weapon or firearm on school property as prohibited by this subsection commits a felony of the second degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

**(3)** This section does not apply to any law enforcement officer as defined in § 943.10(1), (2), (3), (4), (6), (7), (8), (9), or (14).

**(4)** Notwithstanding § 985.24, § 985.245, or § 985.25(1), any minor under 18 years of age who is charged under this section with possessing or discharging a firearm on school property shall be detained in secure detention, unless the state attorney authorizes the release of the minor, and shall be given a probable cause hearing within 24 hours after being taken into custody. At the hearing, the court may order that the minor continue to be held in secure detention for a period of 21 days, during which time the minor shall receive medical, psychiatric, psychological, or substance abuse examinations pursuant to § 985.18, and a written report shall be completed.

#### **§ Sec. 790.145 Crimes in pharmacies; possession of weapons; penalties.**

**(1)** Unless otherwise provided by law, any person who is in possession of a concealed “firearm,” as defined in § 790.001(6), or a “destructive device,” as defined in § 790.001(4), within the premises of a “pharmacy,” as defined in chapter 465, is guilty of a felony of the third degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

**(2)** The provisions of this section do not apply:

- (a)** To any law enforcement officer;

(b) To any person employed and authorized by the owner, operator, or manager of a pharmacy to carry a firearm or destructive device on such premises; or

(c) To any person licensed to carry a concealed weapon.

**§ Sec. 790.161 Making, possessing, throwing, projecting, placing, or discharging any destructive device or attempt so to do, felony; penalties.**

A person who willfully and unlawfully makes, possesses, throws, projects, places, discharges, or attempts to make, possess, throw, project, place, or discharge any destructive device:

(1) Commits a felony of the third degree, punishable as provided in § 775.082 or § 775.084.

(2) If the act is perpetrated with the intent to do bodily harm to any person, or with the intent to do property damage, or if the act results in a disruption of governmental operations, commerce, or the private affairs of another person, commits a felony of the second degree, punishable as provided in § 775.082 or § 775.084.

(3) If the act results in bodily harm to another person or in property damage, commits a felony of the first degree, punishable as provided in § 775.082 or § 775.084.

(4) If the act results in the death of another person, commits a capital felony, punishable as provided in § 775.082. In the event the death penalty in a capital felony is held to be unconstitutional by the Florida Supreme Court or the United States Supreme Court, the court having jurisdiction over a person previously sentenced to death for a capital felony shall cause such person to be brought before the court, and the court shall sentence such person to life imprisonment if convicted of murder in the first degree or of a capital felony under this subsection, and such person shall be ineligible for parole. No sentence of death shall be reduced as a result of a determination that a method of execution is held to be unconstitutional under the State Constitution or the Constitution of the United States.

**§ Sec. 790.1612 Authorization for governmental manufacture, possession, and use of destructive devices.**

The governing body of any municipality or county and the Division of State Fire Marshal of the Department of Financial Services have the power to authorize the manufacture, possession, and use of destructive devices as defined in § 790.001.

**§ Sec. 790.17 Furnishing weapons to minors under 18 years of age or persons of unsound mind and furnishing firearms to minors under 18 years of age prohibited.**

(1) A person who sells, hires, barter, lends, transfers, or gives any minor under 18 years of age any dirk, electric weapon or device, or other weapon, other than an ordinary pocketknife, without permission of the minor's parent or guardian, or sells, hires, barter, lends, transfers, or gives to any person of unsound mind an electric weapon or device or any dangerous weapon, other than an ordinary pocketknife, commits a misdemeanor of the first degree, punishable as provided in § 775.082 or § 775.083.

(2)

(a) A person may not knowingly or willfully sell or transfer a firearm to a minor under 18 years of age, except that a person may transfer ownership of a firearm to a minor with permission of the parent or guardian. A person who violates this paragraph commits a felony of the third degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

(b) The parent or guardian must maintain possession of the firearm except pursuant to § 790.22.

**§ Sec. 790.174 Safe storage of firearms required.**

(1) A person who stores or leaves, on a premise under his or her control, a loaded firearm, as defined in § 790.001, and who knows or reasonably should know that a minor is likely to gain access to the firearm without the lawful permission of the minor's parent or the person having charge of the minor, or without the supervision required by law, shall keep the firearm in a securely locked box or container or in a location which a reasonable person would believe to be secure or shall secure it with a trigger lock, except when the person is carrying the firearm on his or her body or within such close proximity thereto that he or she can retrieve and use it as easily and quickly as if he or she carried it on his or her body.

(2) It is a misdemeanor of the second degree, punishable as provided in § 775.082 or § 775.083, if a person violates subsection (1) by failing to store or leave a firearm in the required manner and as a result thereof a minor gains access to the firearm, without the lawful permission of the minor's parent or the person having charge of the minor, and possesses or exhibits it, without the supervision required by law:

(a) In a public place; or

(b) In a rude, careless, angry, or threatening manner in violation of § 790.10.

This subsection does not apply if the minor obtains the firearm as a result of an unlawful entry by any person.

**(3)** As used in this act, the term “minor” means any person under the age of 16.

**§ Sec. 790.175 Transfer or sale of firearms; required warnings; penalties.**

**(1)** Upon the retail commercial sale or retail transfer of any firearm, the seller or transferor shall deliver a written warning to the purchaser or transferee, which warning states, in block letters not less than 1/4 inch in height:

“IT IS UNLAWFUL, AND PUNISHABLE BY IMPRISONMENT AND FINE, FOR ANY ADULT TO STORE OR LEAVE A FIREARM IN ANY PLACE WITHIN THE REACH OR EASY ACCESS OF A MINOR UNDER 18 YEARS OF AGE OR TO KNOWINGLY SELL OR OTHERWISE TRANSFER OWNERSHIP OR POSSESSION OF A FIREARM TO A MINOR OR A PERSON OF UNSOUND MIND.”

**(2)** Any retail or wholesale store, shop, or sales outlet which sells firearms must conspicuously post at each purchase counter the following warning in block letters not less than 1 inch in height:

“IT IS UNLAWFUL TO STORE OR LEAVE A FIREARM IN ANY PLACE WITHIN THE REACH OR EASY ACCESS OF A MINOR UNDER 18 YEARS OF AGE OR TO KNOWINGLY SELL OR OTHERWISE TRANSFER OWNERSHIP OR POSSESSION OF A FIREARM TO A MINOR OR A PERSON OF UNSOUND MIND.”

**(3)** Any person or business knowingly violating a requirement to provide warning under this section commits a misdemeanor of the second degree, punishable as provided in § 775.082 or § 775.083.

**§ Sec. 790.18 Sale or transfer of arms to minors by dealers.**

**It is unlawful for any dealer in arms to sell or transfer to a minor any firearm, pistol, Springfield rifle or other repeating rifle, bowie knife or dirk knife, brass knuckles, or electric weapon or device. A person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. § Sec. 790.22 Use of BB guns, air or gas-operated guns, or electric weapons or devices by minor under 16; limitation; possession of firearms by minor under 18 prohibited; penalties.**

**(1)** The use for any purpose whatsoever of BB guns, air or gas-operated guns, or electric weapons or devices, by any minor under the age of 16 years is prohibited unless such use is under the supervision and in the presence of an adult who is acting with the consent of the minor’s parent.

**(2)** Any adult responsible for the welfare of any child under the age of 16 years who knowingly permits such child to use or have in his or her possession any BB gun, air or gas-operated gun, electric weapon or device, or firearm in violation of the provisions of subsection (1) of this section commits a misdemeanor of the second degree, punishable as provided in § 775.082 or § 775.083.

**(3)** A minor under 18 years of age may not possess a firearm, other than an unloaded firearm at his or her home, unless:

**(a)** The minor is engaged in a lawful hunting activity and is:

1. At least 16 years of age; or
2. Under 16 years of age and supervised by an adult.

**(b)** The minor is engaged in a lawful marksmanship competition or practice or other lawful recreational shooting activity and is:

1. At least 16 years of age; or
2. Under 16 years of age and supervised by an adult who is acting with the consent of the minor’s parent or guardian.

**(c)** The firearm is unloaded and is being transported by the minor directly to or from an event authorized in paragraph (a) or paragraph (b).

**(4)**

**(a)** Any parent or guardian of a minor, or other adult responsible for the welfare of a minor, who knowingly and willfully permits the minor to possess a firearm in violation of subsection (3) commits a felony of the third degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

**(b)** Any natural parent or adoptive parent, whether custodial or noncustodial, or any legal guardian or legal custodian of a minor, if that minor possesses a firearm in violation of subsection (3) may, if the court finds it appropriate, be required to participate in classes on parenting education which are approved by the Department of Juvenile Justice, upon the first conviction of the minor. Upon any subsequent conviction of the minor, the court may, if the court finds it appropriate, require the parent to attend further parent education classes or render community service hours together with the child.

**(c)** The juvenile justice circuit advisory boards or the Department of Juvenile Justice shall establish appropriate community service programs to be available to the alternative sanctions coordinators of the circuit courts in implementing this subsection. The boards or department shall propose the implementation of a community service program in each circuit, and may submit a circuit plan, to be implemented upon approval of the circuit alternative sanctions coordinator.

**(5)**

**(a)** A minor who violates subsection (3) commits a misdemeanor of the first degree; for a first offense, may serve a period of detention of up to 3 days in a secure detention facility; and, in addition to any other penalty provided by law, shall be required to perform 100 hours of community service; and:

1. If the minor is eligible by reason of age for a driver license or driving privilege, the court shall direct the Department of Highway Safety and Motor Vehicles to revoke or to withhold issuance of the minor's driver license or driving privilege for up to 1 year.
2. If the minor's driver license or driving privilege is under suspension or revocation for any reason, the court shall direct the Department of Highway Safety and Motor Vehicles to extend the period of suspension or revocation by an additional period of up to 1 year.
3. If the minor is ineligible by reason of age for a driver license or driving privilege, the court shall direct the Department of Highway Safety and Motor Vehicles to withhold issuance of the minor's driver license or driving privilege for up to 1 year after the date on which the minor would otherwise have become eligible.

**(b)** For a second or subsequent offense, a minor who violates subsection (3) commits a felony of the third degree and shall serve a period of detention of up to 15 days in a secure detention facility and shall be required to perform not less than 100 nor more than 250 hours of community service, and:

1. If the minor is eligible by reason of age for a driver license or driving privilege, the court shall direct the Department of Highway Safety and Motor Vehicles to revoke or to withhold issuance of the minor's driver license or driving privilege for up to 2 years.
2. If the minor's driver license or driving privilege is under suspension or revocation for any reason, the court shall direct the Department of Highway Safety and Motor Vehicles to extend the period of suspension or revocation by an additional period of up to 2 years.
3. If the minor is ineligible by reason of age for a driver license or driving privilege, the court shall direct the Department of Highway Safety and Motor Vehicles to withhold issuance of the minor's driver license or driving privilege for up to 2 years after the date on which the minor would otherwise have become eligible.

For the purposes of this subsection, community service shall be performed, if possible, in a manner involving a hospital emergency room or other medical environment that deals on a regular basis with trauma patients and gunshot wounds.

**(6)** Any firearm that is possessed or used by a minor in violation of this section shall be promptly seized by a law enforcement officer and disposed of in accordance with § 790.08(1)-(6).

**(7)** The provisions of this section are supplemental to all other provisions of law relating to the possession, use, or exhibition of a firearm.

**(8)** Notwithstanding § 985.24 or § 985.25(1), if a minor is charged with an offense that involves the use or possession of a firearm, including a violation of subsection (3), or is charged for any offense during the commission of which the minor possessed a firearm, the minor shall be detained in secure detention, unless the state attorney authorizes the release of the minor, and shall be given a hearing within 24 hours after being taken into custody. At the hearing, the court may order that the minor continue to be held in secure detention in accordance with the applicable time periods specified in § 985.26(1)-(5), if the court finds that the minor meets the criteria specified in § 985.255, or if the court finds by clear and convincing evidence that the minor is a clear and present danger to himself or herself or the community. The Department of Juvenile Justice shall prepare a form for all minors charged under this subsection which states the period of detention and the relevant demographic information, including, but not limited to, the gender, age, and race of the minor; whether or not the minor was represented by private counsel or a public defender; the current offense; and the minor's complete prior record, including any pending cases. The form shall be provided to the judge for determining whether the minor should be continued in secure detention under this subsection. An order placing a minor in secure detention because the minor is a clear and present danger to himself or herself or the community must be in writing, must specify the need for detention and the benefits derived by the minor or the community by placing the minor in secure detention, and must include a copy of the form provided by the department.

**(9)** Notwithstanding § 985.245, if the minor is found to have committed an offense that involves the use or possession of a firearm, as defined in § 790.001, other than a violation of subsection (3), or an offense during the commission of which the minor possessed a firearm, and the minor is not committed to a residential commitment program of the Department of Juvenile Justice, in addition to any other punishment provided by law, the court shall order:

(a) For a first offense, that the minor shall serve a minimum period of detention of 15 days in a secure detention facility; and

1. Perform 100 hours of community service; and may
2. Be placed on community control or in a nonresidential commitment program.

(b) For a second or subsequent offense, that the minor shall serve a mandatory period of detention of at least 21 days in a secure detention facility; and

1. Perform not less than 100 nor more than 250 hours of community service; and may
2. Be placed on community control or in a nonresidential commitment program.

The minor shall not receive credit for time served before adjudication.

(10) If a minor is found to have committed an offense under subsection (9), the court shall impose the following penalties in addition to any penalty imposed under paragraph (9)(a) or paragraph (9)(b):

(a) For a first offense:

1. If the minor is eligible by reason of age for a driver license or driving privilege, the court shall direct the Department of Highway Safety and Motor Vehicles to revoke or to withhold issuance of the minor's driver license or driving privilege for up to 1 year.
2. If the minor's driver license or driving privilege is under suspension or revocation for any reason, the court shall direct the Department of Highway Safety and Motor Vehicles to extend the period of suspension or revocation by an additional period for up to 1 year.
3. If the minor is ineligible by reason of age for a driver license or driving privilege, the court shall direct the Department of Highway Safety and Motor Vehicles to withhold issuance of the minor's driver license or driving privilege for up to 1 year after the date on which the minor would otherwise have become eligible.

(b) For a second or subsequent offense:

1. If the minor is eligible by reason of age for a driver license or driving privilege, the court shall direct the Department of Highway Safety and Motor Vehicles to revoke or to withhold issuance of the minor's driver license or driving privilege for up to 2 years.
2. If the minor's driver license or driving privilege is under suspension or revocation for any reason, the court shall direct the Department of Highway Safety and Motor Vehicles to extend the period of suspension or revocation by an additional period for up to 2 years.
3. If the minor is ineligible by reason of age for a driver license or driving privilege, the court shall direct the Department of Highway Safety and Motor Vehicles to withhold issuance of the minor's driver license or driving privilege for up to 2 years after the date on which the minor would otherwise have become eligible.

**§ Sec. 790.221 Possession of short-barreled rifle, short-barreled shotgun, or machine gun; penalty.**

(1) It is unlawful for any person to own or to have in his or her care, custody, possession, or control any short-barreled rifle, short-barreled shotgun, or machine gun which is, or may readily be made, operable; but this section shall not apply to antique firearms.

(2) A person who violates this section commits a felony of the second degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

(3) Firearms in violation hereof which are lawfully owned and possessed under provisions of federal law are excepted.

**§ Sec. 790.222 Bump-fire stocks prohibited.**

A person may not import into this state or transfer, distribute, sell, keep for sale, offer for sale, possess, or give to another person a bump-fire stock. A person who violates this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this section, the term "bump-fire stock" means a conversion kit, a tool, an accessory, or a device used to alter the rate of fire of a firearm to mimic automatic weapon fire or which is used to increase the rate of fire to a faster rate than is possible for a person to fire such semiautomatic firearm unassisted by a kit, a tool, an accessory, or a device.

**§ Sec. 790.23 Felons and delinquents; possession of firearms, ammunition, or electric weapons or devices unlawful.**

(1) It is unlawful for any person to own or to have in his or her care, custody, possession, or control any firearm, ammunition, or electric weapon or device, or to carry a concealed weapon, including a tear gas gun or chemical weapon or device, if that person has been:

(a) Convicted of a felony in the courts of this state;

(b) Found, in the courts of this state, to have committed a delinquent act that would be a felony if committed by an adult and such person is under 24 years of age;

(c) Convicted of or found to have committed a crime against the United States which is designated as a felony;

(d) Found to have committed a delinquent act in another state, territory, or country that would be a felony if committed by an adult and which was punishable by imprisonment for a term exceeding 1 year and such person is under 24 years of age; or

(e) Found guilty of an offense that is a felony in another state, territory, or country and which was punishable by imprisonment for a term exceeding 1 year.

(2) This section shall not apply to a person:

(a) Convicted of a felony whose civil rights and firearm authority have been restored.

(b) Whose criminal history record has been expunged pursuant to § 943.0515(1)(b).

(3) Except as otherwise provided in subsection (4), any person who violates this section commits a felony of the second degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

(4) Notwithstanding the provisions of § 874.04, if the offense described in subsection (1) has been committed by a person who has previously qualified or currently qualifies for the penalty enhancements provided for in § 874.04, the offense is a felony of the first degree, punishable by a term of years not exceeding life or as provided in § 775.082, § 775.083, or § 775.084.

**§ Sec. 790.233 Possession of firearm or ammunition prohibited when person is subject to an injunction against committing acts of domestic violence, stalking, or cyberstalking; penalties.**

(1) A person may not have in his or her care, custody, possession, or control any firearm or ammunition if the person has been issued a final injunction that is currently in force and effect, restraining that person from committing acts of domestic violence, as issued under § 741.30 or from committing acts of stalking or cyberstalking, as issued under § 784.0485.

(2) A person who violates subsection (1) commits a misdemeanor of the first degree, punishable as provided in § 775.082 or § 775.083.

(3) It is the intent of the Legislature that the disabilities regarding possession of firearms and ammunition are consistent with federal law. Accordingly, this section does not apply to a state or local officer as defined in § 943.10(14), holding an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency, unless otherwise prohibited by the employing agency.

**§ Sec. 790.235 Possession of firearm or ammunition by violent career criminal unlawful; penalty.**

(1) Any person who meets the violent career criminal criteria under § 775.084(1)(d), regardless of whether such person is or has previously been sentenced as a violent career criminal, who owns or has in his or her care, custody, possession, or control any firearm, ammunition, or electric weapon or device, or carries a concealed weapon, including a tear gas gun or chemical weapon or device, commits a felony of the first degree, punishable as provided in § 775.082, § 775.083, or § 775.084. A person convicted of a violation of this section shall be sentenced to a mandatory minimum of 15 years' imprisonment; however, if the person would be sentenced to a longer term of imprisonment under § 775.084(4)(d), the person must be sentenced under that provision. A person convicted of a violation of this section is not eligible for any form of discretionary early release, other than pardon, executive clemency, or conditional medical release under § 947.149.

(2) For purposes of this section, the previous felony convictions necessary to meet the violent career criminal criteria under § 775.084(1)(d) may be convictions for felonies committed as an adult or adjudications of delinquency for felonies committed as a juvenile. In order to be counted as a prior felony for purposes of this section, the felony must have resulted in a conviction sentenced separately, or an adjudication of delinquency entered separately, prior to the current offense, and sentenced or adjudicated separately from any other felony that is to be counted as a prior felony.

(3) This section shall not apply to a person whose civil rights and firearm authority have been restored.

**§ Sec. 790.25. Lawful ownership, possession, and use of firearms and other weapons.**

**(2) (1) DECLARATION OF POLICY.**—The Legislature finds as a matter of public policy and fact that it is necessary to promote firearms safety and to curb and prevent the use of firearms and other weapons in crime and by incompetent persons without prohibiting the lawful use in defense of life, home, and property, and the use by United States or state military organizations, and as otherwise now authorized by law, including the right to use and own firearms for target practice and marksmanship on target practice ranges or other lawful places, and lawful hunting and other lawful purposes.

**(3) (2) LAWFUL USES.**—Notwithstanding ss. 790.01, 790.053, and 790.06, the following persons may own, possess, and lawfully use firearms and other weapons, ammunition, and supplies for lawful purposes if they are not otherwise prohibited from owning or possessing a firearm under state or federal law:

**(4) (a)** Members of the Militia, National Guard, Florida State Guard, Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, organized reserves, and other armed forces of the state and of the United States, when on duty, when training or preparing themselves for military duty, or while subject to recall or mobilization;

**(5) (b)** Citizens of this state subject to duty in the Armed Forces under s. 2, Art. X of the State Constitution, under chapters 250 and 251, and under federal laws, when on duty or when training or preparing themselves for military duty;

**(6) (c)** Persons carrying out or training for emergency management duties under chapter 252;

**(7) (d)** Sheriffs, marshals, prison or jail wardens, police officers, Florida highway patrol officers, game wardens, revenue officers, forest officials, special officers appointed under the provisions of chapter 354, and other peace and law enforcement officers and their deputies and assistants and full-time paid peace officers of other states and of the Federal Government who are carrying out official duties while in this state;

**(8) (e)** Officers or employees of the state or United States duly authorized to carry a concealed weapon or a concealed firearm;

**(9) (f)** Guards or messengers of common carriers, express companies, armored car carriers, mail carriers, banks, and other financial institutions, while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds, or other thing of value within this state;

**(10) (g)** Regularly enrolled members of any organization duly authorized to purchase or receive weapons or firearms from the United States or from this state, or regularly enrolled members of clubs organized for target, skeet, or trap shooting, while at or going to or from shooting practice; or regularly enrolled members of clubs organized for modern or antique firearms collecting, while such members are at or going to or from their collectors' gun shows, conventions, or exhibits;

**(11) (h)** A person engaged in fishing, camping, or lawful hunting or going to or returning from a fishing, camping, or lawful hunting expedition;

**(12) (i)** A person engaged in the business of manufacturing, repairing, or dealing in firearms, or the agent or representative of any such person while engaged in the lawful course of such business;

**(13) (j)** A person discharging a weapon or firearm for testing or target practice under safe conditions and in a safe place not prohibited by law or going to or from such place;

**(14) (k)** A person discharging a weapon or firearm in a safe and secure indoor range for testing and target practice;

**(15) (l)** A person traveling in a public conveyance when the weapon or firearm is securely encased and not in the person's manual possession;

**(16) (m)** A person while carrying a handgun unloaded and in a secure wrapper, concealed or otherwise, from the place of purchase to his or her home or place of business or to a place of repair or back to his or her home or place of business;

**(17) (n)** A person possessing weapons or firearms at his or her home or place of business;

**(18) (o)** Investigators employed by the several public defenders of the state, while actually carrying out official duties, provided such investigators:

**(19) 1.** Are employed full time;

**(20) 2.** Meet the official training standards for firearms established by the Criminal Justice Standards and Training Commission as provided in s. 943.12(5) and the requirements of ss. 493.6108(1)(a) and 943.13(1)-(4); and

**(21) 3.** Are individually designated by an affidavit of consent signed by the employing public defender and filed with the clerk of the circuit court in the county in which the employing public defender resides.

**(22) (p)** Investigators employed by the capital collateral regional counsel, while actually carrying out official duties, provided such investigators:

**(23) 1.** Are employed full time;

- (24) 2. Meet the official training standards for firearms as established by the Criminal Justice Standards and Training Commission as provided in s. 943.12(1) and the requirements of ss. 493.6108(1)(a) and 943.13(1)-(4); and
- (25) 3. Are individually designated by an affidavit of consent signed by the capital collateral regional counsel and filed with the clerk of the circuit court in the county in which the investigator is headquartered.
- (26) (q)1. A tactical medical professional who is actively operating in direct support of a tactical operation by a law enforcement agency provided that:
- (27) a. The tactical medical professional is lawfully able to possess firearms and has an active concealed weapon or concealed firearm license issued pursuant to s. 790.06.
- (28) b. The tactical medical professional is appointed to a law enforcement tactical team of a law enforcement agency by the head of the law enforcement agency.
- (29) c. The law enforcement agency has an established policy providing for the appointment, training, and deployment of the tactical medical professional.
- (30) d. The tactical medical professional successfully completes a firearms safety training and tactical training as established or designated by the appointing law enforcement agency.
- (31) e. The law enforcement agency provides and the tactical medical professional participates in annual firearm training and tactical training.
- (32) 2. While actively operating in direct support of a tactical operation by a law enforcement agency, a tactical medical professional:
- (33) a. May carry a firearm in the same manner as a law enforcement officer, as defined in s. 943.10 and, notwithstanding any other law, at any place a tactical law enforcement operation occurs.
- (34) b. Has no duty to retreat and is justified in the use of any force which he or she reasonably believes is necessary to defend himself or herself or another from bodily harm.
- (35) c. Has the same immunities and privileges as a law enforcement officer, as defined in s. 943.10, in a civil or criminal action arising out of a tactical law enforcement operation when acting within the scope of his or her official duties.
- (36) 3. This paragraph may not be construed to authorize a tactical medical professional to carry, transport, or store any firearm or ammunition on any fire apparatus or EMS vehicle.
- (37) 4. The appointing law enforcement agency shall issue any firearm or ammunition that the tactical medical professional carries in accordance with this paragraph.
- (38) 5. For the purposes of this paragraph, the term “tactical medical professional” means a paramedic, as defined in s. 401.23, a physician, as defined in s. 458.305, or an osteopathic physician, as defined in s. 459.003, who is appointed to provide direct support to a tactical law enforcement unit by providing medical services at high-risk incidents, including, but not limited to, hostage incidents, narcotics raids, hazardous surveillance, sniper incidents, armed suicidal persons, barricaded suspects, high-risk felony warrant service, fugitives refusing to surrender, and active shooter incidents.
- (39) (3) CONSTRUCTION.—This act shall be liberally construed to carry out the declaration of policy herein and in favor of the constitutional right to keep and bear arms for lawful purposes. This act is supplemental and additional to existing rights to bear arms now guaranteed by law and decisions of the courts of Florida, and nothing herein shall impair or diminish any of such rights. This act shall supersede any law, ordinance, or regulation in conflict herewith.
- (40) (4) POSSESSION IN PRIVATE CONVEYANCE.—
- (41) (a) Notwithstanding s. 790.01, a person 18 years of age or older who is in lawful possession of a handgun or other weapon may possess such a handgun or weapon within the interior of a private conveyance if the handgun or weapon is securely encased or otherwise not readily accessible for immediate use. A person who possesses a handgun or other weapon as authorized under this paragraph may not carry the handgun or weapon on his or her person.
- (42) (b) This subsection does not prohibit a person from carrying a:
- (43) 1. Legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use; or
- (44) 2. Concealed weapon or concealed firearm on his or her person while in a private conveyance if he or she is authorized to carry a concealed weapon or concealed firearm under s. 790.01(1).
- (c) This subsection shall be liberally construed in favor of the lawful use, ownership, and possession of firearms and other weapons, including lawful self-defense as provided in s. 776.012. § Sec. 790.27 Alteration or removal of firearm serial number or possession, sale, or delivery of firearm with serial number altered or removed prohibited; penalties.

(1)

(a) It is unlawful for any person to knowingly alter or remove the manufacturer's or importer's serial number from a firearm with intent to disguise the true identity thereof.

(b) Any person violating paragraph (a) is guilty of a felony of the third degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

(2)

(a) It is unlawful for any person to knowingly sell, deliver, or possess any firearm on which the manufacturer's or importer's serial number has been unlawfully altered or removed.

(b) Any person violating paragraph (a) is guilty of a misdemeanor of the first degree, punishable as provided in § 775.082 or § 775.083.

(3) This section shall not apply to antique firearms.

**§ Sec. 790.31 Armor-piercing or exploding ammunition or dragon's breath shotgun shells, bolo shells, or flechette shells prohibited.**

(1) (1) As used in this section, the term:

(2) (a) "Armor-piercing bullet" means any bullet which has a steel inner core or core of equivalent hardness and a truncated cone and which is designed for use in a handgun as an armor-piercing or metal-piercing bullet.

(3) (b) "Exploding bullet" means any bullet that can be fired from any firearm, if such bullet is designed or altered so as to detonate or forcibly break up through the use of an explosive or deflagrant contained wholly or partially within or attached to such bullet. The term does not include any bullet designed to expand or break up through the mechanical forces of impact alone or any signaling device or pest control device not designed to impact on any target.

(4) (c) "Dragon's breath shotgun shell" means any shotgun shell that contains exothermic pyrophoric misch metal as the projectile and that is designed for the sole purpose of throwing or spewing a flame or fireball to simulate a flamethrower.

(5) (d) "Bolo shell" means any shell that can be fired in a firearm and that expels as projectiles two or more metal balls connected by solid metal wire.

(6) (e) "Flechette shell" means any shell that can be fired in a firearm and that expels two or more pieces of fin-stabilized solid metal wire or two or more solid dart-type projectiles.

(7) (2)(a) Any person who manufactures, sells, offers for sale, or delivers any armor-piercing bullet or exploding bullet, or dragon's breath shotgun shell, bolo shell, or flechette shell is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) (b) Any person who possesses an armor-piercing bullet or exploding bullet with knowledge of its armor-piercing or exploding capabilities loaded in a handgun, or who possesses a dragon's breath shotgun shell, bolo shell, or flechette shell with knowledge of its capabilities loaded in a firearm, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9) (c) Any person who possesses with intent to use an armor-piercing bullet or exploding bullet or dragon's breath shotgun shell, bolo shell, or flechette shell to assist in the commission of a criminal act is guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) (3) This section does not apply to:

(11) (a) The possession of any item described in subsection (1) by any law enforcement officer, when possessed in connection with the performance of his or her duty as a law enforcement officer, or law enforcement agency.

(12) (b) The manufacture of items described in subsection (1) exclusively for sale or delivery to law enforcement agencies.

**(c) The sale or delivery of items described in subsection (1) to law enforcement agencies. § Sec. 790.33 Field of regulation of firearms and ammunition preempted.**

(1) Preemption. Except as expressly provided by the State Constitution or general law, the Legislature hereby declares that it is occupying the whole field of regulation of firearms and ammunition, including the purchase, sale, transfer, taxation, manufacture, ownership, possession, storage, and transportation thereof, to the exclusion of all existing and future county, city, town, or municipal ordinances or any administrative regulations or rules adopted by local or state government relating thereto. Any such existing ordinances, rules, or regulations are hereby declared null and void.

(2) Policy and Intent.

**(a)** It is the intent of this section to provide uniform firearms laws in the state; to declare all ordinances and regulations null and void which have been enacted by any jurisdictions other than state and federal, which regulate firearms, ammunition, or components thereof; to prohibit the enactment of any future ordinances or regulations relating to firearms, ammunition, or components thereof unless specifically authorized by this section or general law; and to require local jurisdictions to enforce state firearms laws.

**(b)** It is further the intent of this section to deter and prevent the violation of this section and the violation of rights protected under the constitution and laws of this state related to firearms, ammunition, or components thereof, by the abuse of official authority that occurs when enactments are passed in violation of state law or under color of local or state authority.

**(3) Prohibitions; Penalties.**

**(a)** Any person, county, agency, municipality, district, or other entity that violates the Legislature's occupation of the whole field of regulation of firearms and ammunition, as declared in subsection (1), by enacting or causing to be enforced any local ordinance or administrative rule or regulation impinging upon such exclusive occupation of the field shall be liable as set forth herein.

**(b)** If any county, city, town, or other local government violates this section, the court shall declare the improper ordinance, regulation, or rule invalid and issue a permanent injunction against the local government prohibiting it from enforcing such ordinance, regulation, or rule. It is no defense that in enacting the ordinance, regulation, or rule the local government was acting in good faith or upon advice of counsel.

**(c)** If the court determines that a violation was knowing and willful, the court shall assess a civil fine of up to \$5,000 against the elected or appointed local government official or officials or administrative agency head under whose jurisdiction the violation occurred.

**(d)** Except as required by applicable law, public funds may not be used to defend or reimburse the unlawful conduct of any person found to have knowingly and willfully violated this section.

**(e)** A knowing and willful violation of any provision of this section by a person acting in an official capacity for any entity enacting or causing to be enforced a local ordinance or administrative rule or regulation prohibited under paragraph (a) or otherwise under color of law shall be cause for termination of employment or contract or removal from office by the Governor.

**(f)** A person or an organization whose membership is adversely affected by any ordinance, regulation, measure, directive, rule, enactment, order, or policy promulgated or caused to be enforced in violation of this section may file suit against any county, agency, municipality, district, or other entity in any court of this state having jurisdiction over any defendant to the suit for declaratory and injunctive relief and for actual damages, as limited herein, caused by the violation. A court shall award the prevailing plaintiff in any such suit:

1. Reasonable attorney's fees and costs in accordance with the laws of this state, including a contingency fee multiplier, as authorized by law; and
2. The actual damages incurred, but not more than \$100,000.

Interest on the sums awarded pursuant to this subsection shall accrue at the legal rate from the date on which suit was filed.

**(4) Exceptions.** This section does not prohibit:

**(a)** Zoning ordinances that encompass firearms businesses along with other businesses, except that zoning ordinances that are designed for the purpose of restricting or prohibiting the sale, purchase, transfer, or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this subsection and are prohibited;

**(b)** A duly organized law enforcement agency from enacting and enforcing regulations pertaining to firearms, ammunition, or firearm accessories issued to or used by peace officers in the course of their official duties;

**(c)** Except as provided in § 790.251, any entity subject to the prohibitions of this section from regulating or prohibiting the carrying of firearms and ammunition by an employee of the entity during and in the course of the employee's official duties;

**(d)** A court or administrative law judge from hearing and resolving any case or controversy or issuing any opinion or order on a matter within the jurisdiction of that court or judge; or

**(e)** The Florida Fish and Wildlife Conservation Commission from regulating the use of firearms or ammunition as a method of taking wildlife and regulating the shooting ranges managed by the commission.

**(5) Short Title.** As created by chapter 87-23, Laws of Florida, this section may be cited as the "Joe Carlucci Uniform Firearms Act."

**§ Sec. 790.331 Prohibition of civil actions against firearms or ammunition manufacturers, firearms trade associations, firearms or ammunition distributors, or firearms or ammunition dealers.**

(1) The Legislature finds and declares that the manufacture, distribution, or sale of firearms and ammunition by manufacturers, distributors, or dealers duly licensed by the appropriate federal and state authorities is a lawful activity and is not unreasonably dangerous, and further finds that the unlawful use of firearms and ammunition, rather than their lawful manufacture, distribution, or sale, is the proximate cause of injuries arising from their unlawful use.

(2) Except as permitted by this section, a legal action against a firearms or ammunition manufacturer, firearms trade association, firearms or ammunition distributor, or firearms or ammunition dealer on behalf of the state or its agencies and instrumentalities, or on behalf of a county, municipality, special district, or any other political subdivision or agency of the state, for damages, abatement, or injunctive relief resulting from or arising out of the lawful design, marketing, distribution, or sale of firearms or ammunition to the public is prohibited. However, this subsection does not preclude a natural person from bringing an action against a firearms or ammunition manufacturer, firearms trade association, firearms or ammunition distributor, or firearms or ammunition dealer for breach of a written contract, breach of an express warranty, or injuries resulting from a defect in the materials or workmanship in the manufacture of a firearm or ammunition.

(3) A county, municipality, special district, or other political subdivision or agency of the state may not sue for or recover from a firearms or ammunition manufacturer, firearms trade association, firearms or ammunition distributor, or firearms or ammunition dealer damages, abatement, or injunctive relief in any case that arises out of or results from the lawful design, marketing, distribution, or sale of firearms or ammunition to the public.

(4) This section does not prohibit an action against a firearms or ammunition manufacturer, distributor, or dealer for:

(a) Breach of contract or warranty in connection with a firearm or ammunition purchased by a county, municipality, special district, or other political subdivision or agency of the state.

(b) Injuries resulting from the malfunction of a firearm or ammunition due to a defect in design or manufacture.

(5)

(a) For the purposes of this section, the potential of a firearm or ammunition to cause serious injury, damage, or death as a result of normal function does not constitute a defective condition of the product.

(b) A firearm or ammunition may not be deemed defective on the basis of its potential to cause serious injury, damage, or death when discharged legally or illegally.

(6)

(a) If a civil action is brought in violation of this section, the defendant may recover all expenses resulting from such action from the governmental entity bringing such action.

(b) In any civil action where the court finds that the defendant is immune as provided in this section, the court shall award the defendant all attorney's fees, costs and compensation for loss of income, and expenses incurred as a result of such action.

(7) This section applies to any action brought on or after the effective date of this section.

**Chapter 870. Affrays; Riots; Routs; Unlawful Assemblies**

**§ 870.044 Automatic emergency measures.**

Whenever the public official declares that a state of emergency exists, pursuant to [s. 870.043](#), the following acts shall be prohibited during the period of said emergency throughout the jurisdiction:

(1) The sale of, or offer to sell, with or without consideration, any ammunition or gun or other firearm of any size or description.

(2) The intentional display, after the emergency is declared, by or in any store or shop of any ammunition or gun or other firearm of any size or description.

(3) The intentional possession in a public place of a firearm by any person, except a duly authorized law enforcement official or person in military service acting in the official performance of her or his duty.

Nothing contained in this chapter shall be construed to authorize the seizure, taking, or confiscation of firearms that are lawfully possessed, unless a person is engaged in a criminal act.

**Alachua County Municipal Code**

Current through Ordinance No. 2018-24, enacted October 23, 2018. (Supp. No. 49)

**Part II. Administrative Code**

**Title 7. Health and Safety  
Chapter 82. Sale of Firearms**

**§ Sec. 82.02 Definitions.**

For purposes of this chapter, the following terms shall be defined as:

Any part of the transaction means any part of the sales transaction, including but not limited to, the offer of sale, negotiations, the agreement to sell, the transfer of consideration, the transfer or delivery of the firearm, or the transfer of any ownership or possessory interest in the firearm.

**Firearm** means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term "firearm" does not include an antique firearm, as that term is defined in Section 790.001, Florida Statutes.

**Property to which the public has the right of access** means any real or personal property to which the public has a right of access, including property owned by either public entities or private individuals, firms and entities and expressly includes, but is not limited to, flea markets, gun shows and firearms exhibitions.

**Sale** means the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property to which the public has the right of access.

**§ Sec. 82.03 Application and enforcement of chapter.**

Law enforcement officers shall enforce the provisions of this chapter against any person found violating this chapter within their jurisdiction.

**§ Sec. 82.04 Five-day waiting period.**

There shall be a mandatory five-day waiting period, which shall be five full days, excluding weekends and legal holidays, in connection with the sale of any firearm occurring within the county. An uninterrupted, continuous, and cumulative aggregate of 120 hours must elapse between such sale and receipt of the firearm, excluding the hours of weekends and legal holidays.

**§ Sec. 82.05 Criminal history records check.**

There shall be a criminal history records check conducted in connection with the sale of firearms occurring within the county. No person may transfer or receive a firearm when any part of the sale transaction is conducted on property to which the public has the right of access until all procedures and requirements of Section 790.065, Florida Statutes, have been complied with by a person statutorily authorized to request that a background information check on the purchaser be conducted by the Florida Department of Law Enforcement ("FDLE"), and such statutorily authorized person has received an approval number for the purchaser from FDLE and documented same, as provided by Section 790.065, Florida Statutes. In case of repeal or amendment of Section 790.065, Florida Statutes, no person shall transfer or receive a firearm by sale when any part of the sale transaction is conducted on property to which the public has a right of access until all procedures, requirements and prohibitions set forth in other federal or state laws relating to criminal history records checks have been complied with by persons selling or buying firearms.

**§ Sec. 82.06 Non-applicability to holders of Florida concealed weapon permits or currently certified law enforcement officers as defined under Florida Law.**

The requirements of this chapter do not apply if the purchaser in the sale of a firearm is a holder of a Florida concealed weapons or firearms permit or license issued pursuant to general law, or a currently certified law enforcement officer as defined under Florida Law. However, this exemption shall not relieve such purchasers from compliance with otherwise applicable state or federal law requirements.

**§ Sec. 82.07 Effective areas.**

This chapter shall be effective in the incorporated as well as unincorporated areas of Alachua County.

**§ Sec. 82.08 Penalty.**

A seller or purchaser of a firearm who violates any provision of this chapter is guilty of a violation of a county ordinance, punishable as provided in Section 125.69, Florida Statutes, and the violation shall be prosecuted in the same manner as misdemeanors are prosecuted.

**Arcadia Municipal Code**  
Current through Ordinance No. 993, enacted September 17, 2013. (Supp. No. 3)

**Part II. Administrative Code  
Title 7. Health and Safety**

## Chapter 82. Sale of Firearms

### § Sec. 74-36. Firearms and dangerous instruments.

(a) No person shall bring onto park property or have in his possession on park property any firearm or ammunition, any explosive, dynamite caps, fireworks, airgun, pellet gun, spring gun, slingshot, cross bow, bow and arrow, any device or means by which a projectile can be propelled, any device which can be loaded with blank cartridges, any trapping device, any incendiary bomb or material, any smoke or stink bomb, any tear gas or other disabling chemical agent, any acid or caustic substance, or any inflammable liquid except fuel contained in the fuel tank of a motor vehicle and not more than one gallon of liquid fuel in a closed metal container.

(b) No person shall discharge any of the weapons or instruments listed in subsection (a) of this section into any park from outside a park.

(c) **The city may designate times and places where fireworks can be used within a park. The city shall promulgate regulations to ensure that in such cases the fireworks are used in a safe manner and in compliance with state laws.**

#### Atlantic Beach Municipal Code

Current through Ordinance No. 90-18-234, enacted June 11, 2018. (Supp. No. 44)

### Chapter 2. Administration

#### Article VIII. Emergency Management

##### Division 2. Comprehensive Emergency Management Plan

### § Sec. 2-406 Effect and purpose of state of local emergency.

(8) To suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles. To prohibit the carrying or possession of any firearm or weapon, as defined by state law, upon the property of another, including public property. Any such possession shall be deemed prima facie evidence of an intent to violate the provisions of this article.

## Chapter 20. Taxation

### Article III. Local Business Tax

### § Sec. 20-59 Schedule of fees.

No person, firm or corporation shall engage in or manage any trade, business, profession, or occupation without first obtaining a receipt and paying an annual fee, which shall be assessed as follows:

Retail Establishments:

The business tax for retail establishments shall be assessed at the following rates:

0, 1,500 sq. ft. \$59.03

1,501, 5,000 sq. ft. \$99.56

5,001-15,000 sq. ft. \$133.11

15,001 sq. ft. and over \$333.39

Guns/firearms dealer

### Auburndale Municipal Code

Current through Ordinance No. 1552, enacted December 4, 2017. (Supp. No. 37)

## Chapter 15. Local Business Taxes and Business Regulations

### Article II. Local Business Tax

### § Sec. 15-35 Tax rates.

(a) A schedule of current local business tax fees is available in the Community Development Department at City Hall, Auburndale, Florida.

(b) Business taxes shall be paid to the city by those listed in the respective listed categories and engaged in, managing or transacting the several occupations or professions named, to wit:

(15) Hazardous, dangerous or disruptive occupations or professions:

a. Arms dealer (including pistols, rifles, shotguns, bowie knives and other deadly weapons)

### Avon Park Municipal Code

Current through Ordinance No. 05-18, adopted September 10, 2018. (Supp. No. 19)

**Chapter 26. Business**  
**Article II. Occupational Licenses**

**§ Sec. 26-38 Fee schedule.**

The fees for the indicated businesses, professions, occupations and activities shall be as shown below. These fees may be revised from time to time by resolution of the city council.

Occupation\Fee

Guns, dealer in arms, firearms\55.00

**Baker County Municipal Code**  
Current through Ordinance No. 2017010, adopted October 3, 2017. (Supp. No. 2)

**Chapter 16. Emergency Management and Emergency Services**  
**Article II. Emergency Management**

**§ Sec. 16-26 Declaration of state of emergency.**

(d) Emergency resolutions authorized by this article shall include, but are not limited to, the following subjects:

(3) Suspension or regulation of sale of alcoholic beverages, firearms, explosives or combustibles;

**Bartow Municipal Code**  
Current through Ordinance No. 2015-08, enacted July 20, 2015. (Supp. No. 32)

**Chapter 26. Civil Emergencies**  
**Article II. State of Emergency**

**§ Sec. 26-28 Automatic emergency measures.**

(a) Whenever the mayor declares that a state of emergency exists, pursuant to F.S. 870.043, the following acts shall be prohibited during the period of such emergency throughout the city, as required by state law:

(1) The sale of, or offer to sell, with or without consideration, any ammunition or gun or other firearm of any size or description;

(2) The intentional display, after the emergency is declared, by or in any store or shop of any ammunition or gun or other firearm of any size or description;

(3) The intentional possession in a public place of a firearm by any person, except a duly authorized law enforcement official or person in military service acting in the official performance of his duty.

(b) This section shall not be construed in any way so as to impinge upon the exclusive occupation of the field of firearms and ammunition regulation by the Florida legislature.

**Bay Harbor Islands Municipal Code**  
Current through Ordinance No. 1023, enacted August 13, 2018. (Supp. No. 5, Update 6)

**Part II. Code of Ordinances**  
**Chapter 15. Parks and Recreation**

**§ Sec. 15-1 Parks and recreation rules and regulations.**

Rule 16. Firearms, fireworks and explosives.

(a) No person may bring into, or have in his possession, or set off or otherwise cause to explode, discharge or burn in any park area or on any public lands or highways adjacent thereto, any firecrackers, torpedoes, rockets, firearms or cannon or other fireworks or explosives of inflammable material or any substance, compound, mixture, or article that, in conjunction with any other substance or compound, may explode, discharge or burn, unless he first obtains a written permit from the town.

(b) Parents or guardians will be held strictly responsible and accountable for the actions of minors in regards to the prohibitions in the foregoing paragraph.

**Belleair Beach Municipal Code**  
Current through Ordinance No. 18-04, enacted May 7, 2018. (Supp. No. 15)

**Chapter 14. Civil Emergencies**  
**Article II. Emergency Management**

**§ Sec. 14-33 Declaration of a state of local emergency.**

(c) Upon the declaration of a state of local emergency pursuant to this article, the enforcement of the following provisions shall, as necessary, be effective during the period of such emergency to protect the health, safety and welfare of the city:

- (4) Restrictions on the sale of alcohol, firearms, explosives and combustibles.

**Bellevue Municipal Code**

Current through Ordinance No. R-18-03, adopted February 1, 2018. (Supp. No. 23)

**Subpart B. Land Development Regulations  
Chapter 134. Zoning  
Article III. Districts**

**§ Sec. 134-245 Schedules of district regulations.**

Appendix A Schedules of District Regulations

Schedule 3. Schedule of Regulations; Nonresidential Key:

- Y = Yes
- N = No
- SE = Special exception

Business/Service	R-O	B-1	B-2	B-3	B-4	B-5	M-1	M-2
Guns	N	N	Y	Y	Y	Y	N	N

**Boca Raton Municipal Code**

Current through Ordinance No. 5470, enacted October 10, 2018 (Supp. No. 66, Update 2)

**Chapter 11. Parks and Recreation  
Article III. Regulations  
Division 2. Recreation**

**§ Sec. 11-85 Hunting, firearms, toy guns.**

(1) No person shall carry, use or possess firearms of any description, air rifles or pistols, spear guns, spring guns, bows and arrows, or any other form of weapon whether real or merely replicas or toys which are potentially inimical to wildlife and dangerous to human safety on or in a park area or property.

(2) No hunting, trapping or pursuit of wildlife by any means or methods whatsoever will be permitted on or in any park area.

**Bradford County Municipal Code**

Current through Ordinance No. 2018-03, enacted April 19, 2018 (Supp. No. 41)

**Chapter 26. Emergency Management**

**§ Sec. 26-6 Emergency plan.**

In order to insure the health, safety and welfare of the community for the duration of each state of emergency declared in the county, the Bradford County Board of County Commissioners authorizes the creation of a county comprehensive emergency management plan (BCCEMP) to include provisions to be administered by the emergency management department which shall:

- (7) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and combustibles.

**§ Sec. 26-8 Declaration of state of emergency.**

d) Emergency declarations authorized by this chapter shall include, but are not limited to the following subjects:

- (3) Suspension or regulation of sale of alcoholic beverages, firearms, explosives or combustibles;

**Brooksville Municipal Code**

Current through Ordinance No. 882, adopted February 5, 2018 (Supp. No. 9)

**Subpart B. Land Development Code  
Article II. Zoning districts, Uses and Lot Requirements**

**Part 2-2. Zoning District Uses**

**§ Sec. 2-2.2 Allowable Uses.**

The following table indicates the categories of uses which are allowable in each standard zoning district within the City of Brooksville. The categories of uses are arranged in the vertical column on the left side of the table and the zoning districts are listed across the top. "P" indicates that the use is permitted, subject to the standards of this Code. "C" indicates the use is a Conditional Use that may be allowed in the identified district pursuant to conformance with the design standards contained in Article IV. No public hearing is required for Conditional Uses. An "SE" designates uses as Special Exception Uses that may be established in the district, pursuant to a noticed public hearing as described in Article VIII and in conformance with the standards contained in Article IV. An "SU" designates uses as Special Uses that may be established in the district, pursuant to a noticed public hearing as described in Article VIII and in conformance with the standards contained in Article IV. An "A" indicates the use is an accessory Use that may be established in the district pursuant to the requirements of Article IV. A blank space indicates that the use is prohibited. All uses are subject to the development standards of the zoning district in which it is to be located as well as all other rules and regulations of this Code and the City of Brooksville. Properties with an overlay designation shall be governed by the underlying zoning district and may be permitted additional uses as indicated in the use matrix.

All uses are potentially permitted in planned development project (PDP) districts, subject to the policies of the comprehensive plan, the requirements of Article VIII of this Code and all other rules regulations and ordinances of the City of Brooksville. Land uses permitted in existing planned development project districts are specified in the PDP's conditions of approval. Requests for modifications to planned development projects are reviewed in accordance with Article VIII of this Code.

Table 2-2 Table of Allowable Uses

Legend:  
 P=Permitted Use;  
 SU=Special Use;  
 SE=Special Exception Use;  
 C=Conditional Use;  
 A=Accessory Use

Residential, Office, Commercial and Industrial Overlays

	AG	R-1A	R-1B	R-1C	R-1D	R-2	R-3	PR	P-1	C-1	C-2	C-4	CIS-1	I-1	I-2	PFS	HCBRD	HCC
Neighborhood, general and high intensity business and commercial uses																		
Gun sales										P	P	P						
Gunsmith										P	P							

**Broward County Municipal Code**

Current through Ordinance No. 2018-45, enacted December 4, 2018. (Supp. No. 50)

**Chapter 18. Law Enforcement**

**Article VI. Firearms Five-Day Waiting Period**

**§ Sec. 18-96. Waiting period; prohibition.**

There shall be a mandatory 5-day waiting period, which shall be 5 days, excluding weekends and legal holidays, in connection with the sale of firearms occurring within Broward County when the sale is a transfer of money or other valuable consideration, and any part of the sale transaction is conducted on property to which the public has the right of access. Some examples of properties to which the public has a right of access are: gun shows, firearm exhibits, wholesale and retail stores, and flea markets. No person shall transfer or receive a firearm to or from another person for five days from the hour of such sale, excluding weekends and legal holidays, when the sale is a transfer of money or other valuable consideration, and any part of the sale transaction is conducted on property to which the public has the right of access. An uninterrupted, continuous, and cumulative aggregate of 120 hours must elapse between such sale and receipt of the firearm, excluding the hours of weekends and legal holidays. A person who violates the prohibition of this Section is

guilty of a violation of a county ordinance, punishable as provided in § 125.69, F.S. and the violation shall be prosecuted in the same manner as misdemeanors are prosecuted.

**§ Sec. 18-97. Criminal history records check; requirement; prohibition.**

(a) Legislative intent. It is the intent of the Board of County Commissioners, in the exercise of its constitutionally-granted authority, to ensure that no firearm is sold, offered for sale, or transferred where any part of the transaction is conducted on property to which the public has a right of access unless a national criminal history background check is conducted. As of the dates of the enactment and effectiveness of this Ordinance, Florida statutory law only allows such checks to be performed for and by licensed dealers, licensed importers, and licensed manufacturers. Therefore, a buyer or seller who is not otherwise a licensed dealer, licensed importer, or licensed manufacturer must use a licensed dealer, licensed importer, or licensed manufacturer as an intermediary to ensure such checks are conducted.

(b) Requirement; prohibition. There shall be a mandatory national criminal history records check done in connection with the sale of firearms occurring within Broward County. No person shall transfer or receive a firearm when any part of the sale transaction is conducted on property to which the public has the right of access until all procedures and requirements of § 790.065, F.S. have been complied with by a person statutorily authorized to conduct background information checks, and an approval number has been obtained and documented, as provided by § 790.065, F.S. In case of repeal or amendment of § 790.065, F.S., no person shall transfer or receive a firearm by sale when any part of the sale transaction is conducted on property to which the public has the right of access until all procedures, requirements, and prohibitions set forth in other federal or state laws relating to background checks have been complied with by persons selling or buying firearms. A person who violates the prohibition of this Section is guilty of a violation of a county ordinance, punishable as provided in § 125.69, F.S. and the violation shall be prosecuted in the same manner as misdemeanors are prosecuted.

**§ Sec. 18-98. Non-applicability to holders of Florida concealed weapon permits.**

Pursuant to the Florida Constitution, when purchasing a firearm, holders of a Florida concealed weapon permit or license, as prescribed by general law, shall not be subject to the prohibitions and penalties of this article.

**§ Sec. 18-99. Penalty.**

Violation of a prohibition of this article shall be punishable by a fine not to exceed \$500 or by imprisonment in the county jail not to exceed 60 days or by both such fine and imprisonment. Each violation of a prohibition of this article relating to a specific firearm shall constitute a separate and individual violation. Nothing contained herein shall be construed to preempt the imposition of higher penalties imposed by state or federal law.

**Chapter 39. Zoning  
Article XVIII. Industrial Districts**

**§ Sec. 39-308 Permitted uses.**

Permitted uses in all manufacturing and industrial districts shall be limited to those uses specified in the Master Business List following. Any use not specifically listed herein and not specifically, or by inference, listed shall be determined by the zoning official to be permitted in the zoning district specifying the most similar use thereto. All permitted uses shall be subject to Section 39-313, "Limitations of uses." Specified subsection references in Section 39-313 are included in the Master Business List.

Master Business List

- P = Permitted
- C = Conditional
- A = Accessory use only

Use	M-1	M-2	M-3 or M-4
Ammunition reloading (handguns)		P	P
Fireworks, explosives, firearms, and ammunition manufacturing, storage, and distribution see Subsection(g)			P

**§ Sec. 39-313 Limitations of uses.**

(g) Fireworks, explosives, firearms, and ammunition manufacturing, storage, or distribution. Any plot upon which a facility for the manufacture, storage, or distribution of fireworks, explosives, firearms, and ammunition is located shall not be within two thousand (2,000) feet of any residentially-zoned district. The minimum plot size for any such use shall be five (5) acres.

**Bunel Land Development Code**

Current through Ordinance No. 2018-01, enacted January 22, 2018. (Supp. No. 15)

**Chapter 34. Zoning  
Article V. Supplementary District Regulations  
Division 1. Generally**

**§ Sec. 34-187 Temporary and seasonal uses.**

(d) Minimum requirements. The community development director, or designee, may issue a temporary use permit provided that the following minimum requirements are met:

(11) Other requirements. Other requirements, as determined by the community development director, or designee, may be placed on the temporary use or associated structures to ensure the public health, safety, and welfare. Such requirements may include, but is not limited to, the provision of sanitary facilities for the sale of food or state licensing or permit requirements for the sale of food, firearms, animals, etc.

**Chattahoochee Municipal Code**

Current through Ordinance No. 555, adopted January 17, 2017. (Supp. No. 8)

**Chapter 50. Taxation  
Article IV. Occupational Licenses**

**§ Sec. 50-86 Schedule of fees.**

Every person conducting, managing, or engaging in any business, occupation or profession within the city, shall, before engaging therein, pay to the city an annual occupational license tax or fee according to the following schedule of fees wherein each respective business, occupation or profession named constitutes a separate and different business, occupation, or profession:

Merchant

Gun dealer 100.00

Pawnshop or pawn broker 100.00

**Chiefland Municipal Code**

Current through Ordinance No. 18-02, enacted April 9, 2018. (Supp. No. 10)

**Chapter 46. Parks and Recreation  
Article II. Rules for Recreational Facilities**

**§ Sec. 46-35 Prohibited activities.**

The following activities shall be prohibited at all city recreational facilities:

Possession of firearms or weapons.

**Clearwater Municipal Code**

Current through Ordinance No. 9133-18, enacted May 17, 2018. (Supp. No. 76)

**Chapter 15. Emergency Management**

**§ Sec. 15.07 Declaration of state of emergency.**

3) Emergency resolutions authorized by this chapter shall include but are not limited to the following subjects:

Resolution      Subject

C Suspension or regulation of the sale of alcoholic beverages, the sale and the display for sale of firearms as well as the possession in a public place of firearms (as permitted by Florida Statutes), explosives or combustibles

**§ Sec. 15.12 Police emergencies.**

(1) A public emergency may be declared because of civil unrest when the chief of police certifies to the city manager that an emergency condition arising from hostile actions of others, armed or unarmed, requires extraordinary measures for control, including but not limited to curfew; blockade; proscription of the sale of firearms and other weapons, alcoholic beverages, explosives and combustibles; evacuation; and other like actions.

**Clewiston Municipal Code**

Current through Ordinance No. 2017-21, adopted January 22, 2018. (Supp. No. 4)

**Chapter 110. Zoning**  
**Article VI. Supplementary District Regulations**

**§ Sec. 110-525 Home occupations.**

(c) Prohibited home occupations. The following uses, regardless of whether they meet the performance standards, are not permitted as a home occupation. These business activities shall include, but are not limited to, the following:

- (11) The sale of firearms and gunsmithing.

**Cooper City Municipal Code**  
Current through Ordinance No. 18-5-3 and Resolution 17-9-8.

**Chapter 9. Business Taxes**  
**Article I. In General**

**§ Sec. 9-9. Schedules of local business taxes; exemptions.**

(a) The amounts which shall be paid by the several persons engaging in or managing businesses, professions or occupations for which a business tax is required, are hereby fixed as follows, payable annually unless otherwise specified:

Arms:

Dealers in, including pistols, bowie knives, slingshots, brass knuckles, springfield rifles, repeating rifles or dirk knives shall register the name of the person to whom such article a forenamed was sold 100.00

**Coral Springs Municipal Code**  
Current through Ordinance No. 2018-16, adopted September 5, 2018. (Supp. No. 165)

**Chapter 19. Emergency Management**

**§ Sec. 19-3 Declaration of a state of emergency.**

(c) Emergency resolutions authorized by this chapter shall include, but are not limited to, the following subjects:

Resolution Subject

C Suspension or regulation of the sale of, or offer to sell, with or without consideration, alcoholic beverages, ammunition, firearms, explosives and flammables or combustibles

**Crystal River Municipal Code**  
Current through Ordinance No. 18-O-16, enacted November 13, 2018. (Supp. No. 23, Update 2)

**Chapter 21. Emergency Management**

**§ Sec. 21-3 Declaration of emergency by proclamation, generally.**

c) A police emergency may be declared because of civil unrest when the chief of police certifies to the mayor, or vice mayor in his absence, or the city manager, or his designee, that an emergency condition arising from hostile actions of others, armed or unarmed, requires extraordinary measures for control, including but not limited to curfew; blockade; proscription of the sale of firearms and other weapons, alcoholic beverages, explosives and combustibles; evacuation; and other like actions.

**§ Sec. 21-4 Same, Authority of designated official.**

In the event of an emergency pursuant to this chapter, the mayor, or vice-mayor in his absence, or the city manager, or his designee, in the absence of the mayor or the vice-mayor, may issue a proclamation declaring a state of emergency when a quorum of the city council is unable to meet and shall have the authority and power to take such action to protect the health, safety, and welfare of the community including the following which shall have the force of municipal law during this emergency which, at the discretion of the mayor, or the vice mayor in his absence, or the city manager, or his designee in his absence, may include any of the following, as needed to deal the emergency at hand:

- (4) Restrict the sale of firearms, ammunition, and combustible fuels in containers.

**Cutler Bay Municipal Code**  
Current through Ordinance No. 17-08, enacted November 15, 2017. (Supp. No. 2)

**Chapter 3. Land Development Regulations**  
**Article IV. Districts and Development Standards**

**§ Sec. 3-59 TRC, Transit Corridor District.**

The transit corridor district provides for the location of transit-oriented uses and uses having a market area extending beyond the scale of the corridor and surrounding neighborhoods. The intent of the district is to facilitate convenient access, minimize traffic congestion, and reduce visual clutter to create a development pattern which improves the aesthetic quality and character of the US 1 corridor within the town. Buildings are required to relate to the street with a pedestrian scale, rather than to parking lots. Site design criteria is required to facilitate ease of pedestrian access along the corridor and the bus way.

**(2) Prohibited uses.**

- a. Pawn shop.
- e. Gun shop.

**Chapter 12. Emergency Management  
Article II. Civil Emergencies**

**§ Sec. 12-23 Declaration of a state of emergency.**

**(c)** Emergency ordinances, which may be enacted after the fact, authorized under section 4.4 of the town Charter and by this article may include, but are not limited to, the following subjects:

- (3)** Suspension or regulation of the sale of, or offer to sell, with or without consideration, alcoholic beverages, ammunition, firearms, explosives, or combustibles;

**§ Sec. 12-25 Police emergencies.**

**(a)** An emergency may be declared because of civil unrest, terrorist act or other imminent threat to public peace or order when the chief of police, or if unavailable, the next highest ranking officer in the police department chain of command, certifies to the town manager that an emergency condition arising from hostile actions of others, armed or unarmed, or other imminent threat to public peace or order, requires extraordinary measures of control, including, but not limited to, curfew; blockage; proscription of the sale of firearms, other weapons or alcoholic beverages; explosives and combustibles; evacuation; and other similar actions. The town manager may issue a declaration of a state of emergency in accordance with this section 12-23.

**Chapter 32. Taxation  
Article III. Local Business Tax**

**§ Sec. 32-53 Tax schedule.**

The amounts assessed for local business taxes shall be as follows:

Type of Tax	Business
Firearms mfg	33.00 + 3.00 for each additional employee from 11 to 99,999

**Dania Beach Municipal Code**

Current through Ordinance No. 2018-020, adopted September 25, 2018. (Supp. No. 138)

**Chapter 15. Business Tax**

**§ Sec. 15-12 Business tax schedule.**

The amounts which shall be paid by any person or persons, firms or business associations of any kind maintaining a permanent business location or branch office within the city, for the privilege of engaging in or managing any business, profession or occupation within the City are as follows:

Firearms and ammunition sales (with approval to be first given by city manager) 367.50

**Chapter 28. Land Development Code  
Part 1. Use Regulations  
Article 110. Use Regulations for Commercial and Mixed-Use Districts**

**§ Sec. 110-20 List of permitted, special exception and prohibited uses.**

Included in the table below are permitted, special exception and prohibited uses within commercial districts, the Residential Office (RO) District, the Marine District, and generalized permitted and special exception uses within the mixed-use CRA form-based districts. Permitted and special exception uses shown in this table for the CRA form-based

districts are not allowed in all areas of a district; therefore, the more detailed regulations of article 302 must be consulted to determine whether a particular use is permitted in any given location. Article 302 shall take precedence over this table. Unless otherwise provided, this table shall not apply to uses in the Planned Mixed Use Development District (PMUD). All permitted, conditional, special exception, restricted or prohibited uses within the PMUD shall be identified and established pursuant to the approved PMUD Development Design Guidelines (DDG) consistent with the Dania Beach Regional Activity Center (RAC) and article 340 and 350 of this chapter.

	Industrial	Mixed-Use Districts						Commercial Zoning Districts			
		CRA Form-Based Districts						C-1	C-2	C-3	C-4
<u>Legend</u>	Marine	RO (see sec 110-180)	CC	EDBB-MU	SFED-MU	GTWY-MU	NBHD-MU				
P - Permitted											
P(#) - Permitted subject to numbered footnote											
A - Permitted accessory use only											
SE - Permitted special exception use only											
NP - Not permitted											
Uses											
Gun shops [subject to section 110-190]	NP	NP	NP	NP	NP	NP	NP	NP	NP	SE	SE

**§ Sec. 110-190 Uses subject to minimum separation distances.**

(A) The following uses shall be separated from similar existing uses, or similar approved but unbuilt uses, by the minimum distances specified below, measured from property line to property line unless otherwise indicated. Section 700-140 provides more detailed information as to how minimum distance separations must be measured.

- (1) Pawn shops. Two thousand five hundred (2,500) feet.
- (4) Gun shops. Two thousand five hundred (2,500) feet.

**Article 115. Industrial Districts: Permitted, Prohibited, Special Exception Uses, and Conditions of Use**

**§ Sec. 115-40 Schedule of permitted uses.**

Legend

- P - Permitted
- A - Permitted accessory use only
- #, # - (Ex: 1, 2) Permitted subject to the conditions of use numbered 1 and 2 found in section 115-50
- SE - Permitted special exception use only, pursuant to article 630
- SE(#, #) - (Ex: 1, 2) Permitted as a special exception only, and subject to conditions of use numbers 1 and 2 found in section 115-50.
- NP - not permitted

USES	IROM	IROM-AA	IROC	IRO	IG	IR	PEDD	MA-1
GENERAL BUSINESS USES								
Retail sales of guns or ammunition	NP	NP	38, 39, 6	NP	NP	NP	NP	NP

**§ Sec. 115-50 Conditions of use.**

6 Conditions of use: subject to the provisions of the Future Land Use Element of the Comprehensive Plan pertaining to commercial uses in the Industrial and Employment Center future land use categories.

**38** Conditions of use: must be located within a fully enclosed shopping center containing in excess of one hundred thousand (100,000) square feet of gross floor area.

Applies to the following uses and districts:

Retail sales of guns and ammunition: IROC

Indoor pistol and rifle ranges: IROC

**39** Conditions of use: permitted accessory to a sporting goods store.

Applies to the following uses and districts:

Retail sales of guns and ammunition: IROC

**Subpart 1. Community Redevelopment Area (CRA) Form-Based Zoning Districts  
Article 302. Detailed Use Regulations**

**§Sec. 302-10. - Permitted, special exception and prohibited uses.**

Legend: P = Permitted SE = Special Exception use (#) = Permitted subject to the restriction in section 302-20 having the same number that is within the parentheses NP - Not permitted Abbreviations: EDBB = East Dania Beach Boulevard SFED = South Federal Highway	Districts							
	City Center	EDBB-MU		SFED-MU		GTWY-MU	NBHD-MU	NBHD-RES
	Principal Street Frontage							
	EDBB	Other streets	S. Fed. Hwy Sheridan St.	Other Streets				
RESTRICTED COMMERCIAL								
Check-cashing stores, pawn shops, gun shops, flea markets	NP	NP	NP	NP	NP	NP	NP	NP

**Davenport Municipal Code**

Current through Ordinance No. 838, adopted December 4, 2017. (Supp. No. 21)

**Chapter 10. Licenses and Business Regulations**

**Article II. Occupational Licenses**

**§ Sec. 10.26 Required; schedule of fees.**

The following businesses, trades, occupations or professions shall not lawfully be engaged in within the city until the enumerated licenses and occupational taxes shall be paid to the city, and a license obtained therefor, by the persons or organizations engaged in the various activities hereinafter set forth:

Retail Business (sale or rental)

Arms or weapon dealer 60.00

**Daytona Beach Municipal Code**

Current through Ordinance No. 18-278, enacted August 15, 2018. (Supp. No. 56)

**Chapter 90. Taxation  
Article V. Local Business Tax  
Division 3. Levy and Collection**

**§ Sec. 90-354 Schedule.**

On the following businesses, trades, occupations, professions, agencies and other operations and subjects enumerated in this section, the following taxes shall be levied and collected annually:

Arms dealer, handling weapons and firearms known as concealed, dangerous or secret, alone or in conjunction with any other business\150.00

**Daytona Beach Shores Municipal Code**

Current through Ordinance No. 2017-11, enacted September 26, 2017. (Supp. No. 19)

**Chapter 14. License Taxes**

**§ Sec. 14-15 Local business tax rate schedule.**

The local business tax rate which shall be imposed and assessed in the city shall be as follows:

**(43)** Firearms dealer (copy of ATF license required) 150.00

a. Plus inventory as set forth herein.

**DeLand Municipal Code**

Current through Ordinance No. 2015-06, adopted June 1, 2015. (Supp. No. 11)

**Chapter 17. Licenses**

**§ Sec. 17-1012 Declaration required; information from designated occupations and professions.**

Failure to comply with this section or the falsification of any information to be submitted under this section shall be a misdemeanor and shall act as authority for the city to make its own reasonable determination of the amount of tax to be levied.

Schedule of fees

17-1119	Gun Dealers	50.00
17-1120	Gunsmiths	40.00

**Deerfield Beach Municipal Code**

Current through Ordinance No. 2018/028, adopted September 17, 2018. (Supp. No. 103)

**Chapter 38. Finance and Taxation  
Article VII. Taxes  
Division 5. Local Business Tax**

**§ Sec. 38-285 Schedule of local business taxes.**

Local business tax receipts shall be issued to cover only one location and only one of the occupations or business classifications set out in this section, unless permitted under this article. The amount assessed as local business taxes against the various trades, businesses and professions are hereby fixed as follows:

Local Business Tax Classifications and Fees

SIC Code	Class Description	Cost Each	Class No.	Add Ons Description	Cost Each
5913	Firearms Sales	117.60	5913	Each sf over 1,000 sf	0.050

**Deerfield Beach Land Development Code**

Current through Ordinance No. 2018/032, adopted October 16, 2018. (Supp. No. 78)

**Chapter 98. Land Development Regulations  
Article II. Deerfield Beach Land Development Code**

**§ Sec. 98-17 Development permit requirements.**

The City of Deerfield Beach shall approve no plat, site plan, or building permit until it has made the following determinations:

**(15) Compatibility.**

c. The proposed development must be compatible (as compatibility is defined within section 98-3) with public and private schools, day care facilities, playgrounds, parks and other places that cater to children under the age of 18 or places which regularly provide facilities for such children to gather within 500 feet of the proposed use. For this purpose the compatibility finding may include measures to protect the safety and security of children under the age of 18 as set forth below:

3. There shall be a rebuttable presumption that the following uses are not compatible with existing or proposed public or private schools, day care facilities, playgrounds, parks and other places which cater to children under the age of 18 or places which regularly provide facilities for such children to gather within 500 feet of such above uses:

- i. Retail establishments which sell firearms as defined in F.S. 790.001, or ammunition for such firearms;

**Article III. Zoning District Regulations**

**§ Sec. 98-53 B-1 business, community.**

(b) Permitted uses. The following uses shall be permitted principal uses in the B-1 district.

- (9) Store, retail (excluding stores which sell firearms or ammunition for firearms);

**§ Sec. 98-53B COD, Cove Overlay District.**

(c) Permitted uses. The following uses shall be principal uses in the COD district:

- (14) Store, retail (excluding stores which sell firearms or ammunition for firearms);

**§ Sec. 98-54 B-2 highway business.**

(b) Permitted uses. The following uses shall be permitted principal uses in the B-2 district:

- (12) Store, retail (excluding stores which sell firearms or ammunition for firearms);

(c) Conditional uses. Upon application and after a favorable determination by the special master or the city commission (where the conditional use is part of the site plan application) that all conditions and provisions of a conditional use have been met, the uses listed below may be permitted as conditional uses in this district. In addition to any provisions listed herein, all proposed conditional uses shall comply with the requirements of this Code, be heard and decided by the zoning appeals special master (or city commission where applicable) as set forth herein and be consistent with the goals, objectives and policies of the city's comprehensive plan.

- (13) Store, retail, which retail store sells firearms;

**§ Sec. 98-63 TOD, transit oriented development.**

(b) Permitted uses. General categories of permitted uses for each TOD must be specified in the permitted uses section of the Future Land Use Element of the Comprehensive Plan. The following uses shall be permitted principal uses in the TOD district:

- (19) Store, retail (excluding stores which sell firearms and "Big box," i.e. stand-alone stores with 30,000 square feet or more);

**Delray Beach Municipal Code**

Current through Ordinance No. 18-18, enacted September 6, 2018. (Supp. No. 26)

**Title 9. General Regulations**

**Chapter 101. Parks, Beaches and Recreation**

**Municipal Parks, Beaches and Other Recreational Sites**

**§ Sec. 101.20 Firearms and weapons; fireworks.**

No person, except authorized employees or agents of the City, shall possess a firearm, deadly weapon, dangerous ordnance, air rifle, sling shot, missile throwing device or any type of fireworks within any park, recreation or municipal beach site or discharge any firearm, deadly weapon, dangerous ordnance, air rifle, sling shot, missile throwing device or any type of fireworks therein.

**Title 11. Business Regulations**

**Chapter 110. Local Business Taxes Generally**

**§ Sec. 110.15 Local business tax schedule.**

The following enumerated individual local business taxes shall be paid to the City by the persons engaging in or managing or transacting the several occupations or professions named yearly, unless otherwise specified:

Classification	All Fees \$190.30 except as noted
Dealers in Secondhand Firearms	
This license shall be exclusive of all other license taxes. All secondhand dealers shall keep a permanent record of all purchase and sales, including dates, description of property purchased or sold, names and addresses of persons purchasing or selling them.	
Guns, Sales or Repair/Gun Range	
Need Federal firearms dealers license	

**Doral Municipal Code**

Current through Ordinance No. 2018-23, adopted November 1, 2018. (Supp. No. 16, Update 2)

**Subpart A. General Ordinances**

**Chapter 41. Taxation**

**Article III. Business Tax**

**§ Sec. 41-84 Schedule of taxes, effective October 1, 2013.**

(a) Effective October 1, 2013, business taxes for the following businesses, occupations or professions are hereby levied and imposed as follows:

Business Code	License Category	City of Doral Propose Fee	Notes
	Sales (Retail)		
214FIR	Firearms Sales	\$ 60.00	1—10 employee
		\$ 3.00	e. a. employee.

**Subpart B. Land Development Code**

**Chapter 53. Administration**

**Article II. Planning and Development**

**Division 5. Summary of Uses and Development**

**§ Sec. 53-128 Use compatibility table.**

The uses for each district are as stated in the following table:

(1) P means permitted use;

(4) ( , ) means not permitted.

Category	Description	O-1	O-2	O-3	NC	CC	IC	I	I-R
Retail services									
	Firearms								
	Retail	,	,	,	,	,	P <sup>b</sup>	P <sup>a</sup>	P <sup>a</sup>
	Wholesale	,	,	,	,	,	P <sup>b</sup>	P <sup>a</sup>	P <sup>a</sup>

**Notes.** (Pertaining to percentage of retail uses for industrial and industrial commercial zoning. a. pertains to the Industrial District and b. pertains to the Industrial Commercial District)

**a.** Only 15 percent of the entire development is permitted as an ancillary use to principal use. Retail and services, up to 100 percent of the parcel if located within the District Core of the Doral Design District Plan. The District Core shall contain no more than ten percent retail and service uses. Refer to section 68-820(6a) calculation methodology and exemptions.

**b.** Only 15 percent of the entire development is permitted. Retail and services, up to 100 percent of the parcel if located within the District Core of the Doral Design District Plan. The District Core shall contain no more than ten percent retail and service uses. Refer to section 68-785(6a) for calculation methodology and exemptions.

**Chapter 68. Land Uses and Zoning Districts**

**Article V. Mixed Use Districts**

**Division 2. Traditional Neighborhood Development District (TND)**

**Subdivision II. Design Criteria**

**§ Sec. 68-446 Prohibited uses.**

The following uses are not permitted anywhere within a traditional neighborhood development (TND) district:

(4) (4) Gun shops, pawnshops, chicken hatcheries, packinghouses, tire vulcanizing and retreading, automobile sales and rental, any commercial use in which patrons remain in their automobiles while receiving goods or services, except service stations;

**Dundee Municipal Code**

Current through Ordinance No. 16-08, adopted January 26, 2017. (Supp. No. 2)

**Chapter 26. Licenses, Permits and Business Regulations  
Article II. Occupational Licenses**

**§ Sec. 26-45 License schedule.**

The following enumerated individual license taxes shall be paid annually to the town by the persons engaging in or transacting the several occupations or professions specified in this section:

H	
(15) Hazardous, dangerous or disruptive occupations or professions:	
a. Arms dealer (including pistols, rifles, shotguns, bowie knives and other deadly weapons)	70.00

**Dunedin Municipal Code**

Current through Ordinance No. 17-28, enacted December 21, 2017. (Supp. No. 35)

**Chapter 18. Civil Emergencies  
Article III. Declaration of Emergency**

**§ Sec. 18-114 Regulations for protection of life and property.**

During any period when a natural or manmade disaster is probable or imminent, the city manager may recommend and, in the absence of the mayor, the vice-mayor or a quorum of the city commission, promulgate such reasonable regulations as he deems necessary to protect life and property and preserve critical resources. The regulations may include, but shall not be limited to, the following:

(11) Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.

(12) Order the closing of any or all establishments or their portions, the chief activity of which is the sale, distribution, dispensing or giving away of firearms or ammunition.

**Eatonville Municipal Code**

Current through Ordinance No. 2017-10, enacted January 9, 2018. (Supp. No. 1)

**Chapter 28. Parks and Recreation  
Article IV. Use of Recreational Facilities**

**§ Sec. 28-83. - Hunting, firearms and guns.**

(a) No person shall carry, use or possess, firearms of any description, air rifles or pistols, spring guns, bows and arrows, or any other form of weapon whether real or merely replicas which are potentially inimical to wildlife and dangerous to human safety on or in a park area or property.

(b) No hunting, trapping or pursuit of wildlife by any means or methods whatsoever will be permitted on or in any park area.

**Edgewater Municipal Code**

Current through Ordinance No. 2018-O-29, enacted October 1, 2018. (Supp. No. 18)

**Chapter 11. Business Tax Receipts and Business Regulations  
Article I. In General**

**§ Sec. 11-7 Business tax schedule.**

The amount of the business tax receipt tax hereby levied for the privilege of engaging in or managing any business, profession or occupation within the city, pursuant to section 11-1 is set forth in the following schedule. Whenever any business, profession or occupation shall fall into more than one of the classifications contained in this schedule the person engaging therein shall be required to pay the tax required for each classification.

The following annual, except as otherwise stated, designated business taxes shall be paid to the city by persons engaging in or managing or transacting the following businesses, occupations or profession within the city:

(11) Arms dealer, handling those known as concealed weapons, alone or in conjunction with any other business (as defined in F.S. ch. 790) 60.78.

**Fernandina Beach Municipal Code**  
Current through Ordinance No. 2018-03, enacted April 2, 2018. (Supp. No. 25)

**Chapter 30. Cemeteries**  
**Article IV. Regulations**

**§ Sec. 30-106 Visitors; proper conduct.**

**(b) In order that the proper atmosphere may be maintained at the cemetery children less than 15 years of age, unless attended by an adult responsible for their conduct, and persons having firearms in their possession, except military personnel, law enforcement personnel, and honor guards in attendance upon a funeral are prohibited from entering the cemetery.**

Fort Lauderdale Municipal Code  
Current through Ordinance No. C-18-30, enacted September 12, 2018. (Supp. No. 48)

**Chapter 15. Business Tax Receipts and Miscellaneous Business Regulations**  
**Article II. Local Business Tax**

**§ Sec. 15-57 Amount of tax to be paid.**

Business tax receipts shall be issued to cover only one (1) location, and only one (1) of the occupations of business classifications hereinafter set out, unless permitted hereunder. Businesses, trades, professions, services, etc., shall pay each tax for all services and professions as noted herein. The amounts assessed as business taxes against the various trades, businesses and professions are hereby fixed as follows, with each listed fee in dollars:

4195.10	Gun repair	73.50
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**Chapter 16. Miscellaneous Provisions and Offenses**  
**Article V. Offenses Involving Governmental Operations**

**§ Sec. 16-100 Municipal jail facility; contraband articles.**

**It shall be unlawful, except through regular channels as duly authorized by the jail commander or his designee in charge, to introduce into or possess upon the grounds of the Fort Lauderdale Municipal Jail facility or to give to or receive from any inmate of said facility wherever said inmate is located at the time or to take or to attempt to take or send therefrom any of the following articles which are hereby declared to be contraband for the purposes of this section, to wit: any written or recorded communication; any currency or coin; any article of food or clothing; any intoxicating beverage or beverage which causes or may cause an intoxicating effect; any narcotic, hypnotic, or excitative drug or drug of any kind or nature, including nasal inhalators, sleeping pills, barbiturates, and controlled substances as defined in Section 893.02(4) of the Florida Statutes; any firearm or any instrumentality customarily used or which is intended to be used as a dangerous weapon; and any instrumentality of any nature that may be or is intended to be used as an aid in effecting or attempting to effect an escape from the Fort Lauderdale Municipal Jail facility.**

Fort Lauderdale Unified Land Development Code  
Current through Ordinance No. C-18-30, enacted September 12, 2018. (Supp. No. 48)

**Chapter 47. Unified Land Development Regulations**  
**Article II. Zoning District Requirements**  
**Section 47-12. Central Beach Districts**

**§ Sec. 47-12.4 Central beach district requirements.**

**B. Prohibited Uses.** The following use limitations shall apply to all the districts within the Central Beach area, notwithstanding the provisions of [Section 47-1.14](#) - Interpretation of permitted and conditional uses regarding prohibited uses:

1. The following nonresidential uses shall not be permitted:
  - f. Sales or service of guns, knives, or other weapons.

**Section 47-13. Regional Activity Center Districts**

**§ Sec. 47-13.10 List of permitted and conditional uses, Regional Activity Center-City Center (RAC-CC); Regional Activity Center-Arts and Science (RAC-AS); Regional Activity Center-Urban Village (RAC-UV); Regional Activity Center-Residential Professional Office (RAC-RPO); Regional Activity Center-Transitional Mixed Use (RAC-TMU);**

**South Regional Activity Center-South Andrews east (SRAC-SAe); South Regional Activity Center-South Andrews west (SRAC-SAw); Northwest Regional Activity Center-Mixed Use northeast (NWRAC-MUe), Northwest Regional Activity Center-Mixed Use east (NWRAC-MUe) & Northwest Regional Activity Center-Mixed Use west (NWRAC-MUw) collectively known as NWRAC-MU.**

District Categories , Automotive; Boats, Watercraft and Marinas; Commercial Recreation; Food and Beverage Sales and Service; Light Manufacturing; Lodging; Manufacturing; Public Purpose Facilities; Residential Uses; Retail Sales; Services/Office Facilities, Including Wholesale Service; Services/Office Facilities; Storage Facilities; Wholesale Sales; and Accessory Uses, Buildings and Structures.

Use Type	Zoning District									
	RAC-CC	RAC-AS	RAC-UV	RAC-RPO	RAC-TMU	SRAC-SAe	SRAC-SAw	NWRAC-MUe	NWRAC-MUw	NWRAC-MUe
Key:										
P Permitted										
C Conditional										
Retail Sales (*Including Wholesale Sales)										
Firearms Store (In the SRAC-SAw zoning district this use is only permitted as Wholesale Sales.)							P			

**Fort Meade Municipal Code**

Current through Ordinance No. 17-08, enacted August 22, 2017. (Supp. No. 7)

**Chapter 7. Civil Emergencies**

**§ Sec. 7-5 Declaration of a state of emergency.**

(a)The city commission, mayor, mayor pro tem, city manager and assistant city manager, in the order named, shall have the authority to declare a state of emergency by proclamation. Upon the inability of the city commission to meet within twenty-four (24) hours of a state-declared emergency, or the absence or unavailability of the mayor, the mayor pro tem may issue such a declaration and, upon the absence or unavailability of the mayor and the mayor pro tem, the city manager or, upon the absence or unavailability of the city manager, the assistant city manager may issue such a declaration.

(b)Any declaration of a state of emergency and all emergency regulations activated under the provisions of this chapter not declared by the city commission shall be confirmed by the city commission by resolution within five (5) working days of such declaration or at the next regularly scheduled meeting of the city commission, whichever occurs first, unless the nature of the emergency renders a meeting of the city commission extremely impractical. Confirmation of the emergency declaration shall disclose the reasons for, anticipated impacts of, actions proposed and taken to manage the emergency, and other pertinent data relating to the emergency requiring the declaration.

Emergency resolutions authorized by this chapter shall include, but are not limited to, the following subjects:

- (1)Evacuation.
- (2)Curfews; declaration of areas off-limits.
- (3)Suspension or regulation of sale of alcoholic beverages, explosives or combustibles.
- (4)Prohibiting the sales of merchandise, goods or services at more than the normal average retail price.
- (5)Water use restrictions.
- (6)Suspension of local building regulations.(7)Rationing of fuel, ice and other essentials.
- (8)Emergency procurement procedures.(d)A declaration of a state of emergency shall activate the emergency plans applicable to the city.

€A state of emergency, when declared as provided herein, shall continue in effect from day to day until declared to be terminated.

**(f) Upon the declaration of a state of emergency, the city manager shall post a written notice of such declaration upon the main bulletin board in the city hall, and shall notify by telephone each newspaper of general circulation within the city.**

**Fort Myers Municipal Code**

Current through Ordinance No. 3848, enacted November 5, 2018. (Supp. No. 36)

**Subpart A. Administrative Code  
Chapter 22. Civil Emergencies  
Article II. Emergency Management  
Division 2. Enforcement**

**§ Sec. 22-51 Powers and authority.**

**(a)** This article shall provide authority and enforcement power during a state of local emergency for whatever action is necessary, including the following:

- (1)** Suspending or limiting sales. Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.

**Chapter 82. Taxation  
Article IV. Local Business Tax  
Division 3. Local Business Tax**

**§ Sec. 82-204. - Local business tax receipt schedule legend.**

**(a)** The following letters appearing in brackets [ ] within any item in the local business tax schedule signify that each applicant for a local business tax receipt within such classification shall comply with the requirements appearing herein opposite each letter prior to the issuance of a local business tax receipt:

Letter	Requirement
(a)	Approval of the zoning official
(b)	Approval of the chief of police
(e)	Approval of the fire inspector

**(b)** The appearance of any of the above words or letters within any item of the local business tax schedule set forth in [section 82-205](#) shall be of the force and effect as though the requirement represented by the letters or words as above set forth were set out in full.

**§ Sec. 82-205 Local business tax receipt schedule established.**

The amount which shall be paid by the several persons engaging in or managing businesses, professions or occupations for which a local business tax receipt is required are hereby fixed per annum, unless otherwise specified, as follows:

	A	
(24)	Arms, fire, includes sales of pistols, shotguns and firearms of all kinds, and/or bowie knives, brass knuckles, slingshots, switchblades or any other hand-held weapon. Police reports are required. Where other merchandise is sold, a merchant's local business tax receipt is required. This does not cover fireworks. Air rifles and BB guns of the type commonly used by children are not considered firearms and neither are specialized sporting items not normally considered deadly weapons [(a), (b), (e)]	200.00

**Fort Myers Beach Municipal Code**

Current through Ordinance No. 17-12, enacted August 21, 2017. (Supp. No. 7)

**Chapter 12. Emergency Management and Services  
Article II. Emergency and Disaster Planning**

**§ Sec. 12-23 Emergency measures.**

In addition to any other powers conferred by law, upon the declaration of a state of local emergency pursuant to this article, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(7) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

**Chapter 18. Parks and Recreation**  
**Article II. Fort Myers Beach Parks and Recreation Rules and Regulations**

**§ Sec. 18-24 Care of buildings and other property.**

(i) Firearms. No person shall use, carry, or possess firearms of any description, or air-rifles, spring-guns, bow and arrows, sling or any other form of weapon potentially injurious or harmful to wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden without special permission from town manager.

**Fort Pierce Municipal Code**  
Current through Ordinance No. 18-041, enacted December 3, 2018. (Supp. No. 119)

**Chapter 9. Licenses and Business Regulations**  
**Article VI. Pawnbrokers and Secondhand Dealers**  
**Division 1. Generally**

**§ Sec. 9-159 Daily report; contents.**

All dealers, in secondhand ..., pistols, revolvers, one-hand firearms, ..., operating within the city shall file with the chief of police each day a daily report of all such equipment, goods, wares, merchandise and materials, purchased, traded for, pawned to or acquired by them. Such reports shall give a full and accurate description of such equipment, goods, wares, merchandise and materials, so purchased, traded for, pawned to or acquired by them, together with the name and address of the person from whom the same were purchased, traded for, pawned or acquired. Such reports shall be duly verified by the oath of such dealer if an individual, and if a corporation, by the manager or officer in charge of the business thereof in the city.

**§ Sec. 9-160 Failure to make report; falsely describing articles.**

Any dealer in secondhand equipment, goods, wares, merchandise and materials who shall fail to make the report required by sections 9-159 and 9-162 or who shall falsely describe any such equipment, goods, wares, merchandise and materials, so purchased, traded for, pawned to or acquired, or who shall falsely report the name and address of the person from whom the same were purchased, traded for, pawned or acquired, shall be guilty of a violation of this article and upon conviction thereof the license of such dealer shall thereupon be revoked and cancelled.

**§ Sec. 9-161 Purchase from minors, Authorization; contents.**

No dealer in secondhand ..., pistols, revolvers, one-hand firearms, ..., operating within the corporate limits of the city, shall purchase, trade for, take in, pawn or acquire any of such equipment, goods, wares, merchandise and materials, from any person under the age of eighteen (18) years, without obtaining the written authorization of the father, mother or legal guardian of such minor, authorizing such dealer to make such purchase, trade, pawn or acquisition, and fully and accurately describing such equipment, goods, wares, merchandise and materials then being so purchased, traded for, pawned or acquired by such dealer from such minor, and giving the name, address and age of such minor, and the name and address of such father, mother or legal guardian of such minor, and further, unless such written authorization is executed personally by such father, mother or legal guardian in the presence of and witnessed by such dealer at his place of business at the time of such purchase, trade, pawn or acquisition from such minor by such dealer.

**§ Sec. 9-162 Same, Report to chief of police.**

Every dealer contemplated by this division shall, within twenty-four (24) hours of any purchase, trade, pawning or acquisition by him from any minor of any ..., pistols, revolvers, one-hand firearms, ..., and other secondhand goods, wares, merchandise and materials, file with the chief of police a report of such purchase, trade, pawn or acquisition. Such report shall be in writing under the oath of the dealer and subscribed to by him, and shall fully and accurately describe the equipment, goods, wares, merchandise and materials then being so purchased, traded for, pawned or acquired from such minor. It shall further state fully therein the time of the purchase, trade, pawn or acquisition, and the name, address and age of the minor, together with the name and address of his father, mother or legal guardian executing the authorization, provided that such reports herein required may be filed by such dealers with the chief of police as required by section 9-159.

**§ Sec. 9-163 Same, Corporate agent to make purchases.**

If the dealer contemplated by this division is a corporation, it shall file with the chief of police a written designation which shall be under the seal of such corporation and executed by its president and secretary, which designation shall state the name of the officer, agent, servant or employee designated by such corporation to make and transact its purchases, trades, pawns and acquisitions from minors in the city, and no more than one person shall be so designated therein. No officer, agent, servant or employee of any such corporate dealer shall purchase, trade for, pawn or acquire from any minor

any ..., pistols, revolvers, one-hand firearms, ..., and other secondhand goods, wares, merchandise and materials, unless such officer, agent, servant or employee shall have been designated by such corporate dealer in the manner aforesaid and shall have consented in writing in the presence of and to the chief of police to such designation. All requirements, provisions and prohibitions of this division shall apply with full and equal force to the person so designated and so consenting to such designation.

**§ Sec. 9-164 Same, Purchase on Sunday or at night.**

No dealer in secondhand goods shall make any trade, purchase, pawn or acquisition as provided in section 9-161 from a minor on Sunday or at night.

**Greenacres Municipal Code**

Current through Ordinance No. 2018-11, enacted June 18, 2018. (Supp. No. 510)

**Chapter 2. Administration  
Article VI. Emergency Management**

**§ Sec. 2-169 Declaration of emergency.**

(b) State of emergency (Florida Statutes, Ch. 870). In the event of overt acts of violence, or the imminent threat of such violence within the city, and the governor has not declared a state of emergency to exist, a state of emergency shall be declared by the mayor, or chief of police in the mayor's absence, or the person who performs the duties of the mayor or chief of police, pursuant to Florida Statutes, Ch. 870. A state of emergency shall continue no longer than seventy-two (72) hours, unless extended by resolution or ordinance at a regular or special meeting of the city council. The following emergency measures are prohibited:

- (1) Exchange of any type of firearms or ammunition.
- (2) Intentional display of firearms and ammunition.
- (3) Intentional possession of a firearm in a public place except for law enforcement officers and military personnel.

**Greensboro Municipal Code**

Current through Ordinance No. 2017.04, adopted December 11, 2017. (Supp. No. 2)

**Chapter 12. Civil Emergencies**

**§ Sec. 12-4 Authorized orders.**

After proclamation of a civil emergency, the mayor may, in the interest of public safety and welfare, make any or all of the following orders:

- (5) Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.
- (6) Order the closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms or ammunition.

**Glades County Municipal Code**

Current through Ordinance No. 2017-6, adopted March 14, 2017. (Supp. No. 2, Rev.)

**Chapter 34. Emergency Management  
Article II. State of Emergency**

**§ Sec. 34-23 Restriction, prohibition of activities.**

In addition to any other powers conferred by law, upon the declaration of a state of emergency pursuant to this article, the chairman, or vice-chairman in his absence, or the board's designee in the absence of the chairman and vice-chairman, may order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, and with such limitation and conditions as he may deem appropriate to protect the health, safety and welfare of the community. The chairman, vice-chairman, or in their absence, the board's designee, shall:

- (1) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.

**Gulf Breeze Municipal Code**

Current through Ordinance No. 05-18, adopted June 12, 2018. (Supp. No. 14)

**Chapter 6. Businesses  
Article IV. Home Occupations**

**§ Sec. 6-106 Prohibited uses.**

A home occupation permit shall not be issued for any of the following uses:

- (1) Any activities regulated by the Federal Bureau of Alcohol, Tobacco and Firearms.

**Gulfport Municipal Code**

Current through Ordinance No. 2017-10, enacted August 1, 2017. (Supp. No. 75)

**Chapter 8. Civil Emergency**

**§ Sec. 8-8 Declaration of state of emergency.**

(d) Upon the determination of an emergency, the mayor, vice-mayor, city manager and acting city manager, in order named, shall have the power to issue and rescind executive orders, proclamations and rules. Such executive order, proclamations and rules shall have the force and effect of law and may deal with the following matters:

- (1) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.

**Chapter 13. Licenses, Permits and Business Regulations**

**Article I. In General**

**§ Sec. 13-34 Schedule of fees.**

The annual assessment of license taxes is fixed as follows:

- (144) Guns: Dealers in revolvers and pistols (includes repair) 150.00
- (145) Gunsmith: Repair only 50.00

**Chapter 22. Zoning**

**Article V. Schedule of District Regulations**

**§ Sec. 22-5.08 WRD (waterfront redevelopment district) zoning district.**

e. Prohibited uses. The uses listed below are prohibited from locating in the WROD.

9. Gun shops.

**Haines City Land Development Regulations**

Current through Ordinance No. 18-1594, enacted March 1, 2018. (Supp. No. 9)

**Chapter 6. Special Provisions**

**Article I. Planned Unit Development**

**§ Sec. 6.1.7 MUPUD, Mixed use planned unit development.**

1. General requirements:

B. Prohibited uses and structures.

11. Firearm dealers and gunsmith shops.

2. Town center requirements:

B. Prohibited uses and structures.

11. Firearm dealers and gunsmith shops.

**Hallandale Beach Municipal Code**

Current through Ordinance No. 2018-027, adopted September 17, 2018. (Supp. No. 8)

**Chapter 32. Zoning and Land Development Code**

**Article III. Zoning**

**Division 2. Zoning Districts and Overlays**

**Subdivision I. Conventional Zoning Districts**

**§ Sec. 32-149 B-L business limited district.**

(c) Uses permitted conditionally. Uses permitted conditionally are as follows:

(2) Sporting goods store, provided that not more than 20 percent of the gross floor area of any such use may be devoted to the display, and sale of firearms.

**Hawthorne Municipal Code**

Looseleaf Supplement current through Ordinance No. 2016-10, enacted December 6, 2016. (Supp. No. 8)

**Part III. Land Development Regulations  
Article Four. Zoning Regulations**

**§ Sec. 4.16 I industrial.**

**4.16.2.** Permitted principal uses and structures: All uses permitted as permitted principal uses and structures, as well as uses permitted as special exceptions within the IL light industrial, as well as uses limited to the following uses as further described within the document entitled, North American Industry Classification System, United States, 1997:

11. Small arms manufacturing (not to include ammunition manufacturing).

**4.16.4.** Prohibited uses and structures. Due to the limited available undeveloped lands within the city the following uses shall be deemed prohibited uses within any industrial district: ..., ammunition manufacture ...and rendering plants. In addition, any uses or structures not specifically, provisionally, or by reasonable implication permitted herein, including any use not conforming to performance standards of section 4.2 shall be prohibited.

**Hernando County Municipal Code**

Current through Ordinance No. 2018-207, passed October 23, 2018. (Supp. No. 105)

**Chapter 3. Airports and Aviation  
Article VI. Rules and Regulations for Brooksville-Tampa Bay Regional Airport**

**§ Sec. 3-108 Personal conduct.**

(e) Firearms and weapons.

(1) (1) For the purpose of this section, a firearm means any weapon, including a starter gun, which will, or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun.

(2) (2) For the purpose of this section, a weapon means any dirk, metallic knuckles, slingshot, billie, tear gas gun, chemical weapons, electric weapon or any other deadly weapon.

(3) (3) No person, except those persons authorized under Florida Statutes or the airport manager acting under authority of the county, may carry or transport any firearm or weapon on the airport, and further excepting when such firearm or weapon is properly encased for shipment in compliance with all applicable shipping rules and regulations.

**(4) The county reserves the right to restrict the carrying of firearms and weapons by watchmen and guards on the airport.**

**Hialeah Municipal Code**

Current through Ordinance No. 2018-043, enacted May 22, 2018. (Supp. No. 32)

**Chapter 18. Businesses  
Article VIII. Secondhand Goods Dealers  
Division 1. Generally**

**§ Sec. 18-435 Certain acts and practices prohibited.**

Each of the following acts of either a secondhand dealer or any of his employees is declared to be unlawful and shall subject the person to the penalties prescribed:

(8) Purchasing or otherwise acquiring firearms unless the dealer has met federal and state firearms licensing requirements.

**Hillsborough County Municipal Code**

Current through Ordinance No. 18-17, enacted June 21, 2018. (Supp. No. 11)

**Chapter 36. Offenses and Miscellaneous Provisions  
Article III. Offenses Involving Public Safety  
Division 2. Firearms Purchases**

**§ Sec. 36-81 Applicability.**

This article shall be of countywide force and effect.

## **§ Sec. 36-82 Definitions.**

As used in this article:

**Antique firearm** means any firearm manufactured in or before 1918 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1918, and also any firearm using fixed ammunition manufactured in or before 1918, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

**Any part of the transaction** means any part of the sales transaction, including but not limited to, the offer of sale, negotiations, the agreement to sell, the transfer of consideration, or the transfer of the firearm.

**Buyer** means the person or persons taking delivery of or transferring money or other valuable consideration for a firearm in any sale.

**Firearm** means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term "firearm" includes rifles, shotguns and handguns, but does not include antique firearms. Additionally, the term "firearm" does not include nailguns, flareguns, bangsticks or other instruments not designed to be weapons.

**Handgun** means a firearm capable of being carried and used by one hand, such as a pistol or revolver.

**Law enforcement firearms buy-back program** means a program conducted by an agency or department of sworn law enforcement officers whereby firearms are turned in pursuant to the program in exchange for some item(s) of value, which firearms will subsequently be destroyed or otherwise rendered inoperable.

**Law enforcement officer** means:

- (a) A full-time law enforcement officer as defined in F.S. 943.10(1), who holds an active law enforcement officer certification from the Criminal Justice Standards and Training Commission, and provides valid employment credentials from a law enforcement agency.
- (b) A part-time or auxiliary law enforcement officer as defined in F.S. 943.10(6) and (8), who holds an active law enforcement officer certification from the Criminal Justice Standards and Training Commission and provides credentials demonstrating affiliation with a law enforcement agency.
- (c) A full-time correctional officer as defined in F.S. 943.10(2), who holds an active correctional officer certification from the Criminal Justice Standards and Training Commission and is employed by the Hillsborough County Sheriff's Office as a corrections or detention officer.
- (d) A part-time or auxiliary correctional officer as defined in F.S. 943.10(7) and (9), who holds an active correctional officer certification from the Criminal Justice Standards and Training Commission and is employed by the Hillsborough County Sheriff's Office as a reserve correctional or detention officer.

**Sale** means the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property in Hillsborough County, Florida to which the public has the right of access, except as provided in Section 36-86. Delivery of a firearm to a law enforcement firearms buy-back program shall not be deemed a sale for purposes of this article regardless of whether money or other valuable consideration is exchanged for the firearm.

**Seller** means the person or persons delivering a firearm in any sale.

## **§ Sec. 36-83 Waiting period.**

Except as provided in Sections 36-85 and 36-86, there shall be a mandatory five-day waiting period, which shall be five days excluding weekends and legal holidays, between the hour of sale and the hour of delivery of any firearm. No seller shall deliver any firearm to any person that is not a licensed firearm dealer, importer, or manufacturer and no buyer that is not a licensed firearm dealer, importer, or manufacturer shall take delivery of any firearm unless 120 hours have elapsed between the time of sale and the time of delivery of the firearm.

## **§ Sec. 36-84 Criminal history records check.**

(a) It is the intent of this section that a criminal history records check be conducted for every buyer that is not a licensed firearm dealer, importer, or manufacturer in connection with the sale of any firearm and that no firearm be delivered to any such buyer for whom a unique approval number, as referenced in F.S. 790.065, has not been issued by the Florida Department of Law Enforcement in connection with a background records check for the sale of a firearm to that buyer, except as provided in Sections 36-85 and 36-86. As of the effective date of the ordinance from which this article is derived, State law allows only licensed firearm dealers, importers and manufacturers to utilize the Florida Department of Law Enforcement telephone background check referenced in F.S. 790.065. Therefore, a seller who is not a licensed firearm dealer, importer or manufacturer may use a licensed firearm dealer, importer, or manufacturer as an intermediary or otherwise ensure that a criminal history records check is conducted in a manner consistent with the requirements and

provisions of this article for every buyer that is not a licensed firearm dealer, importer or manufacturer in connection with the sale of any firearm.

(b) Except as provided in Sections 36-85 and 36-86, no seller shall deliver any firearm to a buyer that is not a licensed firearm dealer, importer, or manufacturer until the seller conducts or causes to be conducted a criminal history records check of the buyer in connection with any sale of a firearm. Such criminal history records check shall comply with all procedures and requirements of F.S. 790.065.

**§ Sec. 36-85 Law enforcement officers and concealed firearms license holders.**

The requirements and provisions of Sections 36-83 and 36-84 are not applicable when the buyer of a firearm is a law enforcement officer as defined in Section 36-82, or is a holder of a license to carry concealed firearms issued by the Florida Department of Agriculture pursuant to F.S. 790.06. If there is more than one buyer of a firearm, Sections 36-83 and 36-84 are applicable to each buyer who is not a law enforcement officer or a holder of a license to carry concealed firearms issued by the Florida Department of Agriculture.

**§ Sec. 36-86 Exemption for certain firearm trade in.**

(a) A trade in of an operable rifle, shotgun or handgun for a rifle or a shotgun shall not be deemed a sale for purposes of this article and such transaction shall be exempt from the provisions of this article.

(b) A trade in of an operable handgun for another handgun shall not be deemed a sale for purposes of this article and such transaction shall be exempt from the provisions of this article.

(c) A trade in of a rifle or shotgun for a handgun shall not be exempt from the definition of a sale and shall be subject to the provisions of this article.

**§ Sec. 36-87 Penalties.**

Any violation by any person of any requirement or provision of this article shall be prosecuted in the same manner as misdemeanors are prosecuted. Upon conviction, any person violating any requirement or provision of this article shall be punished by a fine not to exceed \$500.00 or by imprisonment in the County jail not to exceed 60 days or by both such fine and imprisonment.

**§ Sec. 36-88**

If any section, sentence, clause, part, or provision of this article is held to be invalid by a court of competent jurisdiction, the remainder of this article shall not be affected thereby, but shall remain in full force and effect.

**Hillsborough County Land Development Code**

Current through Ordinance No. 18-4, effective January 29, 2018. (Supp. No. 43)

**Article II. Zoning Districts**

**Part 2.02.00. Uses Allowed Within Zoning Districts**

**§ Sec. 2.02.02 Allowable uses in zoning districts**

1. The table below indicates the categories of uses which are allowable in each standard zoning district within Hillsborough County. The categories of uses are arranged in the vertical column on the left side of the table and the zoning districts are listed across the top. "P" indicates that the use is permitted, subject to the standards of this Code. "C" indicates the use is a Conditional Use that may be allowed in the identified district pursuant to conformance with the design standards contained in Article VI. No public hearing is required for Conditional Uses unless otherwise stated in the applicable standards in Article VI. "S" designates uses as Special Uses that may be established in the district, pursuant to a noticed public hearing as described in Part 10.02.00 and in conformance with the standards contained in Article VI. An "A" indicates the use is an Accessory Use that may be established in the district pursuant to the requirements of Article VI. Uses identified with an "N" are potentially permitted Conditional Uses in the identified district pursuant to the criteria contained in Section 6.11.65 (Non-Industrial

Uses in Industrially Designated Areas). A blank space indicates that the use is prohibited. All uses are subject to the development standards of the zoning district in which it is to be located as well as all other rules and regulations of this Code and Hillsborough County.

2. All uses are potentially permitted in Planned Development (PD) districts, subject to the policies of the Comprehensive Plan, the requirements of Part 5.03.00 of this Code and all other rules regulations and ordinances of Hillsborough County. Land uses permitted in existing Planned Development districts are specified in the PD's conditions of approval. Requests for rezonings or modifications to Planned Developments are reviewed in accordance with Part 10.03.00 of this Code.

a. In Planned Development (PD) districts approved after October 1, 2005, wireless communication facilities shall be permitted only if expressly allowed as a specifically identified use by the conditions of approval. In such cases, the location of the facility, height of the antenna support structure and design and/or camouflage requirements shall be

addressed by the PD site plan and conditions. Notwithstanding, wireless communication facilities which comply with the provisions of Sections 6.11.29.A-B. shall be permitted in any PD district.

3. All uses permitted in Traditional Neighborhood Developments (TNDs), Pedestrian-Oriented Developments (PODs) and Transit-Oriented Developments (TODs) are identified in Part 5.08.00 of this Code.

Table of Allowable Uses in Zoning Districts															
Key: <b>P</b> = Permitted. <b>C</b> = Conditional Use, permitted pursuant to standards of Article VI (no public hearing required unless specified in applicable section) and the procedures of Section 10.01.00. <b>s</b> = Special Use, noticed public hearing required and subject to standards of Article VI. Reviewed pursuant to Section 10.02.00. <b>A</b> = Accessory use, permitted pursuant to Article VI. <b>N</b> = Potentially permitted pursuant to Section 6.11.65. <b>CNR</b> = Conditional Use/No Review, permitted without prior zoning review subject to requirements of Part 6.11.00. <b>Blank</b> = Prohibited.															
				AS				RSC					RDC		
	AM	A	AR	0.4	-1	C-1	AI	2	3	4	6	9	10	6	12
Neighborhood, General and High Intensity Business and Commercial															
Gun Sales															
Gunsmith															

Table of Allowable Uses in Zoning Districts																				
Key: <b>P</b> = Permitted. <b>C</b> = Conditional Use, permitted pursuant to standards of Article VI (no public hearing required unless specified in applicable section) and the procedures of Section 10.01.00. <b>s</b> = Special Use, noticed public hearing required and subject to standards of Article VI. Reviewed pursuant to Section 10.02.00. <b>A</b> = Accessory use, permitted pursuant to Article VI. <b>N</b> = Potentially permitted pursuant to Section 6.11.65. <b>CNR</b> = Conditional Use/No Review, permitted without prior zoning review subject to requirements of Part 6.11.00. <b>Blank</b> = Prohibited.																				
	RMC											SPI								
												UC			AP					
	6	9	12	16	20	BPO	OR	CN	CG	CI	M	1	2	3	1	2	3	4	5	V
Neighborhood, General and High Intensity Business and Commercial																				
Gun Sales								P	P	P	P									
Gunsmith									P	P	P							P	P	P

**Article III. Special Districts**  
**Part 3.12.00. Brandon Main Street Development Regulations**

**§ Sec. 3.12.05 Town Center I District (BMS TC1)**

**B. Permitted Uses**

2. The following uses shall be permitted on "B" streets only: Canopies and gasoline pump islands as accessory uses; ...; gun sales; hardware store; laundries; motorized vehicle repair (minor and neighborhood); printing services; radio and TV sales; restaurants with drive-up facilities; service station; sign painting; temporary labor pool; and vehicle parts sales.

**§ Sec. 3.12.06 Town Center II District (BMS TC2)**

**B. Permitted Uses**

2. The following uses shall be permitted on "B" streets only: Canopies and gasoline pump islands as accessory uses; ... gun sales; hardware store; laundries; motorized vehicle repair (minor and neighborhood); printing services; radio and TV sales; restaurants with drive-up facilities; service station; sign painting; temporary labor pool; and vehicle parts sales.

## **Weapons Dealers**

### **§ Sec. 127.200 Definitions.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**Ammunition.** All pistol or revolver ammunition, shotgun shells, metallic ammunition suitable for use in rifles or any .22 caliber rimfire ammunition. No distinction shall be recognized between new and reloaded ammunition.

**Firearms.** Any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion.

**Firearms and Ammunition Dealers Licenses.** Any person engaged in the business of selling new or used firearms or ammunition or cartridge cases, primers, bullets or propellant powder, at wholesale or retail, and shall include pawnbrokers, or any person engaged in the business of repairing such firearms or manufacturing or fitting special barrels, stocks, trigger mechanisms or breach mechanisms to firearms.

### **§ Sec. 127.201 Dealer's local business tax receipt.**

All firearms and ammunition dealers shall obtain a firearms and ammunition dealer's local business tax receipt; the local business tax shall be \$100 per year. (B) All applications for a dealer's local business tax receipt shall be accompanied by a federal firearms license duly issued by the U.S. Department of Justice and verified by the Chief of Police or his or her designee.

### **§ Sec. 127.202 Recordkeeping.**

(A) Each holder of a local business tax receipt shall maintain complete and adequate records reflecting the receipt and disposition, at wholesale and retail, of all firearms (including firearms in an unassembled condition, but not including miscellaneous parts thereof) physically or constructively received or disposed of in the course of his or her business.

(B) Entries in such records shall be posted at the time of each transaction, or in each instance not later than the close of business on the day next succeeding the date on which the transaction occurs.

(C) The records prescribed in this section shall be retained on the business premises for a period of not less than ten years from the date of the transaction or until the discontinuance of business by the licensee.

(D) Where the business is discontinued and succeeded by a new holder of the local business tax receipt, the records will appropriately reflect such facts and will be delivered to the successor.

(E) Such records shall be open to police inspection at all times.

(F) Where discontinuance of the business is absolute, the records will appropriately reflect that fact and be disposed of in accordance with provisions of the Code of Federal Regulations covering such case.

(G) The records will show and include the following information:

(1) A full and adequate description of each firearm, including:

- (a) The manufacturer thereof;
- (b) The manufacturer's serial number stamped thereon;
- (c) The caliber or gauge of the firearm; and
- (d) The model and type of firearm;

(2) The name and address of each person from whom the firearm was received, together with the date of acquisition; and

(3) The disposition made of each firearm, including the name and address of the person to whom sold and the date of disposition.

## **Hollywood Zoning and Land Development Regulations**

Current through Ordinance No. O-2017-23, passed December 6, 2017. (Supp. No. 10)

### **Article 4. Schedule of District, Use and Setback Regulations**

#### **§ Sec. 4.6 Regional Activity Center, Downtown and Beach Community Redevelopment, and Transit Oriented Corridor Districts.**

**B. Regional Activity Center and Downtown Community Redevelopment Districts.**

4. District use and development regulations. The purpose of the district specific regulations is to reinforce the existing and potential character of each district and subdistrict.

a. Core Districts.

(2) Core Districts Use and Development Regulations:

(d) RC-2 – Historic Retail Core

(i) RC-2 – Historic Retail Core Use Table.

RC-2 – Historic Retail Core Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Bar, Lounge, or Night Club <sup>2</sup> ... Schools (Recreational or Cultural) <sup>1</sup>	Tattoo, Body Art, or Body Piercing ... Any use customarily associated with one of the Main Permitted Uses.		Contractor Shop and Storage (Indoor or Outdoor) ... Gun Shop ... Any use not listed as a Main Permitted Use.

c. Federal Highway Districts.

(2) Federal Highway Districts Use and Development Regulations:

(b) FH-2 – Federal Highway Medium-High Intensity Mixed-Use District.

(i) FH-2 – Federal Highway Medium-High Intensity Mixed-Use District Use Table.

FH-2 – Federal Highway Medium-High Intensity Mixed-Use District Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Adult Educational Facilities <sup>1</sup> ... Motel	Cabinet, Furniture, and Upholstery Shop ... Any use customarily associated with one of the Main Permitted Uses.	Day Care Facility Schools (K-12) Service Station	Adult Entertainment or Adult Related Uses ... Gun Shop ... Any use not listed as a Main Permitted Use.

e. North Downtown Districts.

(2) North Downtown Districts Use and Development Regulations:

(c) ND-3 – North Downtown High Intensity Mixed-Use District

(i) ND-3 – North Downtown High Intensity Mixed-Use District Use Table.

ND-3 – North Downtown High Intensity Mixed-Use District Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Antique, Consignment, Collectible, and Vintage Store ...; Recreational or Cultural; and University) <sup>1</sup>	Outdoor produce sales (fresh fruit, vegetable, plant and flower retail sales), accessory to a grocery store, specialty market, or similar use <sup>2</sup> Tattoo, Body Art, or Body Piercing Establishments, associated with an Art Gallery <sup>3</sup> Any use customarily associated with one of the Main Permitted Uses.		Automotive Sales, Paint, or Repair ... Gun Shop ... Any use not listed as a Main Permitted Use.

f. Parkside Districts.

**(2) Parkside Districts Use and Development Regulations:**

**(c) PS-3 – Parkside High Intensity Mixed-Use District**

**(i) PS-3 – Parkside High Intensity Mixed-Use District Use Table.**

PS-3 – Parkside High Intensity Mixed-Use District Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Antique, Consignment, Collectible, and Vintage Store ... Single Family Residential	Food Processing associated with a Restaurant Any use customarily associated with one of the Main Permitted Uses.	Adult Educational Facilities Day Care Facility Schools (All)	Adult Entertainment or Adult Related Uses ... Gun Shop ... Any use not listed as a Main Permitted Use.

**i. Young Circle District.**

**(2) Young Circle District Use and Development Regulations:**

**(a) YC – Young Circle Mixed-Use District.**

**(i) YC – Young Circle Mixed-Use District Use Table.**

YC – Young Circle Mixed-Use District Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Adult Educational Facilities, above the ground floor <sup>1</sup> ... Multi-Family Residential, except on the ground floor adjacent to Federal Highway, Tyler Street, Harrison Street, Hollywood Boulevard, and Young Circle.	Food Processing associated with a Restaurant Tattoo, Body Art, or Body Piercing Establishments, associated with an Art Gallery <sup>2</sup> Any use customarily associated with one of the Main Permitted Uses.	Amusement Uses (Outdoor) Day Care Facility Place of Worship, Meeting Hall, and Fraternal Lodge Schools (K-12)	Adult Entertainment or Adult Related Uses ... Gun Shop ... Any use not listed as a Main Permitted Use.

**D. State Road 7 Transit Oriented Corridor Districts.**

**4. District use and development regulations.** The purpose of the district specific regulations is to reinforce the existing and potential character of each district and subdistrict.

**b. North District.**

**(2) North District Use and Development Regulations.**

**(a) N-MU – North Mixed-Use District**

**(i) N-MU – North Mixed-Use District Use Table.**

N-MU - SR7 North – Mixed-Use District Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Adult Educational Facilities <sup>1</sup> .. Motel	Cabinet, Furniture, Upholstery Shop Car Wash <sup>4</sup> ... Any use customarily associated with one of the Main Permitted Uses.	Automotive Truck Rental <sup>2</sup> Day Care Facilities Parking Lots and Garages (commercial), fronting State Road 7 Schools (K-12) Service Station	Adult Entertainment or Adult Related Uses ... <b>Gun Shop</b> ... Any use not listed as a Main Permitted Use.

**c. Central Districts.**

**(2) Central Districts Use and Development Regulations.**

**(b) C-LP – Central Linear Park District**

**(i) C-LP – Central Linear Park District Use Table.**

C-LP - SR7 Central – Linear Park Mixed-Use District Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Artisan and Maker Manufacturing ... Single Family Residential	Parking Lot accessory to a Main Permitted Use Outdoor produce sales (fresh fruit, vegetable, plant and flower retail sales) <sup>1</sup> Any use customarily associated with one of the Main Permitted Uses.	Day Care Facility Place of Worship, Meeting Hall, and Fraternal Lodge Schools (All)	Adult Entertainment or Adult Related Uses .. Gun Shop ... Any use not listed as a Main Permitted Use.

**(c) C-JS – Central Johnson Street District**

**(i) C-JS – Central Johnson Street District Use Table.**

C-JS - SR7 Central – Johnson Street Mixed-Use District Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Adult Educational Facilities <sup>1,2</sup> Amusement Uses (indoor) <sup>2</sup> ... Single Family Residential, except adjacent to Johnson Street	Automotive Repair <sup>2</sup> Cabinet, Furniture, Upholstery Shop <sup>2</sup> Light Manufacturing associated with Retail or Showroom <sup>2</sup> Outdoor produce sales (fresh fruit, vegetable, plant and flower retail sales), accessory to a grocery store, specialty market, or similar use <sup>4</sup> Any use customarily associated with one of the Main Permitted Uses.	Day Care Facility Schools (K-12) <sup>2</sup> Service Station <sup>2</sup>	Adult Entertainment or Adult Related Uses All General and Heavy Manufacturing Uses ... Gun Shop ... Any use not listed as a Main Permitted Use.

**(d) C-MU – Central Mixed-Use District**

**(i) C-MU – Central Mixed-Use District Use Table.**

C-MU - SR7 Central – Mixed-Use District Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Adult Educational Facilities <sup>1</sup> Amusement Uses ... Place of Worship, Meeting Hall, and Fraternal Lodges	Automotive Paint or Body ... Any use customarily associated with one of the Main Permitted Uses.	Automotive Truck Rental <sup>2</sup> Day Care Facilities Outdoor Storage Schools (K-12) Service Station	Adult Entertainment or Adult Related Uses ... Gun Shop ... Any use not listed as a Main Permitted Use.

**d. South Districts.**

**(2) South District Use and Development Regulations.**

**(a) S-MU – South Mixed-Use District**

**(i) S-MU – South Mixed-Use District Use Table.**

S-MU - SR7 South – Mixed-Use District Uses			
Main Permitted Uses	Accessory Uses	Special Exception Uses	Prohibited Uses
Adult Educational Facilities <sup>1</sup> ... Motel	Automotive Paint or Body ... Any use customarily associated with one of the Main Permitted Uses.	Day Care Facilities Schools (K-12) Service Station	Adult Entertainment or Adult Related Uses ... Gun Shop ... Any use not listed as a Main Permitted Use.

**Indian Rocks Beach Municipal Code**

Current through Ordinance No. 2018-08, enacted October 9, 2018. (Supp. No. 16)

**Subpart A. General Ordinances**

**Chapter 58. Taxation**

**Article II. Local Business Tax**

**§ Sec. 58-49 Fee schedule**

The local business tax fees shall be as follows and such fees shall be assessed and collected by the city:

Gun dealer (including repairs)\100.00

Gunsmith, repair only\70.00

**Inverness Municipal Code**

Current through Ordinance No. 2017-728, enacted November 7, 2017. (Supp. No. 46)

**Chapter 12. Licenses, Business Taxes and Miscellaneous Business Regulations**

**Article II. Business Taxes**

**§ Sec. 12-27 Business tax schedule.**

The following enumerated business taxes shall be paid to the city, by the persons engaging in or managing or transacting the several businesses, occupations or professions listed below, on a yearly basis, unless otherwise specified.

Inverness Code of Business Taxes Miscellaneous Business Regulations

SIC CODE		FEE
	R	
	Repair shops	55.15
	This classification includes but is not limited to:	
7699	Firearms	

**Jackson County Municipal Code**

Current through Ordinance No. 2018-03, enacted March 27, 2018. (Supp. No. 32)

**Chapter 16. Civil Emergencies**

**Article II. Emergency Management**

**§ Sec. 16-28 Activation of disaster emergency activities.**

(1) A proclamation declaring a state of emergency shall be the authority for taking emergency measures, including, but not limited to, the use or distribution of any supplies, equipment, materials, facilities assembled or arranged to be made available pursuant to the disaster emergency plans of the County. Such disaster emergency measures may include the following actions at the discretion of the Board: Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.

**Jacksonville Municipal Code**

**Title V. Administration and Personnel**  
**Chapter 106. Budget and Accounting Code**  
**Part 4. Fiscal Management**  
**Subpart E. Miscellaneous Provisions**

**§ Sec. 106.444 Sale of firearms; City funding.**

- (a) No person who receives funds from the City through Public Services Grants or who receives any operational funding from the City shall allow firearms to be sold on any property owned, leased, or controlled by such person unless the sale is made by a licensed firearms dealer or the sale is to be made to a licensed gun dealer.
- (b) Firearms has the same meaning as set forth in F.S. Ch. 790.
- (c) Licensed gun dealer means a person licensed by the state or federal government to sell firearms.

**Chapter 122. Public Property**  
**Part 1. Municipal Buildings and Offices**

**§ Sec. 122.108 Restrictions on leases of City property.**

- (a) Every lease entered into for the lease of City facilities shall prohibit any person other than a licensed firearms dealer from selling and delivering firearms pursuant to that lease on the leased premises, unless the sale is to be made to a licensed gun dealer.
- (b) Firearms has the same meaning as set forth in F.S. Ch. 790.
- (c) Licensed gun dealer means a person licensed by the state or federal government to sell firearms.

**Title XVI. Judicial Code**  
**Chapter 647. Detention Facilities**

**§ Sec. 647.101 Contraband articles.**

- (a) Articles determined to be illegal and contraband. It is unlawful, except through regular channels or as approved as duly authorized by the sheriff or an officer in charge, to introduce into or possess upon the grounds of any county detention facility as defined in F.S. 951.23, or to give to or receive from any inmate of any such facility wherever said inmate is located at the time or to take or to attempt to take or send there from, any of the following articles which are hereby declared to be illegal and contraband for the purposes of this ordinance, to wit: ... any firearm or any instrumentality customarily used or which is intended to be used as a dangerous weapon; any telephone, cellular telephone, pager, two-way radio, scanner, camera, video or audio recording or transmitting device, or other communications device of any type; and any instrumentality of any nature that may be or is intended to be used as an aid in effecting or attempting to effect an escape from such detention facility.
- (b) Penalty provisions. Any violation of this ordinance is declared to be unlawful and a class D offense.

**Zoning Section**  
**Chapter 656. Zoning Code**  
**Part 3. Schedule of District Regulations**  
**Subpart I. Springfield Zoning Overlay and Historic District Regulations**

**§ Sec. 656.369 Springfield performance standards and development criteria.**

The following permitted uses or permissible uses by exception shall meet the performance standards and criteria listed under each use. These uses are in addition to, rather than in lieu of, the supplementary regulations of Section 656.401, as applicable.

- (c) Home occupations. Home occupations shall be allowed subject to the following criteria:

(1) Home occupations are intended to be small-scale, limited businesses that do not detract from the residential character of the neighborhood. Home occupations shall be accessory to the principal residential use. Home occupations shall meet the following standards:

- (P) The business shall not in any manner deal in firearms or ammunition.

**Subpart K. Traditional Neighborhood Development (TND) District**

**§ Sec. 656.383 Prohibited uses.**

The following nonexclusive list of uses are not permitted anywhere within a TND: ... gun shops, pawn shops, chicken hatcheries, packing houses, tire vulcanizing and retreading, automobile sales and rental, any commercial use in which patrons remain in their automobiles while receiving goods or services, except service stations; on-site enameling, painting or plating of materials for off-site use, except artists' studios and as provided in the workshop land use category; outdoor advertising or billboards; terminal or yard used for the business of carting, moving, or hauling goods, except delivery of goods to businesses within a TND; prisons or detention centers, except as accessory to a police station; manufacture, storage or disposal of hazardous waste materials; scrap yards; mobile homes; sand, gravel or other mineral extraction; or kennels.

**Title XIX. Public Safety**  
**Chapter 674. Disaster Preparedness and Civil Emergency**  
**Part 2. Security, Disaster and Emergency Preparedness**

**§ Sec. 674.207 Emergency powers of Mayor.**

In addition to all other powers conferred upon the Mayor by law, during a state of disaster emergency he may:

- (i) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosive and combustibles.

**Jacksonville Beach Municipal Code**  
Current through Ordinance No. 2018-8107, enacted April 16, 2018. (Supp. No. 41)

**Chapter 34. Land Development Code**  
**Article VII. Zoning Districts**  
**Division 2. Zoning Districts, Permitted Uses, Accessory Uses, Conditional Uses, Dimensional Standards, Off-Street Parking and Loading Standards, Supplemental Standards, Landscaping Standards, Sign Standards, and Environmental Standards**

**§ Sec. 34-346 Industrial district: I-1.**

(d) Conditional uses. The following uses are permitted as conditional uses in the I-1 zoning district, subject to the standards and procedures established in section 34-221 et seq.

- (12) Firearms manufacturing and retail sales.

**Juno Beach Municipal Code**  
Current through Ordinance No. 693, adopted October 26, 2016. (Supp. No. 22)

**Chapter 28. Taxation**  
**Article II. Local Business Taxes**

**§ Sec. 28-27 Tax schedule.**

The amounts which shall be paid by the several firms engaging in or managing businesses, professions or occupations for which a license is required are hereby fixed as follows:

(9) Public service. Every person engaged in any business as owner, agent, or otherwise performs some service for the public in return for a consideration.

Firearms (where connected or not connected with other business) 242.55

**Kenneth City Municipal Code**  
Current through Ordinance No. 2017-648, enacted November 8, 2017. (Supp. No. 13)

**Subpart A. General Ordinances**  
**Chapter 50. Taxation**  
**Article II. Occupational License Taxes**

**§ Sec. 50-54 Schedule of fees.**

The annual assessments of license fees are fixed as follows:

Title/Tax

Guns, ammunition (in addition to other licenses, federal license required, dealer) 262.50

Pawnbroker (gun license additional) 472.50

**LaBelle Municipal Code**  
Current through Ordinance No. 2017-17, adopted July 13, 2017. (Supp. No. 34)

**Chapter 11. Licenses and Business Regulations**  
**Article II. Occupational Licenses**

**§ Sec. 11-29 Schedule of fees.**

There is hereby assessed, levied and imposed upon every business, trade, occupation and profession carried on within the city an annual assessment of licenses as follows:

**(46)** Gunsmiths 10.00

**Lake Alfred Municipal Code**  
Current through Ordinance No. 1385-17, enacted June 19, 2017. (Supp. No. 26)

**Chapter 50. Taxation**  
**Article V. Business Tax**

**§ Sec. 50-192 Schedule of business tax.**

There is levied upon all occupations, businesses, professions, trades, amusements and industries now or hereafter conducted within the city, tax receipts and business taxes in the amounts provided for and set forth in this section per annum unless otherwise specified:

Guns, each dealer in guns, pistols, bowie knives or deadly weapons when no other stock is carried 18.22

Locksmiths or Gunsmiths 18.22

**Lake Hamilton Municipal Code**  
Current through Ordinance No. 1385-17, enacted June 19, 2017. (Supp. No. 26)

**Chapter 18. Licenses, Permits and Business Regulations**  
**Article IV. Special Events in Public Parks**

**§ Sec. 18-88 Restrictions.**

**(i)** While on or within any park property or recreational area, no person shall openly carry, possess, display, or discharge firearms of any type, nature or description in violation of the laws of the state. Further, while on or within any park property or recreational area, no person shall openly carry, possess, display, or use any other form of weapon that is (1) actually or potentially inimical or harmful to human life or to wildlife, or (2) otherwise dangerous to human life and safety, including, but not limited to, air rifles or pistols, spring guns, bows and arrows, and paint guns. The prohibitions stated in this section do not apply to duly authorized law enforcement officers acting within the scope and course of their duties.

**Lake Park Municipal Code**  
Current through Ordinance No. 12-2018, adopted October 17, 2018. (Supp. No. 38)

**Subpart A. General Ordinances**  
**Chapter 28. Taxation**  
**Article II. Business Tax Receipts**

**§ Sec. 28-51 Schedule of taxes and regulations.**

**(a)** Inventory tax. All businesses that also fall within the merchant classification because they maintain a stock of merchandise, shall be subject to a merchandise inventory tax in addition to any base operation taxes levied for their specific classification. The business tax on every merchant, whether any other business receipt tax is required by any other particular classification in subsection (b), below, shall be measured by the amount of stock of merchandise, and shall be figured and arrived at as follows:

First \$1,000.00 or fraction thereof: \ \$22.05

Per each additional \$1,000.00 or fraction thereof:\5.25

If a business tax receipt is issued for a business not operating on the preceding January first, then a business tax receipt shall be issued for \$22.05 on a merchandise valuation of \$1,000.00. Inventory shall be taken 60 days after the issuance of the business tax receipt and the business tax shall be computed on such inventory and whatever additional tax, if any is due, shall be paid at such time and a receipt shall be issued showing the payment of such amount.

**(b)** Classifications. The business receipt taxes shall be based on the classifications listed as follows:

**(17)** AR030 Arms sales 189.00

Includes pistols, shotguns and firearms of all kinds, and/or knives, brass knuckles, slingshots, switchblades, or any other handheld device ruled to be a deadly weapon by the Florida Supreme Court. Does not cover fireworks. Surety bond and police reports required.

**Lake Wales Municipal Code**

Current through Ordinance No. 2013-04, enacted February 19, 2013. (Supp. No. 6)

**Chapter 19. Taxation  
Article V. Local Business Tax**

**§ Sec. 19-130 Amounts of local business tax fixed.**

The following enumerated local business taxes shall be paid to the city by those listed in the respective listed categories and engaging in, managing or transacting the several occupations or professions named as follows:

134.00	Guns or firearms dealer whether from stock or from mail-order catalogue and whether or not other stock is carried; including 2 employees	100.00
	plus, for each additional employee	3.00
	(Federal firearms license required for sale of any firearm.)	

**Lake Worth Beach Municipal Code**

Current through Ordinance No. 2018-10, enacted July 17, 2018. (Supp. No. 148)

**Chapter 14. Business Tax Receipts and Business Regulations  
Article I. Local Business Tax Receipt (BTR)**

**§ Sec. 14-24 Business tax schedule.**

The amount which shall be paid by the several firms, persons or associations engaging in or managing businesses, professions or occupations for which a business tax receipt is required is hereby fixed as follows:

90.B44 - Fire Arms, where connected or not connected with other business, this does not include sale of fireworks      Flat Fee      335.02

**Chapter 15. Offenses, Miscellaneous  
Article I. In General**

**§ Sec. 15-30 Stolen property; receiving; possessing; concealing.**

It shall be unlawful for any person to buy, receive, possess or aid in the concealment of stolen money, goods or property, knowing the same to have been stolen, where the value of the property is one hundred dollars (\$100.00) or more, or where the property is:

- (b) A firearm;

**Lakeland Municipal Code**

Current through Ordinance No. 5597, enacted September 19, 2016. (Supp. No. 17)

**Chapter 18. Business  
Article II. Business Tax Receipt  
Division 2. Schedule**

**§ Sec. 18-67 Taxes.**

The taxes for business tax receipts required by this article shall be as follows:

(273) Weapons dealer (see square footage and number of workers scales)

Each dealer in guns, pistols, archery equipment, knives or other deadly weapons (dealers of firearms are required to have a federal gun license and approval of the chief of police)

**Chapter 26. Civil Emergencies**

**§ Sec. 26-8 Police emergencies.**

(a) A state of emergency may be declared because of civil unrest when the chief of police certifies to the city manager that an emergency condition arising from hostile actions of others, armed or unarmed, requires extraordinary measures for control, including but not limited to curfew; blockade; proscription of the sale of firearms and other weapons, alcoholic beverages, explosives and combustibles; evacuation and other like actions.

**Lauderdale Lakes Land Development Regulations**

Current through Ordinance No. 2018-006, enacted April 24, 2018. (Supp. No. 27)

**Chapter 7. Use Regulations**

**§ Sec. 704 Business zoning districts.**

**704.3.** Community business (B2) district.

**704.3.2.** Conditional use. The following uses if first approved as a conditional use:

Gun sales.

**704.5.** Intense business (B4) district.

**704.5.2.** Conditional use. The following uses may be established, if first approved as a conditional use:

Gun sales.

**Lauderhill Municipal Code**

Current through Ordinance No. 18O-11-149, enacted December 10 2018. (Supp. No. 175)

**Chapter 8½ . Emergency Management**

**§ Sec. 8½-4 Emergency powers.**

**(13)** The prohibition of possession or display of firearms or weapons, or of ammunition for firearms as permitted by Florida Statutes or other applicable laws. In the event of a riot, the prohibition of the sale or offer to sell, with or without consideration, of firearms or ammunition as permitted by Florida Statutes or other applicable laws. Firearms and weapons shall be defined as set forth in F.S. 790.001. To the extent that Florida Statutes or other applicable laws do not allow prohibitions such as described herein, then this paragraph shall have no force or effect and shall be deemed null and void.

**Lauderhill Land Development Regulations**

Current through Ordinance No. 2018-006, enacted April 24, 2018. (Supp. No. 27)

**Article I. General Provisions**

**§ Sec. 1.5 Definitions, general.**

**Firearm:** Any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device. The term "firearm" shall include, but not be limited to, guns, rifles, pistols, revolvers, or machine guns.

**Article III. Zoning Districts**

**§ Sec. 5.19 Firearm and ammunitions sales.**

There shall be a minimum distance requirement of one thousand (1,000) feet, shortest airline measurement, between any two (2) plots occupied or to be occupied for such firearm and ammunition sale use. In addition there shall be a minimum distance requirement of one thousand (1,000) feet, shortest airline measurement, between a plot occupied or to be occupied for firearm and ammunition sale use and a plot occupied or to be occupied for church, school, playground, or residential use.

**Longwood Municipal Code**

Current through Ordinance No. 18-2146, enacted September 17, 2018. (Supp. No. 23, Rev.)

**Part II. City Code**

**Chapter 82. Taxation**

**Article II. Business Tax Receipts**

**§ Sec. 82-43 Tax schedule.**

The following enumerated individual local business taxes shall be paid to the city by the persons engaging in or managing or transacting the several occupations or professions named yearly unless otherwise specified:

(27) Guns/Firearms Dealer/In- store Gunsmith 300.00

**Lynn Haven Municipal Code**

Current through Ordinance No. 1063, enacted September 12, 2018. (Supp. No. 8)

**Subpart A. General Ordinances**

**Chapter 62. Taxation**

**Article II. Occupational License Tax**

**§ Sec. 62-40 License schedule.**

The assessment of license taxes, per annum, unless otherwise specified, are hereby fixed as follows:

Classification    Fee Amount

**(132)** Gunsmith, repair only 60.00

**MacClenny Municipal Code**

Current through Ordinance No. 18-11, enacted October 9, 2018. (Supp. No. 20, Update 1)

**Chapter 6.5. Civil Emergencies  
Article II. Emergency Management**

**§ Sec. 6.5-32 Declaration of state of emergency.**

(c) Emergency resolutions authorized by this article shall include, but are not limited to, the following subjects:

Resolution Subject

C Suspension or regulation of sale of alcoholic beverages, firearms, explosives or combustibles

**§ Sec. 6.5-37 Police emergencies.**

(a) A public emergency may be declared because of civil unrest when the chief of police or sheriff certifies to the city manager or director of public safety that an emergency condition arising from hostile actions of others, armed or unarmed, requires extraordinary measures for control, including, but not limited to, curfew; blockade; proscription of the sale of firearms and other weapons, alcoholic beverages, explosives and combustibles; evacuation; suspend part of city or emergency services; and other like actions.

**Madeira Beach Municipal Code**

Current through Ordinance No. 1063, enacted September 12, 2018. (Supp. No. 8)

**Chapter 62. Taxation  
Article II. Local Business Tax**

**§ Sec. 62-60 Local business tax schedule.**

The Standard Industrial Classification Manual, which is adopted by reference, may be used to assist the city in determining the appropriate local business tax categories acknowledged by the city.

Category Tax

(61) Guns, dealers and repairs 127.34

**Madison Municipal Code**

Current through Ordinance No. 2018-1, enacted May 8, 2018. (Supp. No. 6)

**Chapter 8.2. Cemeteries  
Article II. Oakridge II Cemetery**

**§ Sec. 8.2-5 Cemetery conduct.**

(h) Except for military, law enforcement, or other similar persons on official duty, no person shall possess or discharge a firearm within the cemetery.

**Article III. Oakridge Cemetery**

**§ Sec. 8.2-45 Cemetery conduct.**

(h) Except for military, law enforcement, or other similar persons on official duty, no person shall possess or discharge a firearm within the cemetery.

**Malabar Municipal Code**

Current through Ordinance No. 14-13, enacted August 8, 2014. (Supp. No. 21)

**Chapter 14. Taxation  
Article II. Business Tax Receipt**

**§ Sec. 14-46 Business tax receipt fee schedule.**

The business tax receipt fee which shall be paid by every person engaging or managing businesses, professions or occupations for which a business tax receipt is required is hereby fixed as follows:

(84) Gunsmith, sales and repair when in connection with another business 40.00

**Marco Island Municipal Code**

Current through Ordinance No. 18-11, enacted June 18, 2018. (Supp. No. 14)

**Chapter 10. Civil Emergencies**

**§ Sec. 10.6 Emergency measures.**

(a) In addition to any other powers conferred by law, upon the declaration of a state of emergency pursuant to this article, the chairman, or the vice-chairman in his absence, or the city manager in the absence of the chairman and vice-chairman, may order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, and with such limitations and conditions as he may deem appropriate to protect the health, safety and welfare of the community:

(1) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and combustibles.

**Chapter 34. Parks and Recreation  
Article I. In General**

**§ Sec. 34-3 Establishment of rules and regulations.**

The following rules and regulations are established for the public's use of parks:

(c) Weapons and explosives. It shall be unlawful for any person to:

(1) (1) Discharge, carry, or possess a firearm, except law enforcement officers during the lawful performance of their duties.

(2) (2) Use, carry, or possess any fireworks or other explosive substance, except duly authorized employees or agents of the department.

**(3) Possess any other dangerous weapons or instruments Mangonia Park Municipal Code**  
Current through Ordinance No. 2014-08, adopted December 16, 2014. (Supp. No. 29)

**Chapter 2. Administration  
Article V. Civil Emergencies**

**§ Sec. 2-98 Emergency measures, Automatic.**

Whenever the mayor pursuant to section 2-97 of this article declares that a state of emergency exists, the following emergency measures shall automatically be in effect during the period of the emergency and throughout the town:

(1) The sale or offer to sell, with or without consideration, any ammunition, gun or other firearm of any size or description shall be governed by state regulations.

(2) The intentional display, after the emergency is declared, by or in any store or shop of any ammunition, guns and other firearms of any size or description shall be governed by state regulations.

(3) The intentional possession in a public place of a firearm by any person, except a duly authorized law enforcement official or person in military service acting in the official performance of his duty, shall be governed by state regulations.

**Margate Municipal Code**  
Current through Ordinance No. 2018-7, enacted November 7, 2018. (Supp. No. 16)

**Appendix A. Zoning  
Article IX. Transit Oriented Corridor, City Center (TOC\_CC) District**

**§ Sec. 9.9 Mixing of uses.**

2. Mixing of residential and nonresidential uses within the same building of at least four (4) stories in height may be authorized within the TOC-CC District by Special Exception, subject to functionally appropriate separation of the uses, including, but not limited to: separate stories; separate access; separation and buffering of residential units from loading areas and noisy nonresidential uses via one (1) or more intervening stories of office use, extra-thick concrete floors, soundproofing on ceilings, walls and sound-containing openings, operational standards and time limits, or other proven technique acceptable to the city. Furthermore, the following uses shall not be located within a building containing residential use:

g. Gun shop.

**Martin County Municipal Code**  
Current through Ordinance No. 1069, enacted June 12, 2018. (Supp. No. 44)

**Chapter 75. Firearms**

**§ Sec. 75.2 - Local option.**

In accordance with the authority granted by the Article VIII, Section 5.(b) of the Constitution of the State of Florida, Martin County hereby requires a three-day waiting period, excluding weekends and legal holidays, in connection with the sale of

any firearm occurring within Martin County. For purposes of this section, the term "sale" means the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property to which the public has the right of access. Holders of a concealed weapons permit as prescribed by general law shall not be subject to the provisions of this section when purchasing a firearm.

**Medley Municipal Code**

Current through Ordinance No. C-422, enacted October 2, 2017. (Supp. No. 5)

**Chapter 17. Emergency Management**

**§ Sec. 17-5 Declaration of a state of emergency.**

(c) Emergency resolutions or orders authorized by this chapter may include, but are not limited to, the following subjects:

- (3) Suspension or regulation of the sale of, or offer to sell, with or without consideration, alcoholic beverages, ammunition, firearms, explosives, or combustibles;

**§ Sec. 17-7 Police emergencies.**

(a) An emergency may be declared because of civil unrest, terrorist act or other imminent threat to public peace or order when the Chief of Police, or if unavailable, the next highest ranking officer in the Town Police Department chain of command certifies to the Town Mayor that an emergency condition arising from hostile actions of others, armed or unarmed, or other imminent threat to public peace or order, requires extraordinary measures of control, including, but not limited to curfew; blockade; proscription of the sale of firearms, other weapons or alcoholic beverages; explosives and combustibles; evacuation; and other similar actions. The Town Mayor may issue a declaration of a state of emergency in accordance with section 17-5.

**Melbourne Municipal Code**

Current through Ordinance No. 2018-45, adopted October 9, 2018. (Supp. No. 11, Rev.)

**Chapter 18. Civil Emergencies  
Article II. Emergency Management**

**§ Sec. 18-24 Declaration of state of emergency based upon civil unrest.**

c) Emergency measures. Upon a declaration of a state of emergency based upon civil unrest pursuant to this section, the following emergency measures apply:

- (1) The automatic restrictions regarding guns, firearms and ammunition as set forth in F.S. 870.044 shall be effective throughout the entire city.

**§ Sec. 18-26 Other discretionary emergency measures of the city manager.**

(b) Unless specifically limited by the declaration of the appropriate city official or the governor, as the case may be, said powers may be utilized and the city manager shall be authorized to issue, amend and rescind emergency orders in the interest of public safety and welfare, and, when appropriate or practicable, in coordination with the state and county, effective within the entire city or within such geographical areas as may be designated by the city manager. Said orders and powers include but are not limited to the following subjects:

(1) Governor's powers. Upon a declaration of a state of emergency by the governor based upon substantial harm as authorized pursuant to F.S. 252.36, and subject thereto, the city manager is authorized to act on behalf of the city to effectuate and enforce said order of the governor, including but not limited to those emergency measures generally described as follows:

- e. To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and combustibles;

**Chapter 54. Taxation  
Article VIII. Local Business Tax  
Division 3. Schedule of Rates**

**§ Sec. 54-284 Imposition and levy of rates for businesses, professions or occupations.**

The businesses, professions, or occupations subject to the provisions of this article and the amount of taxes imposed and levied hereunder are as follows:

83	Guns, dealers in arms, firearms	Table Four
	Gunsmith (see Repair and service shops )	

Table Four Scalable Tax Rate Merchant/Retail And Wholesale	
Flat base rate	\$75.00
Plus	
Number of employees:	
Operated solely by owner or one employee	25.00
Two and not more than five employees	50.00
Six and not more than 15 employees	75.00
16 and not more than 25 employees	100.00
26 and not more than 50 employees	150.00
51 and not more than 100 employees	175.00
For each 50 or part thereover 100 employees	25.00
Plus	
Annual inventory value	
** Rounding off to the nearest \$1,000.00 **	
\$0.00, \$250,000.00 annual inventory	
\$250,001.00 up to \$1,000,000.00, per each \$1,000.00 over \$250,000	
\$1,000,001.00 and above	

**Mexico Beach Municipal Code**

Current through Ordinance No. 690, passed January 9, 2018.

**Title XI. Business Regulations  
Chapter 110. Licensing**

**§ Sec. 110.14 License tax schedule.**

The following classifications of businesses, occupations and professions shall be subject to an occupational license tax in the amounts hereinafter set forth:

Business, Occupation or Profession	Tax
Guns	
Dealer in guns and/or ammunition	\$18

**Miami Municipal Code**

Current through Ordinance No. 13719, adopted December 14, 2017. (Supp. No. 69)

**Chapter 31. Local Business Tax and Miscellaneous Business Regulations  
Article II. Local Business Tax (BTR)**

**§ Sec. 31-50 Schedule of established BTRs.**

The assessments of BTRs are hereby fixed as follows:

Code	BTR Category: , Description and Requirement(s)	Rate (\$)
1810	Firearms and ammunition dealer. Requires federal license from Department of Alcohol, Tobacco and Fire Arms. Includes ammunition, pistols, rifles, shotguns and other firearms and weapons.	296.00

**Miami 21 Zoning Code**

Current through January 2018.

**Article 6. Supplemental Regulations**

**§ Sec. 6.1 Intent and Exclusions**

Specifically excluded from all Transect Zones in the City are ... ammunition plants, fireworks manufacturing, house barges, refining, smelting, forging, and unattended donation collection bins.

**Miami Beach Municipal Code**

Current through Ordinance No. 2018-4209, enacted July 25, 2018. (Supp. No. 72)

**Subpart A. General Ordinances  
Chapter 102. Taxation  
Article V. Local Business Tax**

**§ Sec. 102-379 Schedule of taxes, effective October 1, 2016.**

(a) Business taxes for the following businesses, occupations or professions are hereby levied and imposed as follows:

Occupation Code	Business Tax Category	Amount
95001400	Arms, ammo, pistols, knives, etc.:	
	1. Dealer, alone or in connection with any other business	529.00
	2. Each employee	91.00

**Miami Dade County Municipal Code**

Current through Ordinance No. 18-123, Enacted October 2, 2018. (Supp. No. 102)

**Chapter 8A. Business Regulations**  
**Article IX. Local Business Tax Receipt**

**§ Sec. 8A-223.1 Schedule of taxes.**

The maximum number of employees during any period of the taxing year shall determine the local business tax. This schedule does not include the Miami-Dade County Beacon Council tax provided for in Section 8A-171.2 of this article.

The amounts assessed for the Local Business Tax on trades, occupations, professions and businesses are hereby fixed as follows:

Type of Business, Tax

Retail of firearms, 30.00 + 3.00 for each additional employee from 11 to 99,999

**Article X. Local Business Tax Receipt in Unincorporated Areas**

The maximum number of employees during any period of the taxing year shall determine the local business tax.

The amounts assessed for the Local Business Tax on trades, occupations, professions and businesses are hereby fixed as follows:

Type of Business, Tax

Retail of firearms, 30.00 + 3.00 for each additional employee from 11 to 99,999

**Chapter 8B. Emergency Management**  
**§ Sec. 8B-7 Duties of the County Mayor.**

The Mayor shall be responsible for the overall emergency management function in Miami-Dade County, and keep the Board advised of any actions.

(i) (i) An order requiring the closure of any or all establishments where firearms and/or ammunition are sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sale of firearms and/or ammunition, and in which such firearms or ammunition may be removed or made secure from possible seizure by the public, the portions thereof utilized for the sale of items other than firearms and ammunition may, at the discretion of the Manager, be allowed to remain open;

**Reference Note:**

Florida Statutes 790.33, as amended, preempts and declares null and void all local ordinances, administrative regulations and rules in the field of firearms and ammunition, with limited exceptions set forth in 790.33, as amended.

**Chapter 21. Offenses and Miscellaneous Provisions**  
**Article III. Weapons**

**Sec. 21-17. - Possession of weapons by felons, intoxicated persons, etc.** It shall be unlawful for any person who has been convicted of a felony, or who is under the influence of alcohol or a narcotic or drug to wear or have about his person or in any vehicle in which he is an occupant any firearm or other dangerous or deadly weapon.

**Division 2. License to Sell Firearms**

**§ Sec. 21-20.15. Penalty.**

Every person who is convicted of a violation of this division shall be punished by a fine not to exceed \$500 or imprisonment in the County Jail for not more than 30 days, or by both such fine and imprisonment; for a second conviction of a violation of this division such person shall be punished by a fine not to exceed \$1,000 or imprisonment in the County Jail not more than 12 months, or by both such fine and imprisonment.

**§ Sec. 21-20.18. Five-day waiting period and criminal history records check on firearms sales.**

**(a) Definitions.** For purposes of this section, the following terms shall be defined as follows:

**(1) Any part of the transaction** means any part of the sales transaction, including but not limited to, the offer of sale, negotiations, the agreement to sell, the transfer of consideration, or the transfer of the firearm.

**(2) Antique firearms** means any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and any replica of any such firearm if such replica **(i)** is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or **(ii)** uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

**(3) Firearm** means any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; and firearm muffler or firearm silencer; any destructive device; or any machine gun. Such term does not include an antique firearm.

**(4) Property to which the public has the right of access** means any real or personal property to which the public has a right of access, including property owned by either public or private individuals, firms and entities and expressly includes, but is not limited to, flea markets, gun shows and firearms exhibitions.

**(5) Sale** means the transfer of money or other valuable consideration.

**(b) Application and enforcement of section.** Law enforcement officers shall have the right to enforce the provisions of this section against any person found violating these provisions within their jurisdiction.

**(c) Sale and delivery of firearms; mandatory five-day waiting period.** There shall be a mandatory 5-day waiting period, which shall be 5 full days, excluding weekends and legal holidays, between the hour of the sale and the hour of the delivery of any firearm when any part of the transaction is conducted within Miami-Dade County on property to which the public has the right of access.

**(d) Sale and delivery of firearms; mandatory criminal records check.** No person, whether licensed or unlicensed, shall sell, offer for sale, transfer or deliver any firearm to another person when any part of the transaction is conducted on property to which the public has the right of access within Miami-Dade County until all procedures specified under section 790.065, Florida Statutes, have been complied with by a person authorized by that section to conduct a criminal history check of background information as specified in that section, and the approval number set forth by that section has been obtained and documented. Upon the repeal of section 790.065, Florida Statutes, no person, whether licensed or unlicensed, shall sell, offer for sale, transfer or deliver any firearm to another person when any part of the transaction is conducted on property to which the public has the right of access until all procedures specified under any other state or federal law which requires a national criminal history information or national criminal history check on potential buyer or transferee of firearms have been complied with by any person authorized by law to conduct the required national criminal history or background records check and any required approval under such state or federal law or rule has been obtained. "Person" for purposes of this subsection shall include any person, including, but not limited to a licensed importer, licensed manufacturer or licensed dealer and any unlicensed person.

In the case of a seller who is not a licensed importer, licensed manufacturer or licensed dealer, compliance with section 790.065 or its state or federal successor shall be achieved by the seller requesting that a licensed importer, licensed manufacturer or licensed dealer complete all the requirements of section 790.065 or its state or federal successor. Licensed importers, manufacturers and dealers may charge a reasonable fee of an unlicensed seller to cover costs associated with completing the requirements of section 790.065.

**(e) Exemptions.** Holders of a concealed weapons permit as prescribed by state law and holders of an active certification from the Criminal Justice Standards and Training Commission as a law enforcement officer, a correctional officer, or a correctional probation officer as set forth in state law shall not be subject to the provisions of this section.

Sales to a licensed importer, licensed manufacturer or licensed dealer shall not be subject to the provisions of this section.

**(f) Penalties.** Any person violating any provision of this section shall be punished by a fine not to exceed \$500 or by imprisonment not to exceed 60 days in the County Jail, or by both such fine and imprisonment. Nothing contained herein shall be construed to preempt the imposition of any higher penalties imposed by state or federal law.

**(g) Reporting of information.** To the fullest extent permissible by law, all information acquired in relation to a violation of this section shall be reported to appropriate federal and state officials.

## **Chapter 26. Park and Recreation Department Rules and Regulations**

### **Article I. In General**

#### **§ Sec. 26-1 Rules and regulations adopted.**

##### **Rule 18. Hunting and firearms**

**(a)** No person shall carry, use or possess firearms of any description, air rifles or pistols, spring guns, bows and arrows, paint guns or any other form of weapon potentially inimical or harmful to wildlife or dangerous to human safety

on or in any park area or property except at and in accordance with the rules and regulations of the Trial Glades Ranges, and the Camp Owaissa Bauer archery range. Exception is made for sworn security personnel and Metrozoo Employees for the purpose of animal control and human safety.

**Chapter 33. Zoning**  
**Article XXXIIIH. Traditional Neighborhood Development (TND) District**

**§ Sec. 33-284.47 Design criteria.**

(A) The following design criteria and requirements shall be applicable in the TND District. Terms used throughout this ordinance shall take their commonly accepted meaning unless otherwise defined in Chapter 33 or Chapter 28 of the Code of Miami-Dade County. Terms requiring interpretation specific to this ordinance are as follows:

(28) Prohibited uses: The following uses are not permitted anywhere within a TND: ... gun shops, pawn shops, chicken hatcheries, packing houses, tire vulcanizing and retreading, automobile sales and rental, any commercial use in which patrons remain in their automobiles while receiving goods or services, except service stations; on-site enameling, painting or plating, of materials for off-site use, except artist's studios and as provided in the workshop land use category; outdoor advertising or billboard; terminal or yard used for the business of carting, moving, or hauling goods, except delivery of goods to businesses within a TND; prisons, or detention centers, except as accessory to police station; manufacture, storage or disposal of hazardous waste materials; scrap yards; mobile homes; sand, gravel, or other mineral extraction; kennels.

**Miami Gardens Municipal Code**  
Current through Ordinance No. 2017-15-379, enacted December 13, 2017. (Supp. No. 8)

**Chapter 18. Parks and Recreation**  
**Article III. Rules and Regulations**  
**Division 5. Recreational Activities**

**§ Sec. 18-161 Hunting and firearms.**

(a) No person shall carry, use or possess firearms of any description, air rifles or pistols, spring guns, bows and arrows, paint guns or any other form of weapon potentially inimical or harmful to wildlife or dangerous to human safety on or in any park area or property. Exception is made for sworn security personnel and employees for the purpose of animal control and human safety.

(b) All persons using parks and recreation department range facilities shall be under permit to abide by resolutions governing range activities, copies of which will be furnished with each permit, and shall be required to complete a range safety course prior to utilizing such range.

**Chapter 22. Taxation**  
**Article VI. Local Business Tax**

**§ Sec. 22-210 Local business tax schedule.**

Taxes for businesses, categories, occupations or professions are hereby levied and imposed as in accordance with this section. The categories listed in this section constitute and set forth the lawful, permissible businesses within the city.

License Tax Schedule

For the purposes of this section, inventory shall mean the average selling value of annual inventory owned by the business, exclusive of excise tax. Business taxes for the following business occupations and/or professions are hereby levied and imposed as follows, provided that no tax or combination of business taxes for a single entity at a single business location shall exceed \$30,000.00:

	Occupation/profession	Amount
(920)	Dealers, secondhand firearms	200.00

**Miami Lakes Municipal Code**  
Current through Ordinance No. 18-228, adopted July 7, 2018. (Supp. No. 7, Update 1)

**Chapter 13. Land Development Code**  
**Article IV. Zoning District Regulations**  
**Division 20. Business, Commercial and Industrial District Master List**

**§ Sec. 13-748 Business, Commercial and Industrial Use Master List.**

Use	RO-13	RO-50	BU-1	BU-1A	BU-2	BU-3	IU-1	IU-2	IU-3	IU-C	TC	*Add'l Regs
Pistol, rifle, skeet, archery ranges and accessory munition, firearm, and equipment sales.			c	c	c	c						§ 13-759 § 13-781

**Division 23. TND Traditional Neighborhood Development District**

**§ Sec. 13-822 Design criteria.**

(a) The following design criteria and requirements shall be applicable in the TND District. Terms used throughout this ordinance Ord. No. 13-155 shall take their commonly accepted meaning unless otherwise defined in this chapter. Terms requiring interpretation specific to this ordinance Ord. No. 13-155 are as follows:

(27) Prohibited uses: The following uses are not permitted anywhere within a TND: ... gun shops, pawn shops, chicken hatcheries, packing houses, tire vulcanizing and retreading, automobile sales and rental, any commercial use in which patrons remain in their automobiles while receiving goods or services, except service stations; on-site enameling, painting or plating, of materials for off-site use, except artist's studios and as provided in the workshop land use category; outdoor advertising or billboard; terminal or yard used for the business of carting, moving, or hauling goods, except delivery of goods to businesses within a TND; prisons, or detention centers, except as accessory to police station; manufacture, storage or disposal of hazardous waste materials; scrap yards; mobile homes; sand, gravel, or other mineral extraction; kennels.

**Miami Shores Village Municipal Code**

Current through Ordinance No. 2018-08, adopted April 3, 2018. (Supp. No. 9)

**Chapter 14. Local Business Tax and Business Regulations**

**Article II. Local Business Tax**

**§ Sec. 14-33 Schedule of local business taxes.**

The various businesses, occupations and professions within the village are hereby classified for the purpose of this article and assessments of business taxes therefore are hereby fixed as follows:

(c) Merchants and dealers:

Arms (including pistols, rifles, shot guns and firearms)\121.55

**Appendix A. Zoning**

**Article V. Supplementary Regulations**

**Division 2. Use Regulations**

**§ Sec. 501 Prohibited uses.**

No use shall hereafter be established in any district unless the same is included among the uses permitted in such district as set forth in the schedule adopted by Article IV, either by specific listing or by the application of standards specified in this ordinance. For the purpose of clarification, the following list sets forth uses that are among those that shall not be deemed to be permitted anywhere in the village:

(22) The following business operations between the hours of 1:00 a.m. and 6:00 a.m.:

a. The sale of food, beverages, clothing, firearms and firearm ammunition.

**Division 24. Miami Shores Downtown District**

**§ Sec. 580 Miami Shores Downtown District land use restrictions.**

(2) The following land uses are incompatible with the goals and purpose of this division for "Miami Shores Downtown District" development and are prohibited:

b. Firearms and accessories.

**Miami Springs Municipal Code**

Current through Ordinance No. 11-04-2018, passed March 26, 2018. (Supp. No. 32)

**Title XI. Business Regulations**

**Chapter 113. Business Taxes**

**§ Sec. 113-04 Schedule of fees.**

No person, firm, corporation or association shall engage in or manage any business, profession or occupation without first obtaining from the City a business receipt thereof, for each separate location in the City and paying therefore the following fee which shall be assessed and fixed as follows:

Weapons

Must be state approved. (Including ammunitions and pistols, guns, knives, rifles, and similar weapons.) Retail sales\250.69

**Title XV. Land Usage  
Chapter 150. Zoning Code  
Article VII. Business District**

**§ Sec. 150-070 CBD central business district.**

Prohibited uses.

Gun shop;

**§ Sec. 150-071 NBD neighborhood business district.**

(C) Prohibited uses.

Gun shop;

**Article XV. Large Scale Commercial Development District**

**§ Sec. 150-164 Northwest 36th Street District.**

(C) Prohibited uses.

(5) Gun shop or gun range.

**§ Sec. 150-166 Airport Golf District.**

(C) Prohibited uses.

(9) Gun shop or gun range.

**Milton Municipal Code**

Current through Ordinance No. 1479-18, enacted September 11, 2018. (Supp. No. 11)

**Part III. Unified Development Code  
Article 8. Use Standards**

**§ Sec. 8.1 Principle use standards**

Where applicable, uses are required to comply with the use standards provided in this Article, whether a permitted or special use, in addition to all other applicable regulations of this Unified Development Code, and Florida Building Code.

**VV. Second Hand, Thrift, and Pawn Shops.**

Consignment Shops.

(2) Shall be prohibited from the sale of guns, appliances, mattresses, and motor vehicles.

**Miramar Municipal Code**

Current through Ordinance No. 18-12, enacted August 22, 2018. (Supp. No. 85)

**Subpart A. Administrative Regulations  
Chapter 11. Business Taxes, Permits and Business Regulations  
Article II. Business Tax**

**§ Sec. 11-39 Business tax schedule.**

For the purposes of this section, inventory shall mean the average selling value of annual inventory owned by the business, exclusive of excise tax. Business tax fees for the following business occupations and/or professions are hereby levied and imposed as follows, provided that no business tax or combination of business taxes for a single entity at a single business location shall exceed ninety-nine thousand two hundred twenty-five dollars (\$99,225.00).

(920) Dealers, Secondhand firearms 220.50

**Miramar Land Development Code**

Current through Ordinance No. 18-07, adopted March 7, 2018. (Supp. No. 32)

**Chapter 4. Zoning**  
**Article II. The Districts**

**§ Sec.403 Non-residential zoning districts**

Neighborhood Business (B1) District.

Community Business (B2) District.

Heavy Business (B3) District.

Office Park (OP) District.

Employment Center (EC) Zoning District.

Planned Industrial Development (PID).

**§ Section 404 Mixed-use districts 404.1 mixed-use districts**

Traditional Neighborhood Development (TND) District.

Mixed-Use High (MK) and Mixed-Use Low (ML) Districts.

Special District (SD).

**Monticello Municipal Code**

Current through Ordinance No. 2018-07, enacted June 5, 2018. (Supp. No. 10)

**Chapter 26. Business**  
**Article II. Business Tax Receipts**

**§ Sec. 26-42 Tax schedule.**

The following enumerated individual business taxes shall be paid to the city yearly, unless otherwise specified, by the persons engaging in or managing or transacting the several occupations or professions named:

Gunsmiths, including sporting goods: \$25.00

Repair shop: \$5.00

**Moore Haven Municipal Code**

Current through Ordinance No. 329, enacted February 2, 2016. (Supp. No. 3)

**Chapter 26. Business**  
**Article II. Business Tax Receipts**

**§ Sec. 69-13. Fees.**

Except where the City Council has specifically waived the requirement in writing, which waiver is limited to bona fide charitable, religious and nonprofit organizations as determined by the Council in its sound discretion, it shall be unlawful for any person, firm or corporation to do or engage in any of the following business, trades, profession or callings without first procuring a license from the Clerk upon payment of the annual fees indicated below:

Type	Fee
Arms	See merchants
Gunsmiths, Locksmiths	25.00
Merchant, Retail Or Wholesale (Other Than Auction And Bankrupt Sale Stores)	25.00

**Naples Municipal Code**

Current through Ordinance No. 18-14237, adopted October 17, 2018. (Supp. No. 47, Update 1)

**Chapter 14. Civil Emergencies**  
**Article II. Emergency Preparedness**

**§ Sec. 14-37 Automatic emergency measures.**

Whenever a state of emergency exists, pursuant to section 14-36, the following acts shall be prohibited during the period of such emergency:

- (1) The sale of or offer to sell, with or without consideration, any ammunition or gun or other firearm of any size or description.
- (2) The intentional display, after the emergency is declared, by or in any store or shop of any ammunition or gun or other firearm of any size or description.
- (3) The intentional possession in a public place of a firearm by any person, except a duly authorized law enforcement official or person in military service acting in the official performance of such person's duty.

**Chapter 34. Taxation**  
**Article III. Business Taxes**

**§ Sec. 34-79 Schedule of taxes.**

There is levied on a business, occupation or profession the following taxes:

Standard Industrial Code	License Category	Fee
	MERCHANT, general. Permits retail or wholesale sale of merchandise and tangible personal property of all kinds, including food for consumption off the premises, except those businesses/occupations otherwise specifically licensed herein; permits rental and repair of merchandise carried as a regular line, and manufacture of products sold at retail only. Alone or in connection with any other business. Licensed per location, based on average number of employees in preceding 12 months.	
	1 to 15 employees	\$57.89
	16 to 30 employees	\$86.82
	More than 30 employees	\$115.76
5952	(05) Arms, including firearms of all kinds. State license required. Secondhand dealers license required if appropriate.	

**North Lauderdale Municipal Code**

Current through Ordinance No. 17-06-1357, adopted June 27, 2017. (Supp. No. 22)

**Chapter 106. Zoning**  
**Article XV. Business Districts**  
**Division 2. Master Business List**

**§ Sec. 106-466 Purpose.**

There is hereby created a master business list concerning permitted and prohibited uses in B-1, B-2, B-3 and B-4 districts:

- (1) It is the intent of this article to provide, in tabular form, a listing, referred to as the master business list, of the uses that shall be permitted or prohibited in the various business districts.
- (2) Where an "\*" appears on the same line as a listed use, such use shall be permitted in the district as indicated by the column heading in which the "\*" appears.
- (3) Where no "\*" appears on the same line as a listed use, such use shall be prohibited in the district as indicated by the column heading, in the same manner.
- (4) Where a listed use is not permitted in any of the business districts, an "\*" appears in the column headed "Prohibited."
- (5) Where an "\*" is followed by a number, the listed use shall be subject to limitations and restrictions set forth in the corresponding supplemental regulations in section 106-467. For example \*7 means that the applicable supplemental regulation can be found in section 106-467(7).
- (6) Any use not covered by the master business list may or may not be permitted by the city after recommendation by the planning and zoning board and the city administration within 30 days after application for approval.

**§ Sec. 106-468 Master business list.**

The master business list is as follows:

Business listings	Prohibited	B-1 Neighborhood	B-2 Commercial	B-3 Commercial	B-4 Commercial
Guns, retail			*7	*7	

**North Miami Municipal Code**

Current through Ordinance No. 1423, adopted May 22, 2018. (Supp. No. 60)

**Chapter 2. Administration**  
**Article VII. Emergency Management**

**§ Sec. 2-419 Declaration of a state of emergency.**

(c) Emergency resolutions authorized by this article may include, but are not limited to, the following subjects:

- (3) Suspension or regulation of the sale of, or offer to sell, with or without consideration; alcoholic beverages; ammunition; firearms; explosives; or combustibles;

**§ Sec. 2-421 Police emergencies.**

(a) An emergency may be declared because of civil unrest or imminent threat to public peace or order when the chief of police, or if unavailable, the next highest ranking officer in the police department chain of command certifies to the city manager that an emergency condition arising from hostile actions of others, armed or unarmed or other imminent threat to public peace or order, requires extraordinary measures for control, including, but not limited to curfew; blockade; proscription of the sale of firearms, other weapons or alcohol beverages; explosives and combustibles; evacuation; and other similar actions. The city manager may issue a declaration of a state of emergency in accordance with section 2-419.

**Chapter 11. Licenses and Business Regulations  
Article II. Local Business Taxes**

**§ Sec. 11-32 Gun shops; special permit required.**

(a) All persons employed in or by the gun shop and all owners if an individual, or all officers, directors and stockholders if a closed corporation shall be fingerprinted and photographed by the police department. If a public corporation, only store employees shall be fingerprinted and photographed by the police department. They shall have no criminal record. All handguns, rifles and shotguns using metallic ammunition must be registered with the county and records shall be maintained as directed by the police department. Such records and premises shall be made available for police inspection during all regular business hours as well as at other times in case of emergency. The owner and operator shall maintain public liability insurance of at least one hundred thousand dollars (\$100,000.00). The premises shall be maintained in such a manner as to provide security for the prevention of burglary and shall be inspected by the police department periodically for security. The owner and/or operator shall provide such security measures as are directed by the police department. Upon the failure of the business tax receipt holder to comply with any of the provisions hereof, the business operation shall immediately cease pending such compliance or action on appeal to the city council.

(b) In addition to the aforementioned requirements, applicants intending to engage in the sale of firearms shall provide proof to the city council at the time of its review of the special permit application of compliance with the following criteria as well as with the special conditions provided in the zoning ordinance:

- (1) Possession of a valid federal firearms license to engage in the sale of firearms;
- (2) Possession of a valid license, issued by the county, as provided by sections 21-20.1 through 21-20.15 of the County Code, to engage in the sale of firearms or a certification by the county that such firearm license is being withheld only because of the absence of special permit from the city under this section.

**North Port Unified Land Development Code**  
Current through Ordinance No. 2018-05, enacted March 27, 2018. (Supp. No. 7)

**Chapter 53. Zoning Regulations  
Article XIX. CRL Commercial Redevelopment Low Impact District**

**§ Sec. 53-227 Prohibited uses and structures.**

A. Any use, structure or activity not expressly permitted herein, including specifically adult entertainment, or exhibition establishments, adult bookstores or any other establishments whose primary purpose is to sell sexually explicit material or the exhibition of sexually explicit activities. Listed permitted or permissible uses do not include either as a principal or an accessory use any of the following which are listed for emphasis:

- (11) Fire arms.

**Chapter 61. Definitions**

**§ Sec. 61-3 Definitions and word usage.**

**Firearm**, Any device designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by the force of an explosion or other form of combustion.

**North Redington Beach Municipal Code**  
Current through Ordinance No. 2018-804, enacted October 11, 2018. (Supp. No. 13)

**Chapter 22. Zoning Regulations  
Article XIX. CRL Commercial Redevelopment Low Impact District**

**§ Sec. 22-33 Civil emergency orders.**

After proclamation of a civil emergency, the mayor, or in his absence or incapacity any of the four other commissioners able to act, in the interest of public health, safety or welfare may issue any or all of the following orders also:

(7) Order the discontinuance of selling, distributing or dispensing or giving away of any firearms or ammunition of any character whatsoever;

(8) Order the closing of any and all establishments or portions thereof the chief activity of which is the selling, distributing or dispensing or giving away of firearms and/or flammable or combustible products;

**Oakland Park Municipal Code**

Current through Ordinance No. O-2018-014, enacted August 1, 2018. (Supp. No. 41)

**Chapter 24. Land Development**

**Article III. District Regulations**

**§ Sec. 24-41. - Master business list.**

(A) **Purpose.** It is the intent of this section to provide, in tabular form, a listing (herein referred to as the "master business list") of the uses that shall be permitted or prohibited in the various business districts.

(B) **Key to table.**

(1) Where a "P" appears on the same line as a listed use, said use shall be permitted in the district as indicated by the column heading in which the "P" appears.

(4) Where no letter "P", "C", or "A" appears on the same line as a listed use, said use shall be prohibited in the district as indicated by the column heading, in the same manner.

(5) Where a listed use is not permitted in any of the business districts, an "X" appears in the column headed "prohibited."

(6) Where a listed use is followed by parentheses and the symbol "\*", the district where the symbol "\*" is found is limited by the restrictions of the parenthesis in the business listing.

(8) Any use not listed on the master business list, as amended from time to time, shall be considered an "unlisted use." Such applications shall be reviewed and considered according to the conditional use provisions set forth herein.

Master Business List Key Summary:

P	=	Permitted Principal Use;
X	=	Prohibited Use
*	=	See Restriction in first column in parenthesis;

(C) **Master business list.** The following is the master business list, indicating the permitted and prohibited uses and those uses subject to the supplemental regulations and definitions of this section. The following uses are principal uses unless otherwise stated. In some cases, a use may be permitted in the district, but would constitute a change of use pursuant to the parking and landscaping sections of this code. There shall be no variances on the uses listed in the Master Business List in this subsection.

Business Listing	Prohibited	NB	B-1	B-2	B-3	I-1	PRZD	FHOD
Guns—retail (as accessory use)*			P*	P	P		P*	
Manufacture of: explosives, ammunition, insecticides, fertilizer, dangerous or obnoxious chemicals	X							

**Oldsmar Municipal Code**

Current through Ordinance No. 2018-04, enacted June 5, 2018. (Supp. No. 24, Rev.)

**Chapter 18. Civil Emergencies**

**Article II. State of Emergency**

**§ Sec. 18-33 Declaration.**

(e) **Authority and enforcement.** The purpose of this subsection is to provide authority and enforcement power to whatever action is necessary during a state of emergency. Such powers shall include but are not limited to the following:

(1) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.

**Opa-Locka Municipal Code**

Current through Ordinance No. 17-014, adopted January 11, 2017. (Supp. No. 61)

**Chapter 2. Administration  
Article XIV. Schedule of Fees**

**§ Sec. 2-654 Business tax receipts, Schedule of fees.**

License tax fees for the following businesses, occupations, or professions are hereby levied and imposed as follows:

Classifications fee:

**(17) Arms.**

- a. Dealer in arms and weapons along with other goods such as department stores, etc. (see basic schedule Class. 29.).
- b. Arms and weapons only, Gun shop sales and repair and service 200.00
- c. Arms and weapons repair only (see repair and service Class. 178).

**(29)** Basic schedule for retail and wholesale merchants. Every person whose primary business is retail or wholesale and who is not otherwise classified in the license code.

Number of employees:

- One (1) to four (4) 125.00
- Five (5) to nine (9) 265.00
- Ten (10) to nineteen (19) 405.00
- Twenty (20) or more 545.00

**(178) Repair and service shops.**

- One (1) to four (4) employees 75.00
- Five (5) to nine (9) employees 125.00
- Ten (10) to nineteen (19) employees 175.00
- Twenty (20) or more 225.00

**Orange City Municipal Code**

Current through Ordinance No. 598, enacted January 23, 2018. (Supp. No. 10)

**Chapter 8. Licenses**

**§ Sec. 8-13 Taxes specified.**

Local business taxes for businesses, occupations and professions hereinafter specified shall be in the amounts hereinafter specifically stated:

Classification Number	Occupation	Amount
0380	Gun dealers	60.25

**Orange County Municipal Code**

Current through Ordinance No. 2018-18, enacted August 7, 2018. (Supp. No. 102)

**Chapter 26. Miscellaneous Provisions and Offenses  
Article V. Offenses Involving Public Safety  
Division 2. Firearm Purchase Waiting Period**

**§ Sec. 26-93 Jurisdiction.**

This division shall be effective in the incorporated and unincorporated areas of the county.

**§ Sec. 26-95 Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Firearm** means any weapon, including a starter gun or handgun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm

silencer; any destructive device; or any machine gun. The term "firearm" does not include an antique firearm as defined in F.S. 790.001.

**Property to which the public has a right of access** means any real or personal property to which the public has a right of access, including property owned by either public or private individuals, firms and entities and expressly includes flea markets, gun shows and firearms exhibitions.

**Sale** shall mean the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property to which the public has the right of access. For purposes of the foregoing, private residences shall be deemed property to which the public does not have the right of access.

**§ Sec. 26-96 Waiting period; criminal history background check.**

- (a) No firearm shall be delivered to any person for a period of three (3) working days after the sale of such firearm.
- (b) No person shall deliver a firearm to another person to consummate a sale when the transaction is subject to the waiting period in subsection (a) until the seller has complied with all of the provisions set forth in F.S. 790.065, requiring a criminal history check of the potential buyer.
- (c) In the case of a seller who is not a licensed importer, licensed manufacturer or licensed dealer:
  - (1) Compliance with F.S. 790.065, shall be achieved by the seller requesting that a licensed importer, licensed manufacturer or licensed dealer complete all the requirements of F.S. 790.065.
  - (2) Licensed importers, manufacturers and dealers may charge a fee of an unlicensed seller as established by the Florida Department of Law Enforcement to cover costs associated with completing the requirements of F.S. 790.065.
  - (3) An unlicensed seller must prominently display next to any firearms being sold on property to which the public has the right of access the following information:
    - a. The full legal name of the seller.
    - b. The name(s) of the licensed importer, licensed manufacturer, or licensed dealer who will be completing the transaction on behalf of the seller.
    - c. The license number of the licensed importer, licensed manufacturer, or licensed dealer who will be completing the transaction on behalf of the seller.
- (d) Sellers who conduct or cause to be conducted history records checks shall maintain records pursuant to Florida Statutes.

**§ Sec. 26-97 Exemptions from waiting period.**

The following shall be exempt from the waiting period set forth in Section 26-96 above.

- (1) Individuals who are licensed to carry concealed firearms under the provisions of F.S. 790.06, or who are licensed to carry concealed firearms under any other provision of state law and who show a valid license.
- (2) A law enforcement or correctional officer as defined in F.S. 943.10.
- (3) A law enforcement agency as defined in F.S. 934.02.
- (4) Sales to a licensed dealer, licensed importer or licensed manufacturer.
- (5) A trade-in of another firearm.

**§ Sec. 26-98 Inspection of records of firearm sales.**

Records of firearm sales must be available for inspection, during normal business hours, by any law enforcement agency as defined in F.S. 934.02.

**§ Sec. 26-99 Penalty.**

Violation of any requirement or provision of this division shall be punishable by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment in the county jail not to exceed sixty (60) days or by both such a fine and imprisonment as provided in section 1-9, Orange County Code.

**Chapter 38. Zoning**  
**Article IV. Zoning Districts Established; Zoning Map**

**§ Sec. 38-74 Permitted uses, special exceptions and prohibited uses.**

- (a) Use of buildings, structures, lands and premises. Except as may be provided otherwise, buildings, structures, lands and premises shall be used only in accordance with the uses and conditions contained in the "Use Table" set forth in section 38-77, the "Special Exception Criteria" set forth in section 38-78, and the "Conditions for Permitted Uses and

Special Exceptions" set forth in section 38-79, subject to compliance with all other applicable laws, ordinances and regulations.

**(b) Use table.**

**(1)** The permitted uses and special exceptions allowed in the zoning districts identified in the use table set forth in section 38-77 are respectively indicated by the letters "P" and "S" in the cells of the use table. No primary use shall be permitted in a district unless the letter "P" or the letter "S" appears for that use in the appropriate cell.

**(2)** When a use is a permitted use in a particular zoning district, it is permitted in that district subject to:

- a. Compliance with all applicable requirements of chapter 38 and elsewhere in the Orange County Code; and
- b. Compliance with all requirements specified in the conditions for permitted uses and special exceptions" set forth in section 38-79 which correlate with the number which may appear within the cell of the use table for that permitted use.
- c. A use variance from section 38-77 (Use table) and section 38-79 (Conditions for permitted uses and special exceptions) shall be prohibited.

**(3)** When a use is permitted as a special exception in a particular zoning district, it is permitted in that zoning district subject to:

- a. Obtaining the special exception;
- b. Compliance with all applicable requirements of chapter 38 and elsewhere in the Orange County Code; and
- c. Compliance with all requirements specified in the special exception criteria set forth in section 38-78 and the conditions for permitted uses and special exceptions set forth in section 38-79 which correlate with the number which may appear within the cell of the use table for that special exception.

**(4)** Land uses on properties zoned P-D (planned development) shall be subject to the requirements of the P-D district as outlined in Chapter 38, Article VIII of the Orange County Code.

**§ Sec. 38-77 Use table.**

Uses Per Zoning Code	SIC Group	Land Use	A-1	A-2	A-R	RCE-5	RCE-2	RCE	R-1AAAA	R-1AAA	R-1AA	R-1A
Sporting goods, bicycle stores firearms sales and rental	5941	Sporting goods & bicycle shops										
Locksmiths, lawnmower repair, bicycle repair, camera repair, gunsmith, taxidermists, sharpening services	7699	Repair services, locksmiths										

Uses Per Zoning Code	SIC Group	Land Use	R-1	R-2	R-3	RCE Cluster	RT	RT-1	RT-2	P-O	C-1	C-2	C-3
Sporting goods, bicycle stores firearms sales and rental	5941	Sporting goods & bicycle shops									P	P	P
Locksmiths, lawnmower repair, bicycle repair, camera repair, gunsmith, taxidermists, sharpening services	7699	Repair services, locksmiths									107 P S	P	P

Uses Per Zoning Code	SIC Group	Land Use	I-1A	I-1, I-5	I-2, I-3	I-4	U-V (see 29)	R-L-D	UR-3	NC	NAC	NR	Conditions
Sporting goods, bicycle stores firearms sales and rental	5941	Sporting goods & bicycle shops					P			P	P		*
Locksmiths, lawnmower repair, bicycle repair, camera repair, gunsmith, taxidermists, sharpening services	7699	Repair services, locksmiths		P	P	P	P						*

**§ Sec. 38-77.1 Horizon West Town Center PD Code Land Use Table.**

Town Center Land Use Table

Uses Per Zoning Code	SIC Group	Land Use	Urban Residential	Corporate Campus Mixed Use	Traditional Town Center	Retail/Wholesale (Marketplace)	Corporate Neighborhood Center	Open Space
Sporting goods, firearms sales, & bicycle shops	5941	Sporting goods & bicycle shops	P(UNP) (162)	P(UNP) (164)	P	P	P(163)	

P = Permitted use

P(UNP)= Permitted when identified on an approved UNP (Unified Neighborhood Plan).

**§ Sec. 38-79 Conditions for permitted uses, special exceptions, etc.**

The following numbered conditions shall correlate with the numbers listed in the use table set forth in section 38-77 and the Horizon West Town Center Land Use Table set forth in section 38-77.1:

**(162)** May be permitted by location in a UR district limited to: Corner lots on parkway or avenue; one (1) per block; 600-foot spacing between other nonresidential uses; four (4) on-site parking spaces maximum; one thousand five hundred (1,500) square feet maximum per site; one (1) tenant maximum per site.

**(163)** In a Corporate Neighborhood Center limited to a minimum thirty thousand (30,000) square feet.

**(164)** In a Corporate Campus Mixed Use District use may be permitted by location, pursuant to section 38-1390.23, and limited to a maximum seven thousand five hundred (7,500) square feet.

**Orange Park Municipal Code**

Current through Ordinance No. 10-17, enacted October 3, 2017. (Supp. No. 3)

**Part III. Land Development Regulations  
Article II. Zoning**

**§ Sec. 2.04.00 District regulations.**

2.04.00.01 Permitted Uses. Table II.1 lists those uses permitted in each conventional zoning district.

2.04.00.02 Uses allowed by right. Within Table II.1, an "\*" indicates that the use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this article. Conditional uses are indicated with a "c".

2.04.00.03 Uses for other purposes prohibited. Allowance of a use within Table II.1, and compliance with the applicable specific use standards for that use, authorizes that use only. Development or use of a property for any other use not specifically allowed in Table II.1, other than common and customary accessory uses as discussed in this article, and approved under the appropriate process is prohibited.

Use	Residential					Nonresidential				
	RS-1	RS-2	RS-3	RG-1	RG-2	CPO	CN	CG	CI	IW
Gun sales/repairs								*	*	

**Orlando Municipal Code**

Current through Ordinance No. 2018-56, enacted October 8, 2018, Document #1810081203. (Supp. No. 67)

**Chapter 36. Licenses  
Article II. Taxing Scheule**

**§ Sec. 36.35 Enumeration.**

The businesses, professions and occupations subject to the provisions of this Chapter, and the amount of taxes imposed and levied hereunder, and other prohibitions and requirements pertaining thereto are as follows:

**(9)** Agencies or Agents and Salesmen:

(a) Distributor, Meaning any salesman or agent who sells or takes orders for any product within the City limits and does not stock inventory or have products available for immediate delivery upon sale or order: (See 36.36.(1) Number of Workers Scale)

**(19) Arms:**

(a) Dealer in Arms and Weapons (Stocks Merchandise): (See 36.36.(3) Merchant, Retail/Wholesale Scale)

No additional receipt is required for persons stocking arms or weapons for sale when such inventory has been accounted for in conjunction with another retail merchant receipt issued pursuant to this Chapter 36.

(b) Sale of Arms and Weapons Only (takes orders, does not stock merchandise): (See 36.35.(82) Distributor)

(c) Arms and Weapons, Service and Repair: (SEE 36.36.(1) Number of Workers Scale)

(82) Distributor, Not otherwise classified, Does not stock merchandise but orders for customers only: (See 36.36.(1) Number of Workers Scale) (See Also Sec. 36.35.(9).(a) and Sec. 36.35.(161)) If merchandise is stocked: (See 36.36.(3), Merchant, Retail/Wholesale Scale)

(161) Manufacturer's Agent, Desk Space Only, Does not handle or stock Merchandise: (See 36.36.(1) Number of Workers Scale)

**§ Sec. 36.36 Local business tax, variable tax measurement scales.**

**(1) Number of Workers Scale:**

Scalable Fee:

Square Footage less than 2000\55.13

Square Footage from 2000, 5000\110.25

Square Footage above 5000\275.63

Plus Number of Workers:

When operated solely by owner\55.13

Not more than 3 workers\82.69

4 and not over 5 workers\132.30

6 and not over 15 workers\165.38

16 and not over 25 workers\209.48

26 and not over 50 workers\248.06

51 and not over 100 workers\303.19

101 and not over 150 workers\347.29

For each 50 or part thereof over 150\71.66

**(3) Merchant, Retail/Wholesale Scale:**

Scalable Fee:

Square Footage less than 2000\55.13

Square Footage from 2000, 5000\110.25

Square Footage above 5000\275.63

Plus Average Annual Inventory:

Less than \$1,000.00 in value: (No additional fee)

\$1,000.00 and less than \$50,000.00 in value, Each one thousand\1.38

\$50,000.00 and over, Plus\68.90

Plus each one thousand over \$50,000.00\2.75

**Chapter 185. Zoning Code**  
**Supplementary District Regulations**

**§ Sec. 185.125 Home occupations.**

(C) In a residentially zoned district, a home-based business occupational license may be issued for a business that does not meet all of the criteria identified in subsections (A) and (B) above provided the following criteria are met:

(6) A licensed firearms dealer may operate within their home, provided a Federal Firearms Permit is valid and secured prior to the business tax receipt application. No on-site storage of ammunition or items related to ammunition reloading, musket ball or muzzle manufacturing or re-loading may be permitted. Transfer of firearms to private individuals may not occur at the property where the home is located.

**Palm Beach County Municipal Code**  
Current through Ordinance No. 2018-034, enacted December 4, 2018. (

**Chapter 18. Miscellaneous Provisions and Offenses**  
**Article III. Palm Tran Trespass**

**§ Sec. 18-62 Definitions.**

(a) Palm Tran County Property shall mean any vehicle, facility, building, shelter, bench, easement or other real or personal property owned or used by the Palm Beach County Board of County Commissioners or Palm Tran, Inc. to provide Palm Tran fixed route public transportation service in the County.

(c) Palm Tran Trespass Regulations consist of the following:

(2) possessing a weapon (defined as: firearms, knives or other cutting or stabbing instruments, electric weapons or devices, any type of flammable liquid, explosive, acid, or other article or material likely to cause harm to others), except that nothing herein shall prevent a person from carrying a cigarette, cigar, or pipe lighter on any Palm Tran vehicle, or prohibit weapons in the possession of a law enforcement officer or a concealed firearm possessed by a person having a concealed weapons permit issued by the State of Florida;

**Chapter 21. Parks and Recreation**  
**Article II. Park Rules**

**§ Sec. 21-28 Firearms.**

No person shall use or possess firearms, weapons or trapping devices within any park property except in accordance with Florida Statutes or upon prior approval from the director. The director shall establish rules and regulations pertaining to any recreational shooting facilities. Shooting into park areas from beyond park boundaries is prohibited.

**Chapter 28. Weapons**  
**Article II. Firearms**  
**Division 1. Generally**

**§ Sec. 28-21. - Definitions.**

As used in this article:

**Business day** means a 24-hour day (beginning at 12:01 a.m.), excluding weekends and legal holidays.

**FDLE** means the Florida Department of Law Enforcement.

**Firearm** means any weapon, including a starter gun or handgun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; and destructive device; or any machine gun.

**Handgun** means a firearm capable of being carried and used by 1 hand, such as a pistol or revolver.

**Licensed dealer** means a dealer licensed under the provisions of Title 27, Code of Federal Regulations, Part 478, or any successor federal regulations requiring licenses for firearm dealers.

**Licensed importer** means an importer licensed under the provisions of Title 27, Code of Federal Regulations, Part 478, or any successor federal regulations requiring licenses for firearm importers.

**Licensed manufacturer** means a manufacturer licensed under the provisions of Title 27, Code of Federal Regulations, Part 478, or any successor federal regulations requiring licenses for firearm manufacturers.

**NICS** means the National Instant Criminal Background Check System established pursuant to Title 18, United States Code, Section 922.

**Person** includes, but is not limited to, any individual, corporation, company, association, firm partnership, society, or joint stock company.

**Sale** means the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property to which the public has the right of access, which includes, but is not limited to, flea markets, gun shows and gun exhibitions.

**Shotgun** means a shoulder-held firearm with a smooth bore designed primarily to fire shells containing multiple projectiles (shotshells).

**Shotshell** means a metal, plastic or cardboard case containing a primer, propellant and multiple projectiles intended to be fired from a shotgun.

**Structure** means that which is 3 feet or more in height which is built or constructed or erected or tied down having a fixed location on the ground such as buildings, homes and mobile homes.

**§ Sec. 28-23. Mandatory waiting period; criminal history records check requirement.**

(a) No person shall deliver a firearm to another person, other than a licensed dealer, licensed manufacturer or licensed importer, in connection with the sale of such firearm for a period of 5 business days from the date of the sale.

(b) No person shall deliver a firearm to another person, other than a licensed dealer, licensed manufacturer or licensed importer, in connection with the sale of such firearm until the seller, either directly or through a licensed dealer, licensed manufacturer or licensed importer, has:

(1) Requested a national criminal history records check of the potential purchaser or transferee of the firearm from FDLE or NICS, and

(2) Received an approval/identification number from FDLE or NICS signifying the potential purchaser or transferee of the firearm would not be prohibited by state or federal law from receiving or possessing a firearm.

(c) The provisions of this section shall not apply to holders of a concealed weapons permit issued pursuant to general law of the State of Florida when purchasing a firearm.

**§ Sec. 28-25 Penalty.**

Any person convicted of a violation of any of provision of this article shall be punished in accordance with F.S. 125.69(1), as may be amended, by a fine not to exceed five hundred dollars (\$500.00) per violation or by imprisonment in the county jail not to exceed sixty (60) days or by both such fine and imprisonment. Each violation of this article shall constitute a separate offense. In addition to the sanctions contained herein, the county shall be authorized to take any other appropriate legal action, including, but not limited to, seeking cease and desist orders, instituting other administrative actions, and requesting temporary and permanent injunctions to enforce the provisions of this article. It is the purpose of this article to provide additional and cumulative remedies.

**§ Sec. 28-26 Applicability.**

This article shall be applicable in both the unincorporated and incorporated areas of the county to the extent permitted by law.

**Volume II**  
**Appendix D. Child Care Facilities and Family Day Care Facilities**  
**Chapter 2. Palm Beach County Rules and Regulations Governing Family Day Care**  
**Article VIII. Physical Facility**

**§ Sec. A General.**

**20.** As required by Florida Statutes Section 790.174, as may be amended, and Florida Administrative Code 65C-13.030 and 65C-20.010, as may be amended, a person who stores or leaves, on a premises under his or her control, a loaded firearm, as defined in Florida Statutes Section 790.001, and who knows or reasonably should know that a minor is likely to gain access to the firearm without the lawful permission of the minor's parent or the person having charge of the minor, or without the supervision required by law, shall keep the firearm in a securely locked box or container or in a location which a reasonable person would believe to be secure or shall secure it with a trigger lock. To the extent prohibited by Florida Administrative Code 65C-20.010 (I)(d), no firearms or weapons as defined in Section 790.001 Florida Statutes, shall be kept upon any person located on the premises, excluding federal, state or local law enforcement officers.

**Palm Beach Gardens Municipal Code**  
Current through Ordinance No. 6, 2018, enacted June 7, 2018. (Supp. No. 43)

**Chapter 66. Taxation**  
**Article II. Business Tax and Registration**

**§ Sec. 66-69 Fee schedule.**

The classification and rates of all business taxes are hereby fixed per annum, unless otherwise provided as follows:

**(19) Other.**

- a. Firearms or other deadly weapons (a), (b), (bb), (d), plus inventory 470.00

**Editors Note**

The letters (a), (b), (bb), (c), (d) or (e) appearing within any item in this schedule shall have the meanings prescribed for them in section 66-67(a).

**Palm Shores Municipal Code**

Current through Ordinance No. 2018-08, passed September 25, 2018. (Supp. No. 5)

**Title XI. Business Regulations**

**Chapter 110. Businesses**

**Business Tax Receipt**

**§ Sec. 110.37 Schedule.**

The following enumerated license taxes shall be paid for the following classifications of businesses, occupations and professions:

License Classification	Tax
Deadly weapons sales (gun shop)	\$210.00

**Title XV. Land Usage**

**Chapter 157. Zoning**

**Supplementary District Regulations**

**§ 157.505 Prohibited uses east of the eastern right-of-way line of U.S. Highway-1.**

Notwithstanding any other provision in this code the following uses are prohibited east of the eastern right-of-way line of U.S. Highway-1:

- (W)** Gun and/or ammunition sales;

**Palmetto Municipal Code**

Current through Ordinance No. 2018-11, enacted June 4, 2018. (Supp. No. 35)

**Chapter 19. Licenses and Business Regulations**

**Article II. Local Business Tax**

**§ Sec. 19-48 Schedule of business taxes.**

The various businesses, occupations and professions within the city are hereby classified for the purpose of this article, and the following business taxes shall be assessed and collected:

Gun dealer, includes repair\78.00

Gunsmith, repair only\39.00

**Palmetto Bay Municipal Code**

Current through Ordinance No. 2018-08, enacted June 4, 2018. (Supp. No. 5)

**Chapter 14. Emergency Services**

**Article III. Emergency Management**

**§ Sec. 14-80 Declaration of a state of emergency.**

**(c)** Emergency ordinances, which may be enacted after the fact, authorized by this chapter may include, but are not limited to, the following subjects:

- (3)** Suspension or regulation of the sale of, or offer to sell, with or without consideration, alcoholic beverages, ammunition, firearms, explosives, or combustibles;

**§ Sec. 14-82 Police emergencies.**

(a) An emergency may be declared because of civil unrest, terrorist act or other imminent threat to public peace or order when the chief of police, or if unavailable, the next highest ranking officer in the village police department chain of command certifies to the village manager that an emergency condition arising from hostile actions of others, armed or unarmed, or other imminent threat to public peace or order, requires extraordinary measures of control, including, but not limited to curfew; blockage; proscription of the sale of firearms, other weapons or alcoholic beverages; explosives and combustibles; evacuation; and other similar actions. The village manager may issue a declaration of a state of emergency in accordance with this chapter.

**Panama City Municipal Code**

Current through Ordinance No. 2654, enacted June 12, 2018. (Supp. No. 37)

**Subpart B. Land Development Regulation Code**

**Chapter 105. General Development Standards**

**Article IX. Parking and Storage of Portable Storage Containers and Construction Dumpsters, Permits**

**§ Sec. 105-285 Portable storage containers.**

In addition to the requirements of section 105-282 above, all portable storage containers on residential lots must also meet the following requirements:

(3) The portable storage container shall not be used to store flammables, explosives, firearms or noxious chemicals;

**Parker Municipal Code**

Current through Ordinance No. 2017-379, enacted November 17, 2017. (Supp. No. 4)

**Chapter 18. Business**

**Article II. Licenses**

**§ Sec. 18-51 Amount of fees.**

The amount of business license fees levied and imposed hereunder are hereby fixed at the following rates or amounts:

Guns: Dealer in guns and/or ammunition 34.65

**Parkland Municipal Code**

Current through Ordinance No. 2018-015, adopted August 16, 2018. (Supp. No. 4)

**Chapter 2. Administration**

**Article V. Officers and Employees**

**Division 4. City Manager**

**§ Sec. 2-101 Civil emergencies.**

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meaning ascribed to them in this subsection, except where the content clearly indicates a different meaning.

**Weapon** means a firearm of any type, size or configuration; cutting instrument of any type, size, or configuration; tear gas gun or chemical weapon or device; electric weapon or device; or any other device or object not commonly considered a weapon but which, in its use, intended use, or threatened use, is capable of causing injury to a person (e.g., rock, bottle, stick, club, bat, etc.).

(d) Clarifying and designating powers of the city manager during emergencies and disasters.

a. General powers. The city manager has the power to invoke any or all of the following provisions during a declared state of local emergency or disaster. Should the city manager deem it necessary to invoke any of the following provisions, a written notice will be made to the local news media for immediate dissemination to the public. All said actions shall be posted at an entrance to city hall if possible.

2. Weapons. Except as permitted under state law, no person shall carry or possess any weapon in a public place or upon the property of another; such possession shall be prima facie evidence of an intent to violate the provisions of this section.

**Appendix B. Land Development Code**

**Article 5. Administrative and Legal Provisions**

**Division 35. Definitions, Abbreviations, Acronyms and Rules of Construction**

**§ Sec. 5-3530 Terms defined.**

The terms used herein shall be liberally interpreted in such a way as to require a reasonable application of such term to the circumstance in order to effectuate the public purposes contemplated herein. In the event that definitions contained under particular regulations are inconsistent with or more specific than those set forth in this section, such specific or particular definitions shall prevail. Where words have not been defined, the most recent edition of the Merriam-Webster Unabridged Dictionary shall prevail.

For the purposes of this chapter, the following words and phrases shall have the meanings herein set forth when not inconsistent with the context:

**Guns, retail**, means an establishment providing for the retail sale and/or servicing of firearms, ammunition, knives and related accessory items.

**§ Sec. 10.4505 Uses permitted.**

No building or structure or any part thereof shall be erected, altered or used or land or water used, in whole or in part, for other than one (1) or more of those specified in the master business list table and uses accessory to the primary permitted uses. Permitted uses within the BCB-3 District are the B-3 permitted uses in this section, as well as the Broward County Zoning Code B-3 uses specifically authorized in a settlement agreement recorded in Office of Records Book 29272, Pages 1681 through 1699 of the Broward County, Florida Public Records.

**A.** It is the intent of this article to provide in tabular form a listing (herein referred to as the master business list) of the uses that shall be permitted in the various business districts.

**B.** Where an asterisk (\*) appears on the same line as a listed use, said use shall be permitted in the district as indicated by the column heading in which the asterisk (\*) appears.

**C.** Where no asterisk (\*) appears on the same line as a listed use, said use shall be prohibited in the district as indicated by the column heading in the same manner.

**D.** Where an asterisk (\*) is followed by one (1) or more numbers, the listed use shall be subject to limitations and restrictions set forth in the corresponding supplemental regulation(s) with the same number(s) in section 10-4510, supplemental regulations to master business list, of this article. For example, "7" means that the applicable supplemental regulation can be found in section 10-4510, supplemental regulations to master business list, as supplemental regulation number 7.

**E.** Where a listed use is followed by restrictions or limitations in parenthesis, the use shall be subject to such restrictions or limitations within each district, as indicated by the column heading, in which the letter "A" appears on the same line as the listed use.

**F.** The planning and zoning director may authorize as a permitted use, a use that is unlisted in the master businesses list and all other lists of permitted, prohibited and special exception uses in this chapter, but is substantially similar in character, impact and compatibility to a listed permitted use within the applicable zoning district.

**G.** The planning and zoning director may authorize the processing of a special exception use application for a use that is unlisted in the master business list, but is substantially similar in character, impact and compatibility to a listed special exception use within the applicable zoning district.

**H.** If a use is not listed as a permitted or special exception use, or is not determined by the planning and zoning director to be an accessory use or a use that is substantially similar to a listed use pursuant to subsections F. and G., it shall be deemed a prohibited use, except as provided in subsection I., below.

**I.** Any use permitted by the city land use plan within the commercial or office park land use categories not listed in the master business list (or the supplemental regulations) as permitted, special exception or prohibited, and which the planning and zoning director does not determine to be substantially similar to a listed permitted or special exception use in any zoning district shall be considered a special exception use within the B-3 zoning district, in accordance with article 60 of this chapter.

**Master Business List Table**

(Refer to subsections B through E above for explanation of table notations)

Use	B-1	B-2	B-3, BCB-3	OP
Guns, retail		*7	*7	

**§ Sec. 10.4510 Supplemental regulations to master business list.**

The following are the supplemental regulations to the master business list which are designated by the numbers on the list:

**7.** Special exception uses: Uses designated with the number "7" shall comply with the requirements for special exception uses within Article XI of this chapter.

**Pensacola Municipal Code**

Current through Ordinance No. 31-17, adopted December 14, 2017. (Supp. No. 48)

**Title XII. Land Development Code**

**Chapter 12.2. Zoning Districts**

**Article IV. Neighborhood Preservation Standards**

**§ Sec. 12-3-57 Home occupation permits.**

(E) Prohibited activities. A home occupation permit shall not be issued for any of the following uses or for a home occupation that requires any of the following activities:

- (a) Activities regulated by the Federal Bureau of Alcohol, Tobacco and Firearms;

**Pinecrest Municipal Code**

Current through Ordinance No. 2018-15, adopted October 9, 2018. (Supp. No. 9)

**Chapter 12. Emergency Services**

**Article III. Emergency Management**

**§ Sec. 12-55 Declaration of a state of emergency.**

(c) Emergency resolutions authorized by this article may include, but are not limited to, the following subjects:

- (3) Suspension or regulation of the sale of, or offer to sell, with or without consideration, alcoholic beverages, ammunition, firearms, explosives, or combustibles;

**§ Sec. 12-57 Police emergencies.**

(a) An emergency may be declared because of civil unrest or imminent threat to public peace or order when the chief of police, or if unavailable, the next highest ranking officer in the village police department chain of command certifies to the village manager that an emergency condition arising from hostile actions of others, armed or unarmed, or other imminent threat to public peace or order, requires extraordinary measures of control, including, but not limited to curfew; blockade; proscription of the sale of firearms, other weapons or alcoholic beverages; explosives and combustibles; evacuation; and other similar actions. The village manager may issue a declaration of a state of emergency in accordance with this article.

**Pinellas County Municipal Code**

Current through Ordinance No. 2018-08, adopted January 23, 2018. (Supp. No. 98)

**Chapter 34. Civil Emergencies**

**Article II. States of Emergency and Emergency Restrictions**

**Division 1. Generally**

**§ Sec. 34-28 Declaration of state of emergency.**

(c) Upon the declaration of a state of emergency pursuant to this section, an official authority may impose by executive order any or all of the following restrictions:

- (1) Prohibit or regulate the purchase, sale, transfer, or possession of explosives, combustibles, firearms, dangerous weapons of any kind, or alcoholic beverages;

**Chapter 86. Offenses and Miscellaneous Provisions**

**Article III. Offenses Involving Public Safety**

**Division 3. Sale of Firearms**

**§ Sec. 86-85 Intent and purpose.**

It is the intent of this ordinance to implement in the county the constitutionally granted authority to ensure that no firearm is sold, offered for sale, transferred or delivered where any part of the transaction is conducted on property to which the public has a right of access unless there is a three full day waiting period and a national criminal history background check of the potential purchaser is conducted. This ordinance applies to both seller and purchasers of firearms.

**§ Sec. 86-86 Definitions.**

For purposes of this section, the following terms shall be defined as:

**Any part of the transaction** means any part of the sales transaction, including but not limited to, the offer of sale, negotiations, the agreement to sell, the transfer of consideration, or the transfer or delivery of the firearm.

**Firearm** means any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. Such term does not include an antique firearm.

**Property to which the public has the right of access** means any real or personal property to which the public has a right of access, including property owned by either public or private individuals, firms and entities and expressly includes, but is not limited to, flea markets, gun shows and firearms exhibitions.

**Sale** means the transfer of money or other valuable consideration.

**§ Sec. 86-88 Mandatory three-day waiting period.**

There shall be a mandatory three-day waiting period, which shall be three full days, excluding weekends and legal holidays, in connection with the sale of firearms occurring within the county when the sale involves a transfer of money or other valuable consideration, and any part of the sale transaction is conducted on property to which the public has the right of access. Some examples of properties to which the public has the right of access include but are not limited to: gun shows, firearm exhibits, wholesale and retail stores, and flea markets. An uninterrupted, continuous, and cumulative aggregate of 72 hours must elapse between such sale and receipt of the firearm, excluding the hours of weekends and legal holidays. A person who violates the prohibition of this section is guilty of a violation of a county ordinance, punishable as provided in F.S. 125.69, as it may be amended, and the violation shall be prosecuted in the same manner as misdemeanors are prosecuted.

**§ Sec. 86-89 Mandatory criminal records check.**

There shall be a mandatory national criminal history records check done in connection with the sale of firearms occurring within the county. No person shall transfer or receive a firearm when any part of the sale transaction is conducted on property to which the public has the right of access until all procedures and requirements of F.S. 790.065, have been complied with by a person statutorily authorized to request that a background information check be conducted by the Florida Department of Law Enforcement, which person has received an approval number from that department and documented same, as provided by F.S. 790.065. In case of repeal or amendment of F.S. 790.065, no person shall transfer or receive a firearm by sale when any part of the sale transaction is conducted on property to which the public has a right of access until all procedures, requirements, and prohibitions set forth in other federal or state laws relating to background checks have been complied with by persons selling or buying firearms.

**§ Sec. 86-90 Non-applicability to holders of Florida concealed weapon permits.**

This division does not apply to the purchaser of firearms by holders of a Florida concealed weapons or firearms permit or license issued pursuant to general law. However, this exemption shall not relieve such purchasers from compliance with otherwise applicable state or federal law requirements.

**§ Sec. 86-91 Areas embraced.**

This ordinance shall be effective in the incorporated as well as unincorporated areas of the county.

**§ Sec. 86-92 Penalty.**

Violation of a prohibition of this ordinance shall be punishable by a fine not to exceed \$500.00 or by imprisonment in the county jail not to exceed 60 days or by both such a fine and imprisonment as provided in F.S. 125.069, as it may be amended.

**Plant City Municipal Code**

Current through Ordinance No. 8-2018, adopted April 23, 2018. (Supp. No. 69)

**Subpart A. General Ordinances**

**Chapter 66. Taxation**

**Article IV. Business Tax**

**§ Sec. 66-140 Schedule of amounts.**

The business tax levied in Section 66-123 shall be collected from every person exercising the privilege of carrying on, managing or engaging in the businesses, professions or occupations specifically enumerated in this Section, as fixed in this Section. Each such amount, unless otherwise specifically stated, shall be the amount payable per year as a business tax for exercising such privilege or carrying on or engaging in such business, profession, or occupation mentioned for each, and it shall be unlawful for any person to carry on or engage in any such business, occupation or profession herein prescribed and designated without having first paid the business tax or complied with the terms of this Article, as follows:

**(168)** Locksmiths or gunsmiths 52.50

**Plantation Municipal Code**  
 Current through Ordinance No. 2570, adopted July 25, 2018. (Supp. No. 22)

**Chapter 14. Licenses and Business Regulations**  
**Article II. Local Business Taxes**

**§ Sec. 14-39 Local business tax schedule.**

Local business tax receipts shall be issued to cover only one (1) location and only one (1) of the occupations or business classifications hereinafter set out, unless stated. The amounts assessed as local business taxes against the various classifications of business professions and occupations are hereby fixed as follows:

Class Amount of Number Classification Local business Tax

(25) Repair and Maintenance (noncontractors) 105.00

g. Firearm

**Chapter 27. Zoning**  
**Article VII. District Regulations**  
**Division 23. I-LP Light Industrial District**

**§ Sec. 27-534 Prohibited uses.**

The following uses shall not be permitted in the I-LP district:

(3) Manufacture or storage of explosives, fireworks or ammunition.

**Division 26. SPI Special Public Interest Districts**  
**Subdivision C. State Road 7 SPI-2 District**

**§ Sec. 27-613.2 Master list of State Road 7 SPI-2 Subdistrict uses.**

Business Listings	Prohibited	AM: Auto Mall	HCS: Healthcare Services	Professional Office (PO)	HC: Hybrid Commercial	FCC: Four Corners Commercial	AC: Artisan Commerce
Manufacture of: Explosives, ammunition, insecticides, fertilizer, dangerous or obnoxious chemicals	x						

**Article X. Master List of Business and Commercial Uses**

**§ Sec. 27-720 Master list of business uses.**

Business Listings	Prohibited	OB- C	B- 1P	B- 2P	B- 3P	B- 4P	B- 5P	B- 7P	B- 2L	SPI- 3
Guns, Retail Conditional use*				x	x				x*	
Manufacture of: Explosives, ammunition, insecticides, fertilizer, dangerous or obnoxious chemicals	x									

**Polk County Municipal Code**  
 Current through Ordinance No. 18-068, adopted October 2, 2018. (Supp. No. 85)

**Chapter 2. Administration**

**Pomona Park Municipal Code**  
 Current through Ordinance No. 2017-3, enacted March 14, 2017. (Supp. No. 10)

**Chapter 46. Taxation**

**Article III. Local Business Tax**

**Pompano Beach Municipal Code**

Current through Ordinance No. 2018-75, passed July 24, 2018. (Supp. No. 82)

**Title XI. Business Regulations  
Chapter 113. Business Tax Receipts**

**Business Tax Receipt Regulations**

**§ 113.39 Business tax receipt schedule.**

Business tax receipts shall be issued to cover only one location and only one of the occupations or business classifications hereinafter set out unless permitted hereunder. The amounts assessed as business tax receipts against the various trades, businesses, and professions are hereby fixed as follows.

072-100          Firearms Dealer (ATF)    182.33

**Pompano Beach Zoning Code**

Current through Ordinance No. 2018-75, passed July 24, 2018. (Supp. No. 82)

**Article 4. Use Standards  
Part 2. Principal Uses and Structures**

**§ Sec. 155.4201. General**

**B. Standards Applicable to all Uses**

The following use standards shall be applicable to all uses:

10. The manufacturing of hazardous substances is strictly prohibited. Hazardous substances include:
  - a. Acids, ammunition, fertilizer, soap, insecticides, and/or batteries;

**Port Orange Municipal Code**

Current through Ordinance No. 2018-22, enacted August 7, 2018. (Supp. No. 28)

**Chapter 18. Business  
Article III. Local Business Tax**

**§ Sec. 18-38 Classification and schedule of business taxes.**

The following annual business taxes will be levied at the time the business tax receipt is issued:

Gunsmith\50.00

**Port Richey Municipal Code**

Current through Ordinance No. 18-663, approved August 14, 2018. (Supp. No. 8)

**Chapter 34. Taxation  
Article II. Local Business Tax  
Division 2. Tax Receipt**

**§ Sec. 34-57 Business tax schedule.**

(a) Commencing October 1, 1996, the enumerated business taxes in subsection (b) of this section shall be paid to the city by every person, firm, or corporation engaged in any one or more of the various trades, professions, occupations, businesses, amusements, and/or industries set forth in this article, within the territorial limits of the city.

(b) The businesses, professions, and occupations subject to the provisions of this article, and the amount of taxes imposed and levied hereunder, and other prohibitions and requirements pertaining thereto are as follows:

Arms			
(1)	Dealer in arms and weapons along with other goods such as department stores, etc.		(See basic schedule.)
(2)	Arms and weapons only, gun shops sales, service, repair, and/or range.		40.00
(3)	Arms and weapons repair only.		(See service and repair.)
Basic schedule for retail or wholesale merchants.			
Every person whose primary business is retail or wholesale and who is not otherwise classified in the schedule, shall pay a business tax based upon the size of the occupied area of the building. Rates are indicated below:			
	a.	0—2,000 square feet.	40.00
	b.	2,001—5,000 square feet.	80.00
	c.	5,001 square feet and above.	160.00
Appropriate forms shall be furnished each person classified under this schedule on which the size shall be reported under oath. Should the person fail to render a report or not render the report within the time frame indicated on the form, the last full fiscal year business tax plus a 25 percent penalty shall be assessed by the finance administrator.			
Service and repair (not otherwise classified).			
(1)	When operated solely by owner.		50.00
(2)	Not more than 3 workers.		75.00
(3)	4—10 workers.		125.00
(4)	11-25 workers.		175.00
(5)	26—50 workers.		225.00
(6)	51—75 workers.		275.00
(7)	76 workers and over.		300.00

**Port St. Joe Municipal Code**

Current through Ordinance No. 18-663, approved August 14, 2018. (Supp. No. 8)

**Chapter 62. Taxation  
Article III. Occupational License Tax  
Division 2. Fee Schedule**

**§ Sec. 62-81 Enumeration of businesses and fees.**

The following licenses shall be paid as provided by all persons engaging in, managing, operating or running any of the professions, businesses, or occupations following:

Business or Profession Fees Gunsmiths 20.00

**Riviera Beach Municipal Code**

Current through Ordinance No. 4114, adopted September 5, 2018. (Supp. No. 48)

**Chapter 31. Zoning  
Article V. District Regulations  
Division 13. C General Commercial District**

**§ Sec. 31-322 Use regulations.**

(b) Special exception. The following uses may be permitted by special exception in the CG general commercial district:

(9) Gun shop.

**San Antonio Municipal Code**

Current through Ordinance No. 05-2018, enacted July 17, 2018. (Supp. No. 6)

**Chapter 54. Taxation**

**Article II. Occupational Licenses**

**§ Sec. 54-34 Classification and levy of tax; schedule of tax.**

Every person carrying on, conducting, engaging in or managing any business, profession or occupation within the city shall pay a city occupational license tax as follows:

Descriptions Amount

Guns, dealers in guns, pistols, Bowie knives or other deadly weapons, when no other stock is carried\60.00

Pistols and guns, selling pistols, guns and other deadly weapons when in connection with any other business (See also Guns) \25.00

**Sanford Municipal Code**

Current through Ordinance No. 4428, enacted December 11, 2018. (Supp. No. 22)

**Chapter 98. Taxation**

**Article IV. Occupational License Tax**

**§ Sec. 98-99 Schedule of local business taxes.**

The local business tax rate which shall be imposed and assessed in the city shall be at the following amounts:

Gun Dealer/Gunsmith 70.00

**Sarasota County Municipal Code**

Current through Ordinance No. 2018-048, enacted November 7, 2018. (Supp. No. 72, Update 1)

**Chapter 86. Offenses**

**Article I. In General**

**§ Sec. 86-1 Firearms, sale of.**

**(a)** Applicability. This section shall be of countywide force and effect.

**(b)** Definitions. All definitions contained in this section shall be consistent with definitions contained within the Florida Statutes, as amended from time to time. In case of any conflict with definitions contained in Florida Statutes, the statutory definition shall apply.

**(1)** Antique Firearm means any Firearm manufactured in or before 1918 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1918, and also any Firearm using fixed ammunition manufactured in or before 1918, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

**(2)** Any part of the transaction means any part of the sales transaction, including but not limited to, the offer of sale, negotiations, the agreement to sell, the transfer of consideration, or the transfer of the Firearm.

**(3)** Buyer means the person or persons taking delivery of or transferring money or other valuable consideration for a Firearm in any sale.

**(4)** Firearm means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, and the frame or receiver of any such weapon. The term "Firearm" does not include an Antique Firearm as defined in this section.

**(5)** Sale means the transfer of money or other valuable consideration for any Firearm when any part of the transaction is conducted on property in Sarasota County, Florida, to which the public has the right of access.

**(6)** Seller means the person or persons delivering a Firearm in any sale.

**(c)** Waiting Period. There shall be a mandatory three-day waiting period ("Waiting Period"), which shall be three days, excluding weekends and legal holidays, between the hour of Sale and the hour of delivery of any Firearm. No Seller shall deliver any Firearm to any person that is not a licensed Firearm dealer, importer or manufacturer, and no Buyer that is not a licensed Firearm dealer, importer or manufacturer shall take delivery of any Firearm unless the Waiting Period has elapsed. The requirements and provisions of this section are not applicable when the Buyer of a Firearm is a holder of a license to carry concealed weapons or concealed Firearms issued by the Florida Department of State or is otherwise exempt from concealed weapon licensing requirements pursuant to F.S. 790.06(5)(b). However, if there is more than one

Buyer of a Firearm, subsections (c) and (d) of this section are applicable unless each Buyer is a holder of a license to carry concealed weapons or concealed Firearms issued by the Florida Department of State.

**(d) Criminal History Records Check.**

**(1)** It is the intent of this section that a criminal history records check be conducted for every Buyer that is not exempt pursuant to subsection (d)(3) of this section and that no Firearm be delivered to any such Buyer for whom a unique approval number, as referenced in F.S. 790.065, has not been issued by the Florida Department of Law Enforcement in connection with a background records check for the sale of a Firearm to that Buyer. As of the effective date of this section, State law allows only licensed Firearm dealers, importers and manufacturers to utilize the Florida Department of Law Enforcement telephone background check referenced in F.S. 790.065. Therefore, a Seller who is not a licensed Firearm dealer, importer or manufacturer shall use a licensed Firearm dealer, importer or manufacturer as an intermediary or otherwise ensure that a criminal history records check is conducted in a manner consistent with the requirements and provisions of this section for every Buyer that is not exempt from the criminal history records check pursuant to subsection (d)(3) herein. Sellers who conduct or cause to be conducted criminal history records checks shall maintain records pursuant to Florida Statutes.

**(2)** No Seller shall deliver any Firearm to a Buyer that is not exempt from the criminal history records check until the Seller conducts or causes to be conducted a criminal history records check of the Buyer in connection with any sale of a Firearm. Such criminal history records check shall comply with all procedures and requirements of F.S. 790.065.

**(3)** No criminal history records check is required pursuant to this section for:

- a. A licensed Firearms dealer, importer or manufacturer; or
- b. Individuals licensed by the Florida Department of State to carry concealed weapons or concealed Firearms or otherwise exempt from concealed weapon licensing requirements pursuant to sections 790.051 and 790.052(1), Florida Statutes.
- c. A person who holds an active certification from the Criminal Justice Standards and Training Commission as a "law enforcement officer," a "correctional officer," or a "correctional probation officer," as defined in F.S. 943.10(1), (2), (3), (6), (7), (8), or (9).
- d. Employees of the Sheriff's office, municipal police departments, correctional facilities or agencies, or other criminal justice or governmental-agencies who have written authorization to purchase or transfer Firearms on behalf of an employing agency or for an official law enforcement purpose.

**(4)** The following individuals are considered to have sufficient authority to authorize employees referenced in subsection (d)(3) d. herein to purchase or transfer Firearms on behalf of the employing agency or for an official law enforcement purpose:

- a. In a city or county police department, the director of public safety or the chief or commissioner of police.
- b. In a sheriff's office, the sheriff or immediate rank below.
- c. In a state police or highway patrol department, the superintendent or the supervisor in charge of the office to which the state officer or employee is assigned.
- d. In federal law enforcement offices, the supervisor in charge of the office to which the federal officer or employee is assigned.

An individual signing on behalf of the person in authority is acceptable, provided there is proper delegation of authority.

**(e) Penalties.** Any violation by any person of any requirement or provision of this section shall be prosecuted in the same manner as misdemeanors are prosecuted. Upon conviction, any person violating any requirement or provision of this section shall be punished by a fine not to exceed \$500.00 or by imprisonment in the County jail not to exceed 60 days or by both such fine and imprisonment.

**(f) Conflict of Laws.** In the event this section conflicts with any local, State or federal law, the more restrictive shall apply.

**(g)** If any subsection, sentence, clause, phrase, or portion of these sections is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remainder of this section.

**Sebastian Municipal Code**

Current through Ordinance No. O-17-03, enacted August 23, 2017. (Supp. No. 63)

**Chapter 30. Businesses  
Article II. Licensing**

**§ Sec. 30-51 Tax schedule.**

The schedule for local business tax charged in the city shall be as follows:

Gunsmith: Repair and sales when in connection with another business with police department approval 66.00

### **Seminole County Municipal Code**

Current through Ordinance No. 2018-30, enacted September 25, 2018. (Supp. No. 15)

#### **Chapter 72. Emergency Management**

##### **Part 1. Emergency Management Powers and Procedures**

#### **§ Sec. 72.6 Emergency management powers of the Director of Emergency Management.**

##### **(b) Restrictions.**

(1) During the existence of a Governor Declared State of Emergency or a declared Local State of Emergency, the Director of Emergency Management has the power and authority to impose by Executive Order any or all of the following restrictions:

(A) Prohibit or regulate the purchase, sale, transfer or possession of explosives, combustibles, alcoholic beverages or dangerous weapons of any kind other than firearms or ammunition;

### **South Miami Municipal Code**

Current through Ordinance No. 2288, enacted September 28, 2017. (Supp. No. 78)

#### **Chapter 2. Administration and City Government**

##### **Article V. State of Emergency**

#### **§ Sec. 2-44 Emergency measures.**

(b) The city manager may order and promulgate all or any of the emergency measures hereinafter provided, in whole or in part, and with such limitations and conditions as he may deem appropriate, and any such emergency measure so ordered and promulgated shall thereupon be in effect during the period of said emergency and in the area or areas for which the emergency has been declared, to-wit:

(1) The sale or other transfer of possession, with or without consideration, offer to sell or so transfer, and the purchase of any ammunition, guns and other firearms of any size or description is prohibited.

(2) The displaying by or in any store or shop of any ammunition, guns and other firearms of any size or description is prohibited.

(3) The possession in a public place of a rifle or shotgun by any person, except a duly authorized law enforcement official or person in military service acting in the official performance of his duty, is prohibited.

(4) The possession of any rifle or shotgun in any place, public or private by a nonresident is prohibited.

#### **Chapter 14. Emergency Management**

#### **§ Sec. 14-9 Police emergencies.**

(a) A public emergency may be declared because of civil unrest or imminent threat to public peace or order when the chief of police, or if unavailable, the next highest ranking officer in the police department chain of command, certifies to the city manager that an emergency condition arising from hostile actions of others, armed or unarmed or other imminent threat to public peace or order, requires extraordinary measures for control, including, but not limited to curfew; blockade; proscription of the sale of firearms and other weapons, alcohol beverages; explosives and combustibles; evacuation; and other like actions. The city manager shall report said certification to the officials in the order named in section 14-5 regarding the need to declare a state of emergency. Pursuant to section 14-5, a declaration of emergency may then issue.

#### **Chapter 15. Offenses and Miscellaneous Provisions**

##### **Article I. In General**

#### **§ Sec. 15-25 Same, Notice of intent to purchase.**

It shall be unlawful for any person to purchase or receive delivery of a revolver, rifle, or firearm of any description in the city without first filing a notice of such intention with the desk officer at the police station, in the city, giving his name, information concerning his residence, a full description of said firearm, and the place where such weapon will be obtained. It shall be the duty of such desk officer to issue a certificate reading as follows:

Registration Certificate

APPLICANT:	and address
has filed notice of intention to obtain a firearm.	
	Desk Officer City of South Miami, Florida
Date:	

No certificate so issued shall be valid more than seven days from date of issuance.

**§ Sec. 15-26 Same, Selling or receiving without certificate.**

It shall be unlawful to sell, barter, exchange or deliver, or cause to be bought, sold, bartered or exchanged or delivered, any revolver, gun, rifle or other firearm to any person in the city without having previously obtained a registration certificate as herein described, from the person seeking actual delivery of such firearm, and upon receipt of such certificate the person so disposing shall report to the registration officer within twenty-four hours thereafter the serial number, make and general description of such firearm, and the name and address of person to whom it was delivered.

**§ Sec. 15-27 Same, Blank cartridge and pistols; sale of guns, etc., to minors.**

No blank cartridges or blank cartridge pistols shall be kept in stock or sold in the city.

No gun, revolver, pistol, cannon or firearm of any description shall be sold or given to anyone in the city under the age of eighteen years.

**§ Sec. 15-27.1 Unlawful to sell, purchase, possess, etc. KTW projectiles; exception.**

(a) Anything in the Code of Ordinances of the City of South Miami to the contrary notwithstanding, it is unlawful for any person to sell, offer for sale, barter, lend, give, deliver, purchase or possess the projectile capable of being propelled by the action of an explosive from a handgun or pistol known as and currently being sold under the brand name "KTW" or any other projectile of the same nature and capabilities sold under any other brand name.

(b) The activity prohibited and declared unlawful in subsection (a) hereof shall not be applicable to law enforcement officers, as defined in Section 790.001(8), Florida Statutes, when said law enforcement officer is acting within the scope or course of his official duties or when acting at any time in the line of or performance of duty or persons providing or furnishing the projectile prohibited in subsection (a) of this section to a law enforcement officer.

**St. Augustine Beach Municipal Code**

Current through Ordinance No. 18-14, enacted September 10, 2018. (Supp. No. 4)

**Chapter 12. Licenses, Taxation and Miscellaneous Business Regulations  
Article I. In General**

**§ Sec. 12-4 Weapons dealers.**

Upon request of the chief of police, each dealer in pistols, sling shots, brass knuckles or dirk knives shall present records of all transactions involving such weapons.

**Article II. Local Business Tax Regulations**

**§ Sec. 12-67 Amounts.**

The local business taxes levied by this article are as follows:

(7) Arms dealers handling weapons or firearms, alone or in conjunction with any other business (See section 12-4) 25.00

**St. Leo Municipal Code**

Current through Ordinance No. 18-14, enacted September 10, 2018. (Supp. No. 4)

**Chapter 34. Taxation  
Article II. Occupational License Taxes**

**§ Sec. 34-43 Schedule of local business taxes and fees.**

The taxes and fees to be charged for licenses required by this section are set forth on Schedule A attached hereto. Unless provided otherwise the taxes and fees shall be annual.

(51) Guns. Each dealer in guns, pistols, bowie knives or deadly weapons \$50.00

**St. Lucie County Land Development Code**

Current through Ordinance No. 2018-09, adopted June 5, 2018. (Supp. No. 16)

**Chapter III. Zoning Districts**  
**3.01.00. Zoning District Use Regulations**

**§ Sec. 3.01.03 Zoning Districts.**

**U. IH INDUSTRIAL, HEAVY.**

1. Purpose. The purpose of this district is to provide an environment suitable for heavy manufacturing and other activities that may impose undesirable noise, vibration, odor, dust, or other offensive effects on the surrounding area together with such other non-residential uses as may be necessary to and compatible with heavy industrial surroundings. The number in "( )" following each identified use corresponds to the SIC Code reference described in Section 3.01.02(B). The number 999 applies to a use not defined under the SIC Code but may be further defined in Section 2.00.00 of this Code.

7. Conditional Uses:

b. Manufacturing:

(6) Ammunition and ordinance. (348)

**St. Pete Beach Municipal Code**

Current through Ordinance No. 18-07, enacted June 26, 2018. (Supp. No. 40)

**Chapter 78. Taxation**  
**Title IV. Local Business Tax**

**§ Sec. 78-110 Tax schedule.**

The occupational license taxes levied by section 78-91 shall be as follows:

(64) Gun dealers 200.00

**Starke Municipal Code**

Current through Ordinance No. 2018-40, adopted October 2, 2018. (Supp. No. 20)

**Chapter 30. Civil Emergencies**  
**Article II. Emergency Management**

**§ Sec. 30-36 Declaration of state of emergency.**

(d) Emergency resolutions authorized by this article shall include but are not limited to the following subjects:

(3) Suspension or regulation of sale of alcoholic beverages, firearms, explosives or combustibles;

**Chapter 78. Taxation**  
**Title IV. Local Business Tax**

**§ Sec. 26-31 Business tax receipt required; business tax a debt.**

(a) No person shall engage in, own or manage the following businesses, occupations, professions or services without first having properly applied for and obtained local business tax receipt in the amount specified herein:

Code	Business Activity	Tax
4600	Firearms Dealer (State/County License Required)	75.00
	Inventory Assessment:	
	First \$1,000	15.00
	\$1,001, \$49,999	0.00
	\$50,000+ (EACH \$1,000)	1.25

**Stuart Municipal Code**

Current through Ordinance No. 2390-2018, adopted October 22, 2018. (Supp. No. 25)

**Chapter 38. Taxation**  
**Article III. Local Business Tax**  
**Division 1. Generally**

**§ Sec. 38-67 Tax schedule.**

A tax is hereby levied and imposed upon each and every business, profession and occupation engaged in or carried on, either wholly or in part, either in a permanent business location or branch office, within the city, as follows:

Amount

**Deadly Weapons:**

- (1) Shotguns and other legitimate arms 100.00
- (2) With other receipt 20.00

Machine and Repair. The following businesses not taxed as an automobile agency shall take a machine and repair receipt; when employing (including owner and operators):

- (1) Not exceeding 3 persons 18.75
- (2) Not exceeding 8 persons 43.75
- (3) Not exceeding 20 persons 125.00
- (4) More than 20 persons 187.50

Gunsmith

**Sumter County Municipal Code**  
Current through Ordinance No. 2018-25, enacted September 25, 2018. (Supp. No. 90)

**Chapter 13. Land Development Code**  
**Article IV. Zoning**  
**Division 4. Land Uses**

**§ Sec. 13-431 Principal uses.**

(c) Table of principal uses.

(1) Table of uses.

a. Table 13-431A lists the various principal land uses and indicates in which zoning districts the uses are permissible as permitted, special or conditional uses. This table should be read in close conjunction with the definitions of terms set forth in section 13-41 and the other interpretative provisions set forth in this code.

b. Subject to other provisions of this chapter, the letter designations P, S, and C in Table 13-431A, when used in connection with a particular use, shall mean the following:

- 1. The letter "P" means that the use is a permitted use in the indicated zoning district.

Principal Uses	Zoning Districts																								
	A10	A10C	A5C	R5	R5C	R25	R25C	R1	R1C	R2M	R2C	R4M	R4C	R6M	R6C	HD12	HD24	CN	CL	CH	CR	ID	REC	PIE	
Retail, Service & Business Uses																									
Arts & crafts store, ..., gun shop, camping equipment, taxidermist																				P	P	P			

**Sunny Isles Beach Municipal Code**  
Current through Ordinance No. 2017-511, adopted November 16, 2017. (Supp. No. 35)

**Chapter 29. Emergency Management**

**§ Sec. 29-6 Declaration of state of emergency.**

C. Emergency resolutions or orders authorized by this chapter may include, but are not limited to, the following subjects:

- (3) Suspension or regulation of the sale of, with or without consideration: alcoholic beverages; ammunition; firearms; explosives; or combustibles;

**§ Sec. 29-8 Police emergencies.**

A. An emergency may be declared because of civil unrest or imminent threat to public peace or order when the Chief of Police or, if unavailable, the next highest ranking officer in the Police Department chain of command certifies to the City Manager that an emergency condition arising from hostile actions of others, armed or unarmed, or other imminent threat to public peace or order, requires extraordinary measures for control, including, but not limited to curfew; blockade;

proscription of the sale of firearms, other weapons or alcohol beverages; explosives and combustibles; evacuation; and other similar actions. The City Manager may issue a declaration of a state of emergency in accordance with 29-6.

**Sunrise Municipal Code**

Current through Ordinance No. 637, enacted September 27, 2018. (Supp. No. 107)

**Chapter 7. Local Business Tax; Locas Business Tax Receipts, and Business Regulations**  
**Article II. Local Business Tax; Local Business Tax Receipts**

**§ Sec. 7-51 Local business tax schedule.**

Local business tax receipt shall be issued to cover only one (1) location, and only one (1) of the occupations or business classifications hereinafter set out, unless permitted hereunder. The amounts assessed as local business taxes against the various trades, business and professions are hereby fixed, as follows:

Class Code	Description	Local Business Tax
61	Dealers in second hand firearms	273.39

**Surfside Municipal Code**

Current through Ordinance No. 18-1688, enacted May 8, 2018. (Supp. No. 35)

**Chapter 2. Administration**  
**Article VIII. Emergency Management Procedures**

**§ Sec. 2-264 Police emergencies.**

(a) An emergency may be declared because of civil unrest or imminent threat to public peace or order when the chief of police, or if unavailable, the next highest ranking officer in the police department chain of command certifies to the town manager that an emergency condition arising from hostile actions of others, armed or unarmed or other imminent threat to public peace or order, requires extraordinary measures for control, including, but not limited to curfew; blockade; proscription of the sale of firearms, other weapons or alcohol beverages; explosives and combustibles; evacuation; and other similar actions. The town mayor/vice-mayor may issue a declaration of a state of emergency in accordance with section 2-262.

**Sweetwater Municipal Code**

Current through Ordinance No. 4435, enacted June 25, 2018. (Supp. No. 13)

**Part III. Land Development Code**  
**Article II. Zoning**

**§ Sec. 2.04.00 Allowable uses within each zoning district.**

2.04.07. (C-1) Limited commercial district.

**B.** Uses permitted. Those uses with the (cu) prefix shall be permitted only if conditional use is approved by the city commission after a public hearing. The city commission may impose conditions and/or restriction upon those uses.

(88) (cu) Gun shop.

**Tamarac Municipal Code**

Current through Ordinance No. 2017-14, enacted December 13, 2017. (Supp. No. 98)

**Chapter 12. Licenses and Business Regulations**  
**Article II. Occupational Licenses**

**§ Sec. 12-39 Amount of fee.**

Licenses shall be issued to cover but one (1) location and but one (1) of the occupations of business classifications hereinafter set out unless permitted hereunder and the amounts assessed as business tax fees against the various trades, businesses and professions are created to read as follows:

Classification, Retail and Commercial Uses	Code	Business Fee	Requirements
Gun shop	GU	\$559.90	State license
Gun repair	RRG	\$191.10	
Gun shop*	GU	\$559.90	*Use within pawnshop state license required

**Tampa Municipal Code**

Current through Ordinance No. 2018-177, enacted November 15, 2018. (Supp. No. 118)

**Chapter 24. Taxation**  
**Article V. Business Tax**

**§ Sec. 24-120 Levy and collection of tax; amounts.**

**(a)** A business tax is hereby levied on and shall be collected from any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any of the businesses, professions or occupations herein enumerated within the city and any person who does not maintain a permanent business location or branch office within the city and who transacts any of the businesses or engages in any of the occupations or professions herein enumerated in interstate commerce, if such tax is not prohibited by section 8 of Article I of the United States Constitution; each such amount, unless otherwise specifically provided, being the amount payable as a business tax for the privilege of engaging in or managing the corresponding business, profession or occupation, and it shall be unlawful for any person to engage in or manage any business, profession or occupation herein enumerated without having first paid the business tax herein provided and complied with the terms hereof, as follows:

**(0131)** Guns/Firearms 115.76\*

**(a)** Gunsmiths 57.87

**(0183)** Merchant, Wholesale and Retail.

A merchant selling at retail or wholesale or on a commission basis for all merchant classifications designated by an asterisk shall pay the business tax based upon the rates set forth in subsections (a) and (b) of this section.

\*Merchant classifications subject to the business tax based upon the rates set forth in subsections (a) and (b) of this section. See item (183) of subsection (a) for further clarification.

**(b)** Average annual inventory; tax for certain businesses. Every merchant, dealer, agent, broker, manufacturer or distributor shall pay a business tax based upon average annual inventory for each classification as follows:

Average Annual Inventory Retail and Wholesale

Less than \$1,000 in value\14.46

\$1,000 and less than \$5,000\21.69

\$5,000 and less than \$10,000\50.63

\$10,000 and less than \$20,000\72.34

\$20,000 and less than \$30,000\86.81

\$30,000 and less than \$40,000\108.51

\$40,000 and less than \$50,000\144.70

\$50,000 and less than \$60,000\289.40

\$60,000 and less than \$75,000\434.10

\$75,000 and less than \$90,000\578.81

\$90,000 and less than \$105,000\723.51

\$105,000 and less than \$120,000\868.22

\$120,000 and less than \$150,000\1,012.92

\$150,000 and less than \$180,000\1,157.62

\$180,000 and less than \$210,000\1,302.31

\$210,000 and less than \$240,000\1,447.02

\$240,000 and less than \$270,000\1,590.62

\$270,000 and less than \$300,000\1,736.43

\$300,000 and over\1,736.43

Plus, for each additional thousand dollars or portion thereof, if average annual inventory is in excess of \$300,000\4.33

## Article II. Disaster Emergencies

### § Sec. 26-38 Activation of disaster emergency activities.

A proclamation declaring a state of emergency shall be the authority for taking emergency measures, including, but not limited to, the use or distribution of any supplies, equipment, materials, facilities assembled or arranged to be made available pursuant to the disaster emergency plans of the county. Such disaster emergency measures may include the following actions at the discretion of the board of county commissioners:

(1) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.

## Temple Terrace Municipal Code

Current through Ordinance No. 2018-06, enacted July 17, 2018. (Supp. No. 14)

### Chapter 14. Licenses, Permits, Taxation and Miscellaneous Regulations

#### Article III. Local Business Tax

### § Sec. 14-72 Schedule of local business taxes to be paid; tax levied; payment required; amounts to be paid.

As set forth in section 14-58, a local business tax is hereby levied upon and shall be collected from every person exercising the privilege of carrying on or engaging in the following specifically enumerated businesses in the amount hereinafter specifically stated:

Note:

\* Indicates the merchant classification

\*\* In addition to the flat business tax levied for such business classification, an additional graduated tax, predicated on the number of employees, shall be charged as follows:

One, 3 employees\ \$0.00

4, 5 employees\ 14.45

6, 10 employees\ 35.87

11, 25 employees\ 72.34

Over 25 employees\ 107.65

Plus \$2.00 for each employee over first 25

(162) Guns:

a. Sale of all firearms\* 57.87

b. Gunsmiths\*\* 34.72

## Tequesta Municipal Code

Current through Ordinance No. 005-12, passed May 10, 2012. (Supp. No. 26, Update 1)

### Chapter 26. Emergency Management

#### Article II. Civil Disorder Management

### § Sec. 26-32 Declaration of civil disorder or disturbance.

(b) Whenever a civil disorder or disturbance is declared as stated above, the sale of, or offer to sell, with or without consideration, any ammunition or gun or firearm of any size or description shall be prohibited throughout the village; and the intentional display by or in any store or shop of ammunition or gun or firearm of any size or description shall be prohibited throughout the village; and the intentional possession in a public place of a firearm by any person other than a duly authorized law enforcement official or person in military service acting in the official performance of their duty shall be prohibited throughout the village, in accordance with F.S. 870.044.

## Chapter 70. Taxation

### Article II. Local Business Tax

### § Sec. 70-47 Business tax schedule.

(a) The business tax provided for in this section for architects, auctioneers, auditors or accountants, dentists, draftsmen, civil engineers, lawyers, osteopaths, chiropractors, chiropodists, phrenologists, physicians, or surgeons, real estate salespeople, or other similar professions shall be construed to mean that each individual shall pay the tax provided in this section, whether practicing solely or in partnership, or employed by another.

**(b)** The amount which shall be paid by the several firms, persons or associations engaging in or managing businesses, professions or occupations for which a business tax receipt is required is hereby fixed as follows:

**Repair Shops and Machine Shops (RS):**

Includes all persons working in the business and not in auxiliary or separate parts of this business. A repair and machine shop license permits a stock of parts without a merchant's license, but only if parts are used solely in the repair business and not otherwise sold.

1 or 2 persons\60.00

3 or 4 persons\100.00

5 or 6 persons\160.00

7 to 10 persons\225.00

11 to 20 persons\281.00

More than 20 persons\450.00

Examples:

Gunsmith.

**Services (SE):**

Specialized, class E.

Agencies, companies, entities, facilities or firms engaged in any business, service or profession whereby services are performed and/or merchandise, products, property or commodities, either tangible or intangible, are bought and/or sold and where certification or registration may be required to perform such services or to buy and sell such merchandise, products, property or commodities. (May include both professional and nonprofessional categories.)

Firearm sales (where connected or not connected with other business). (This classification does not cover fireworks.)  
\200.00

**Titusville Municipal Code**

Current through Ordinance No. 44-2018, enacted September 25, 2018. (Supp. No. 39)

**Chapter 8. Emergency Management**

**§ Sec. 8-4 Orders issuable by mayor.**

After proclamation of an emergency, the mayor may, in the interest of public safety and welfare, make any or all of the following orders:

**(7)** Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.

**(8)** Order the closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms and/or ammunition.

**Chapter 11. Licenses and Business Regulations**

**Article II. Business Tax Receipt**

**§ Sec. 11-58 Schedule of local business taxes.**

The classifications in this section contain local business categories of similar kind. Rates for each classification shall apply to all categories within a class, except as otherwise noted. The assessments of local business tax receipts are increased as reflected on the attachment.

Category

Personal service (\$109.20 except as noted)      109.20

Gunsmith

**Treasure Island Municipal Code**

Current through Ordinance No. 17-04, enacted February 7, 2017. (Supp. No. 21)

**Chapter 46. Taxation**

**Article III. Business Tax Receipts**

**§ Sec. 46-103 Schedule of receipt tax.**

Schedule of Business Tax Receipts

Guns, dealer in revolvers and pistols 474.02

**Volusia County Municipal Code**

Current through Ordinance No. 2018-15, enacted August 21, 2018. (Supp. No. 91)

**Chapter 78. Offenses and Miscellaneous Provisions**

**§ Sec. 78-1 Waiting period and records check for purchase of firearms.**

(a) Purpose. In November, 1998 the voters in the State of Florida passed an amendment to Article VIII, Section 5 of the Florida Constitution. The amendment allows local governments to establish a three- to five-day waiting period for the sale of firearms at any place to which the public has access. This would include retail establishments as well as gun shows, gun exhibits and collector's shows. In addition, the amendment allows each county to require a criminal history records check in connection with the sale of any firearm occurring in the county. It is the purpose of the county council to exercise the local option as to handguns, provided by the constitution, so as to require a three-day waiting period for all locations within the scope of the constitutional authorization. It is the further intent of the county council to require a criminal history background check as to handgun sales.

(b) Applicability. This section shall be of county wide force and effect.

(c) Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

(1) "**Antique firearm**" means any firearm, as defined in F.S. ch. 790, (including any firearm with a match lock, flintlock, percussion cap, or similar type of ignition system) manufactured on or before 1918 and any replica of any firearm if such replica (i) is not designed or redesigned for using rimfire or conventional center fire fixed ammunition, or (ii) uses rimfire or conventional center fire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

(2) "**Any part of the transaction**" means any part of the sales transaction, including but not limited to, the offer of sale, negotiations, the agreement to sell, the transfer of consideration, or the transfer or delivery of the handgun.

(3) "**Buyer**" means the person or persons taking delivery of or transferring money or other valuable consideration for a handgun in any sale.

(4) "**Handgun**" means a firearm capable of being carried and used by one hand such as a pistol or revolver excluding an antique firearm.

(5) "**Property to which the public has the right of access**" means any real or personal property to which the public has right of access, including property owned by either public or private individuals, firms and entities and expressly includes, but is not limited to, flea markets, gun shows and firearms exhibitions.

(6) "**Sale**" means the transfer of money or other valuable consideration.

(7) "**Seller**" means the person or persons delivering a handgun in any sale.

(d) Mandatory three-day waiting period. There shall be a mandatory three-day waiting period, excluding weekends and legal holidays, between the hour of the sale and the hour of the delivery of any handgun when any part of the transaction is conducted within Volusia County on property to which the public has the right of access. No seller shall deliver any handgun to any person that is not a licensed firearm dealer, importer or manufacturer and no buyer that is not a licensed firearm dealer, importer or manufacturer shall take delivery of any handgun unless 72 hours have elapsed between the time of sale and the time of delivery of the handgun.

(e) Mandatory criminal records check.

(1) No seller, whether licensed or unlicensed shall sell, offer for sale, transfer or deliver any handgun to a buyer when any part of the transaction is conducted on property to which the public has the right of access within Volusia County until all procedures specified under F.S. 790.065, have been complied with by a person authorized by that section to conduct a criminal history check of background information as specified in that section, and the approval number set forth by that section has been obtained and documented. Seller for purposes of this subsection shall include any seller, including, but not limited to, a licensed importer, licensed manufacturer or licensed dealer and any unlicensed seller.

(2) In the case of a seller who is not a licensed importer, licensed manufacturer or licensed dealer, compliance with F.S. 790.065, or its state or federal successor shall be achieved by the seller requesting that a licensed importer, licensed manufacturer or licensed dealer complete all the requirements of F.S. 790.065, or its state or federal successor. Licensed importers, manufacturers and dealers may charge a reasonable fee of an unlicensed seller to

cover costs associated with completing the requirements of F.S. 790.065. It is the intent of the Volusia County Council to require a criminal history background check. In case of repeal or amendment of F.S. 790.065, no person shall sell or buy a handgun when any part of the transaction is conducted on property to which the public has a right of access until all procedures, requirements and prohibition set forth in other federal or state laws relating to mandatory background checks have been complied with by persons selling or buying handguns.

(f) Exemptions: The following exemptions to the requirement of a three-day waiting period and criminal background check are as follows:

- (1) Holders of a current concealed weapons permit issued by the State of Florida are not subject to the waiting period or criminal background check;
- (2) Sales to a licensed firearm importer, licensed firearm manufacturer or licensed firearm dealer shall not be subject to the provisions of this section.
- (3) Law enforcement officers, correctional officers or correctional probation officers who are purchasing a handgun(s) for official use and who provide the seller with a certification on agency letterhead, signed by a person in authority within the agency (other than the officer purchasing the handgun) stating that the officer will use the handgun(s) in official duties and that a records check reveals that the purchasing officer has no convictions for misdemeanor crimes of domestic violence.

(g) Certification of law enforcement officers. The following individuals are considered to have sufficient authority to certify that law enforcement officers purchasing handguns will use the handguns in the performance of official duties:

- (1) In a city or county police department, the director of public safety or the chief or commissioner of police.
- (2) In a sheriff's office, the sheriff.
- (3) In a state police or highway patrol department, the superintendent or the supervisor in charge of the office to which the state officer or employee is assigned.
- (4) In federal law enforcement offices, the supervisor in charge of the office to which the federal officer or employee is assigned.

An individual signing on behalf of the person in authority is acceptable, provided there is a proper delegation of authority.

(h) Penalty provision. Violation of this section shall be punishable as provided in chapter 1, section 1-7 of the Code of Ordinances of the County of Volusia.

**West Melbourne Municipal Code**

Current through Ordinance No. 2018-07, enacted April 17, 2018. (Supp. No. 21)

**Chapter 50. Taxation**

**Article IV. Local Business Tax Receipts**

**§ Sec. 50-160 Tax receipt fee schedule.**

The schedule of fees for tax receipts issued by the city shall be as follows:

Class	Description	Tax
0750	Gun Dealer	157.50

**West Palm Beach Municipal Code**

Current through Ordinance No. 4819-18, enacted November 19, 2018. (Supp. No. 54)

**Chapter 82. Taxation**

**Article V. Business Tax**

**§ Sec. 82-163 Business tax classifications and rate schedule.**

The following business tax classifications and rates are hereby established:

Sectors 44, 45 Retail Trade

451111 Firearms\347.29

**West Park Municipal Code**

Current through Ordinance No. 2017-05, adopted December 6, 2017. (Errata)

**Chapter 12. Emergency Management and Emergency Services  
Article II. Emergency Management**

**§ Sec. 12-25 Declaration of a state of emergency.**

(d) Upon declaration of a state of local emergency and during the existence of a declared state of local emergency, the mayor or designated city official, in addition to any other powers conferred upon the mayor or designated city official by F.S. ch. 870 or other law, has the power and authority among other none numerated powers to:

(6) Prohibit the sale or distribution of any alcoholic beverages, ammunition, firearms, explosives, and flammables or combustibles during a state of emergency with or without the payment or a consideration therefor;

(g) Nothing in this section authorizes any restrictions or prohibitions on firearms or ammunition.

**§ Sec. 12-27 Emergencies due to civil unrest or imminent threat to public peace or order.**

(a) A public emergency may be declared because of civil unrest or imminent threat to public peace or order when the chief of police, or if unavailable, the next highest ranking officer in the police department chain of command, certifies to the city administrator (or, if unavailable, the acting city administrator) that an emergency condition arising from hostile actions of others, armed or unarmed or other imminent threat to public peace or order, requires extraordinary measures for control, including, but not limited to curfew; blockade; proscription of the sale of weapons, alcoholic beverages, explosives and combustibles; evacuation; and other like actions. The city administrator, or if unavailable, the acting city administrator, shall report said certification to the officials in the order named in section 12-25, regarding the need to declare a state of emergency. Pursuant to section 12-25, a declaration of emergency may then be issued. Nothing in this section authorizes restrictions or prohibitions on firearms or ammunition.

**Chapter 34. Taxation  
Article II. Local Business Tax**

**§ Sec. 34-27 City business tax schedule.**

For the purposes of this section, the term "inventory" means the average selling value of annual inventory owned by the business, exclusive of excise tax. License tax fees for the following business occupations and/or professions are hereby levied and imposed as follows, provided that no license or combination of licenses for a single entity at a single business location shall exceed \$90,000.00. City business taxes for the following business, occupations, and/or professions are hereby levied and imposed:

(920) Dealers, Secondhand Firearms 210.00

**Chapter 42. Zoning  
Article V. District Regulations  
Division 3. Commercial Districts**

**§ Sec. 42-231 Permitted uses.**

Permitted principal uses in all business districts shall be limited to those uses specified in the master business list. Any use not specifically listed herein, but which is commercial in nature, shall be determined by the city administrator or designee to be permitted in the zoning district specifying the most similar use thereto. Refer to article II of this chapter, this division and division 2 of this article, for use restrictions.

Master Business List											
P = Permitted C = Conditional A = Accessory use only SE = Special Exception											
Use	B-1	B-2	B-3	C-1	OP	TOC	M-1	M-2	I-1	C-F	S-2
Ammunition reloading (handguns)							P	P			

**Weston Municipal Code  
Current through September 30, 2018. (Supp. No. 31)**

**Title XII. Land Use  
Chapter 124. Zoning**

**Industrial, Office, Commercial (IOC)**

**§ 124.16 IOC DISTRICTS.**

124.16(A) Industrial district (I-1).

124.16(B) Office district (O-1).

124.16(C) Commercial district (C-1).

124.16(D) Permitted [Uses](#).

Uses	I-1	O-1	C-1
(P indicates that the Use is permitted in the zoning category, SE indicates that the Use requires special exception approval in the zoning category, NP indicates that the use is prohibited in the zoning category.)			
Gun/knife store	NP	NP	NP

**Wildwood Municipal Code**

Current through Ordinance No. O2014-15, adopted February 24, 2014. (Supp. No. 2)

**Appendix D. License Schedule**

**§ Sec. 1 Businesses and occupations enumerated; amount of tax to be paid.**

The following enumerated individual license taxes shall be paid to the city by the persons engaging in or managing or transacting the several occupations or professions named yearly unless otherwise specified:

Gunsmiths, including sporting goods\25.00

**Williston Municipal Code**

Current through Ordinance No. 659, enacted November 22, 2016. (Supp. No. 7)

**Chapter 36. Taxation**

**Article II. Local Business Tax**

**§ Sec. 36-36 Business and occupations enumerated; amount of tax to be paid.**

The following enumerated individual local business taxes shall be paid to the city by the persons engaging in or managing or transacting the several occupations of professions named yearly unless otherwise specified:

Gunsmith (See: Repair shops)

Repair shops, all classes 50.00

**Windermere Municipal Code**

Current through Ordinance No. 2018-02, enacted July 10, 2018. (Supp. No. 9)

**Chapter 8. Business**

**Article II. Local Business Tax**

**§ Sec. 8-34 Local business receipts tax schedule.**

The following is the business receipts tax schedule:

**(124)** Machine and repair. The following machine and repair shops are required to cover the operating of the different lines of business by taking out a machine and repair license: Machine and repair shop, not licensed as an automobile agency, or under any item in this section. (Permitted to carry stocks or parts necessary and to be used only in making repairs in the shop hereby licensed. If any portion of such stock is sold in any other manner, a merchant's license is required): \$50.00.

k. Gunsmith.

**Winter Haven Municipal Code**

Current through Ordinance No. O-18-67, adopted September 25, 2018. (Supp. No. 90)

**Chapter 9. Licenses and Business Regulations**

**Article II. Local Occupational License**

**§ Sec. 9-35 Levy of business tax.**

The city does hereby levy a business tax and require the payment of the following amounts:

Locksmiths or Gunsmiths\20.00

**Winter Springs Municipal Code**

Current through Ordinance No. 2017-16, enacted September 25, 2017. (Supp. No. 24)

**Chapter 20. Zoning**

**Article III. Establishment of Districts**

**Division 12. Town Center District Code**

**§ Sec. 20-323 Permitted uses.**

	T1	T2	T3	T4	T5	C/P
Gun shop (retail, no gun range)			SE	P	P	

P, Permitted by right.

SE, Special exception required

**Zephyrhills Municipal Code**

Current through Ordinance No. 1366-18, passed May 21, 2018. (Supp. No. 23)

**Title XI. Business Regulations**

**Chapter 110. Business Tax Receipts and Certificates**

**§ Sec. 110.28 Schedule of fees.**

**(A)** Each applicant shall be required to procure a separate business tax receipt for each category which applies to his activities. Except as may otherwise be provided, the following business tax receipt shall be assessed and collected each year:

Business Tax Receipts	
Type of Business	Fee
Gun dealer (See Merchant/merchandising)	
Merchant and merchandising, per square footage:	
Up to 3,500 G.S.F.	55.13
3,500 to 15,000 G.S.F.	110.25
15,000 to 75,000 G.S.F.	165.38
Over 75,000 G.S.F.	220.50