



Legislation Details (With Text)

File #: PO-2014-22 **Version:** 2 **Name:** Amended Weapons Dealer Ordinance
Type: Ordinance **Status:** Passed
File created: 10/20/2014 **In control:** Regular City Commission Meeting
On agenda: 12/3/2014 **Final action:** 12/3/2014
Title: An Ordinance Of The City Of Hollywood, Florida, Amending Chapter 127 Of The Code Of Ordinances Entitled "Other Businesses" To Amend The Requirements For Firearms And Ammunition Dealers To Obtain A Local Business Tax Receipt; Providing For A Repealer Provision; A Severability Clause; And An Effective Date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. OrdWeaponsDealers.pdf

Date	Ver.	Action By	Action	Result
12/3/2014	2	Regular City Commission Meeting	adopt on second and final reading	Pass
11/5/2014	1	Regular City Commission Meeting	adopt on first reading	Pass

An Ordinance Of The City Of Hollywood, Florida, Amending Chapter 127 Of The Code Of Ordinances Entitled "Other Businesses" To Amend The Requirements For Firearms And Ammunition Dealers To Obtain A Local Business Tax Receipt; Providing For A Repealer Provision; A Severability Clause; And An Effective Date.

Staff Recommends: Approval of the attached amended Ordinance.

Explanation:

This ordinance amends Section 127.201 of the City of Code of Ordinances which currently requires firearms and ammunition dealers to obtain a local business tax receipt. As part of the requirements, the Chief of Police his required to approve the applications submitted by the firearms and/or ammunition dealers. As part of the approval process, the Chief of Police has to determine that the applicant is a responsible person of sound moral character, a citizen of the United States, has never been convicted of a crime of violence, is not under an indictment nor a fugitive from justice, and is not under the age of 21 years.

Currently, the Gun Control Act of 1968 requires any person engaged in the business of importing, manufacturing or dealing in firearms to file an application and receive a license from the U.S. Attorney General. The federal firearms license application adreeses all of the same criiteria that is set forth in the City' Ordinance.Further, the Brady Handgun Violence Prevention Act of 1993 requires applicants for firearms dealers licenses to notify local law enforcement agencies of their intent to apply for a Federal Firearms License. In addition, the Florida Legislature has preempted the field of firearms sales whereby municipalities may only regulate firearm businesses thorough zoning

regulations. Therefore, in order to streamline the process and to be consistent with the federal licensing requirements, it has been determined that the City's Ordinance should be amended as set forth in the attached ordinance.

Recommended for inclusion on the agenda by:
Dr. Wazir Ishmael, Interim City Manager
Frank G. Fernandez, Chief of Police