

## ORDINANCE NO. 99-22

AN ORDINANCE OF HERNANDO COUNTY, FLORIDA, AMENDING SECTION 2 OF ORDINANCE NO. 99-9; DEFINING "ANTIQUE FIREARM" AND AMENDING THE DEFINITION OF "FIREARM" IN ORDINANCE NO. 99-9 TO INCLUDE WEAPONS USING GAS OR AIR PROPULSION AND CERTAIN FIREARM PARTS, AND TO EXCLUDE ANTIQUE FIREARMS AND CERTAIN AIR WEAPONS; RENUMBERING SUBSECTIONS OF SECTION 2 AS APPROPRIATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

### SECTION 1.

Section 2 of Hernando County Ordinance 99-9, and such provisions of the Hernando County Code of Ordinances as codify said section, shall be amended to read as follows:

### **SECTION 2. DEFINITIONS**

As used in this ordinance:

A. "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.

A:B. "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.

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

D. "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, gas or air as a means of propulsion; and 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 or any smooth bore rifle or handgun designed and manufactured exclusively for propelling BB's not exceeding .177 caliber by means of

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spring, gas or air.

**D.E.** "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, garage or yard sales, and firearms exhibitions.

**E.F.** "Sale" means the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property in Hernando County, Florida, to which the public has the right of access.

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

**GH.** "Section 790.065, Florida Statutes" means the form of that statute as it exists as of the effective date of this ordinance, or as it may be amended from time to time, or as it may be transferred, renumbered or redesignated.

## **SECTION 2. SEVERABILITY**

If any section, sentence, clause, part, or provision of this ordinance is held to be invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, but shall remain in full force and effect.

## **SECTION 3. EFFECTIVE DATE**


This ordinance shall take effect upon receipt by the County of notice that a copy of this ordinance has been filed with the Department of State.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA** in Regular Session this 21st day of September, 1999 A.D.

(SEAL)

**BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA.**

Attest:

  
KAREN NICOLAI  
Clerk

By:

  
RAT NOVY  
Chairman