

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION SUBSTANTIALLY SIMILAR TO THAT CONTAINED IN INDIANA CODE TITLE 35-47-14-3, ATTACHED, WHICH ALLOWS LAW ENFORCEMENT OFFICERS TO SEIZE A FIREARM WITHOUT A WARRANT, UPON BELIEF THAT THE ARMED PERSON IS DANGEROUS; SUPPORTING THE MONROE COUNTY SCHOOL DISTRICT'S EFFORTS TO PROVIDE FOR A SAFE LEARNING ENVIRONMENT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in the wake of the tragic mass shooting at Marjory Stoneman Douglas High School last month, it is evident to the Key West City Commission that legislative action is necessary to protect public safety; and

WHEREAS, unfortunately, the Florida Legislature has preempted local control of firearms; and

WHEREAS, the City Commission calls upon state and national elected officials to enact gun control measures which will keep all residents, especially our children, safe; and

WHEREAS, the State of Indiana Code section 35-47-14-3 sets forth a law which allows a law enforcement officer (LEO) to seize a firearm from an individual whom the LEO believes to be dangerous without obtaining a warrant. After seizing the weapon, the law enforcement agency is required to submit a written statement under oath to a Court, describing the basis for seizing the weapon. A Judge would then be required to determine whether there is probable cause to retain the firearm; and

WHEREAS, the Key West City Commission finds that legislation substantially similar to the form of Indiana Code Section 35-47-14-3, would enhance the public safety of citizens in Key West and the state of Florida; and

WHEREAS, the City Commission supports efforts by the Monroe County School District to ensure student safety, and encourages the participation of state and local agencies in order to provide necessary and valuable services to protect and support our children; and

WHEREAS, the City Commission stands ready to support our local school district in a concerted effort to keep our schools and community safe from violence.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION
OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the City Commission urges the
Florida Legislature to pass legislation substantially similar
to that contained in Indiana Code 35-47-14-3, attached.

Section 2: That the City Manager is directed to work
cooperatively with the Key West Police Chief and Monroe County
School District in any way that enhances the safety and
security of our school children.

Section 3: That the City Clerk is directed to transmit
a certified copy of this Resolution to Governor Rick Scott,
Senate President Joe Negron, Senator Anitere Flores, House
Speaker Corcoran, and Representative Holly Raschein.

Section 4: That this Resolution shall go into effect
immediately upon its passage and adoption and authentication
by the signature of the Presiding Officer and the Clerk of
the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2018.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2018.

Filed with the Clerk on _____, 2018.

Mayor Craig Cates	_____
Vice Mayor Clayton Lopez	_____
Commissioner Sam Kaufman	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK