



**COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM REQUEST FORM**

The Board of County Commissioners meets the 1st and 3rd Thursday of each month in the Columbia County School Board Administrative Complex Auditorium, 372 West Duval Street, Lake City, Florida 32055. The first meeting of every month is at 9:30AM while the second meeting of every month takes place at 5:30PM. All agenda items are due in the Board's office one week prior to the meeting date.

Today's Date: 1/12/2024 Meeting Date: 1/18/2024

Department: County Attorney

**1. Nature and purpose of agenda item:**

Request for Adoption Hearing – Ordinance Amending Section 74-82 relating to prohibited residences of sexual offenders and sexual predators

**2. Recommended Motion/Action:**

To set an adoption hearing to amend section 74-82 of the County Code of Ordinances for February 15, 2024

**3. Fiscal impact on current budget.**

This item has no effect on the current budget.

**MEMORANDUM**

To: Board Agenda, January 18, 2024

From: Joel F. Foreman

Re: Request for Adoption Hearing – Ordinance Amending Section 74-82 relating to prohibited residences of sexual offenders and sexual predators

Date: January 11, 2024

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This office was contacted by Sheriff's Office concerning a request for a minor revision to the County's code dealing with prohibited residences for sexual offenders and sexual predators. The existing code excludes the territorial limits of the City of Lake City. The Sheriff has not identified a city code that mirrors the County's. This has made enforcement problematic when a residence or protected location is within the city limits.

By deleting the word "unincorporated", the attached Ordinance will give the Sheriff jurisdiction to enforce this ordinance where a residence or protected location is anywhere in the County.

This ordinance is not expected to have any business impacts.

I am requesting an adoption hearing for the second meeting in February, 2024.

Recommended motion: To set an adoption hearing to amend section 74-82 of the County Code of Ordinances for February 15, 2024.

**ORDINANCE NO. 2024-\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, AMENDING SECTION 74-82 OF THE COUNTY CODE OF ORDINANCES RELATING TO PROHIBITED RESIDENCES OF SEXUAL OFFENDERS AND SEXUAL PREDATORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the County has previously adopted Ordinances for the regulation of Sexual Offenders and Sexual Predators permanently or temporarily residing within the County at section 74-81, et seq, of the Columbia County Code of Ordinances;

**WHEREAS**, under the existing code, the enforcement of the provisions of the code relating to the proximity the residences of sexual offenders and sexual predators to any school, day care center, park, playground, or public library, is not possible within the municipal limits of the City of Lake City;

**WHEREAS**, to ensure proper, consistent, and efficient enforcement of the County's code throughout the County by local law enforcement, it is necessary that the County's code be amended to include the entirety of the territorial lands of the County.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA:**

**Section 1. FINDINGS**

The above Recitals are incorporated herein by reference and are hereby adopted as Findings in support of this Ordinance.

**Section 2. AUTHORITY**

This ordinance is enacted pursuant to the statutory authority vested in the Board of County Commissioners by Florida Statutes Chapters 125 and the Home Rule Charter for Columbia County, Florida.

**Section 3. CODE RELATING TO PROHIBITED RESIDENCES OF SEXUAL OFFENDERS AND SEXUAL PREDATORS AMENDED AND RESTATED**

Section 74-82 of the Columbia County Code of Ordinances is hereby amended as reflected in this section. Words that are stricken through shall be removed from the Code of Ordinances while those words that are underlined shall be added. Ellipses (...) indicate portions of the code have been omitted for brevity; the ellipses should not be included in the Code, nor should they indicate any addition or deletion. Unless an addition or deletion is indicated, the Code of Ordinances shall not be altered by this Ordinance.

**Sec. 74-82. Prohibited residences of sexual offenders and sexual predators.**

It is prohibited and unlawful for any sexual offender or sexual predator to abide, lodge or reside in a permanent or temporary residence located within ~~unincorporated~~ Columbia County or the Town of Fort White when such residence is located within 2,500 feet of any school, day care center, park, playground, or public library regardless of whether the school, day care center, park, playground, or public library lies within the jurisdictional limits of the county. At no time shall any sexual predator or sexual offender maintain transient status within the County.

. . .

**Section 4. SEVERABILITY**

If any section, phrase, sentence, or portion of this ordinance 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 remaining portions thereof.

**Section 5. EFFECTIVE DATE**

This Ordinance shall take effect immediately upon a certified copy hereof being filed with the Florida Department of State.

**DULY ADOPTED** by the Board of County Commissioners of Columbia County, Florida, this \_\_\_\_ day of February, 2024.

**BOARD OF COUNTY COMMISSIONERS  
COLUMBIA COUNTY, FLORIDA**

By: \_\_\_\_\_  
**RON WILLIAMS, Chair**

Approved as to form and legality:

ATTEST: \_\_\_\_\_  
JAMES M. SWISHER, Jr.  
Clerk of Court

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Joel F. Foreman, County Attorney