



## **Bonita National Golf & Country Club**

### **Firearms Policy**

**Date Approved: 7/22/2024**

#### **Purpose:**

The purpose of this policy is to establish guidelines for the safe and responsible possession and use of firearms within the Bonita National Golf & Country Club community in accordance with state and federal laws and to promote the safety and well-being of all residents.

#### **Scope:**

This policy applies to all residents, guests, and visitors within the boundaries of the Bonita National community.

#### **Background:**

Many Florida residents own firearms and are permitted to carry them in public places. But this provision does not apply to common areas in a homeowner's association. The Board of Directors of a homeowner's association has the power to restrict or prohibit firearms in common areas.

The HOA Board does have the authority to prohibit firearms in common areas so long as proper notice of the prohibition is posted. Florida law provides that firearms can be prohibited on private property or a private establishment (common areas) where the owner or any other person having lawful control over the property has given reasonable notice that the carrying of deadly weapons or firearms is prohibited.

It is illegal in Florida to carry a firearm at a school or university campus, a police station, a detention facility, a courthouse, a polling place, a government meeting, a career center, a bar, and at airports. It also remains illegal for convicted felons to possess firearms.

The Law Enforcement Officers Safety Act is a federal law that allows two classes of persons to carry a concealed firearm in any jurisdiction in the United States, regardless of any state or local law to the contrary with certain exceptions. These two classes cover qualified law enforcement officers and qualified retired (separated from service) law enforcement officers. In 2010 the Law also was revised to include Amtrak Police Officers, executive branch law enforcement officers and officers of the Federal Reserve.

Requirements for establishments that sell liquor (bars and restaurants) requires that a notice prohibiting firearms in an establishment with a liquor license must meet the following criteria:

1. The notice must be posted in a conspicuous location accessible to the general public and immediately adjacent to the liquor license posted on the licensed premises.
2. The notice must contain a pictogram that shows a firearm within a red circle and a diagonal red line across the firearm.
3. The notice must contain the words, "no firearms allowed."

If the Association complies with these requirements and someone brings a firearm on the common areas, the individual could potentially be guilty of criminal trespass in violation of Florida Statute 790.151.

**Policy Statement:**

- All residents must comply with all applicable federal, state, and local laws and regulations regarding the possession, storage, and use of firearms.
- Firearms must be stored securely in accordance with best practices to prevent unauthorized access, especially by children and individuals who are not legally permitted to possess firearms.
- Discharging firearms within the community, except in self-defense or as permitted by law enforcement, is strictly prohibited.
- Reckless or negligent handling of firearms, including brandishing or displaying firearms in a threatening manner is prohibited.
- Firearms may not be openly carried or displayed in common areas of the community, including recreational facilities.
- Residents are required to report any incidents involving the unlawful or unsafe use of firearms to the appropriate authorities and to the HOA Board of Directors.
- Violations of this policy may result in disciplinary action, including fines and suspension of privileges within the community.
- The HOA reserves the right to involve law enforcement authorities in cases of serious violations of firearm regulations.
- This policy may be amended as needed by the HOA Board of Directors. Residents will be notified of any changes to the firearm policy.