

1 EXHIBIT 1

2 ORDINANCE NO. 2017 -

3 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF
4 THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING
5 CHAPTER 19 "OFFENSES AND MISCELLANEOUS
6 PROVISIONS" OF THE CITY OF HALLANDALE BEACH CODE
7 OF ORDINANCES; SPECIFICALLY CREATING SECTION 19-
8 23 "CONSIDERATION OF ANTI-SEMITISM IN ENFORCING
9 LAWS"; PROVIDING FOR CONFLICT; PROVIDING FOR
10 SEVERABILITY; PROVIDING FOR CODIFICATION; AND
11 PROVIDING FOR AN EFFECTIVE DATE.
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13 WHEREAS, the City of Hallandale Beach will not tolerate discrimination within its
14 jurisdiction; and
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16 WHEREAS, in 2016 the City passed Ordinance No. 2016-12 which prohibited the City
17 from procuring goods or services from, or otherwise contracting with a business which engages
18 in the boycott of a person or entity based on race, color, religion, gender, national origin or any
19 other legally protected class; and
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21 WHEREAS, the City Police Department should consider potential anti-Semitic motivation
22 for criminal offenses in order to ensure the safety and well-being of its Jewish community; and
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24 WHEREAS, the United States Department of State's Special Envoy to Monitor and
25 Combat Anti-Semitism published a fact sheet issued June 8, 2010, containing a proposed
26 working definition and providing contemporary examples of anti-Semitism, attached as Exhibit
27 "A"; and
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29 WHEREAS, the City seeks to require its Police Department to consider this definition
30 and the examples in Exhibit "A" in investigating crimes, in a manner consistent with the federal
31 hate crime statute, 18 U.S.C. §249 and the Florida hate crime statute, Fla. Stat. §775.085, as
32 both may be amended from time to time; and
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34 WHEREAS, the Mayor and the City Commission have determined that this ordinance is in
35 the best interest of the residents of the City to promote the public health, safety, and general
36 welfare.

37 **NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF**
38 **HALLANDALE BEACH, FLORIDA:**

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40 **SECTION 1.** The foregoing “Whereas” clauses are hereby incorporated herein.

41 **SECTION 2.** Chapter 19 “Offenses and Miscellaneous Provisions” of the Code of
42 Ordinances of the City of Hallandale Beach, Florida is hereby amended to read as follows:

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44 **Sec. 19-23 Consideration of Anti-Semitism in Enforcing Laws.**

45 (a) For purposes of this section, the term ‘definition of anti-Semitism’ includes the following:

46 (1) Anti-Semitism is a certain perception of Jews, which may be expressed as hatred
47 toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed
48 toward Jewish or non-Jewish individuals or their property, or toward Jewish community
49 institutions and religious facilities.

50 (2) Examples of anti-Semitism include:

51 a. Calling for, aiding, or justifying the killing or harming of Jews (often in the name of a
52 radical ideology or an extremist view of religion);

53 b. Making mendacious, dehumanizing, demonizing, or stereotypical allegations about
54 Jews as such or the power of Jews as a collective, especially, but not exclusively, the
55 myth about a world Jewish conspiracy or of Jews controlling the media, economy,
56 government or other societal institutions;

57 c. Accusing Jews as a people of being responsible for real or imagined wrongdoing
58 committed by a single Jewish person or group, the state of Israel, or even for acts
59 committed by non-Jews;

60 d. Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the
61 Holocaust; or

62 e. Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of
63 Jews worldwide, than to the interest of their own nations.

64 (3) Examples of anti-Semitism related to Israel include:

65 a. Demonizing Israel by using the symbols and images associated with classic anti-
66 Semitism to characterize Israel or Israelis, drawing comparisons of contemporary Israeli
67 policy to that of the Nazis, or blaming Israel for all inter-religious or political tensions;

- 68 b. Applying a double standard to Israel by requiring behavior of Israel that is not
- 69 expected or demanded of any other democratic nation, or focusing peace or human
- 70 rights investigations only on Israel; or
- 71 c. Delegitimizing Israel by denying the Jewish people their right to self-determination,
- 72 and denying Israel the right to exist.
- 73 d. However, criticism of Israel similar to that levied against any other country cannot be
- 74 regarded as anti-Semitic.

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76 (b) In investigating whether there has been a violation of law, the Hallandale Beach Police

77 Department shall take into consideration the definition of anti-Semitism for purposes of

78 determining whether the alleged violation was motivated by anti-Semitic intent, consistent with

79 the federal and state statutes prohibiting hate crimes.

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81 (c) Nothing in this section may be construed to diminish or infringe upon any right protected

82 under the First Amendment to the Constitution of the United States, or the State of Florida's

83 Constitution. Nothing in this section may be construed to conflict with Federal or State

84 discrimination laws.

85 * * *

86 **SECTION 3. Conflict.** All ordinances or portions of the Code of Ordinances of the City

87 of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the

88 extent of such conflict.

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90 **SECTION 4. Severability.** Should any provision of this ordinance be declared by a

91 court of competent jurisdiction to be invalid, the same shall not affect the validity of the

92 ordinance as a whole, or any part thereof, other than the part declared to be invalid.

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94 **SECTION 5. Codification.** It is the intention of the Mayor and City Commission that the

95 provisions of this ordinance be incorporated into the Code of Ordinances; to effect such

96 intention the words "ordinance" or "section" may be changed to other appropriate words.

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98 **SECTION 6. Effective date.** This Ordinance shall take effect immediately upon

99 adoption.

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101 PASSED AND ADOPTED on 1st reading on _____, 2017.

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PASSED AND ADOPTED on 2nd reading on _____, 2017.

JOY F. COOPER
MAYOR

SPONSORED BY: VICE MAYOR KEITH LONDON

ATTEST:

MARIO BATAILLE, CMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
AND FORM

JENNIFER MERINO
CITY ATTORNEY