

TOWN OF CALLAHAN, FLORIDA  
RESOLUTION NO. 2016-R13

A RESOLUTION OF THE TOWN OF CALLAHAN, FLORIDA, ADOPTING A POLICY FOR THE PROTECTION OF INDIVIDUALS ENGAGING IN NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS, REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS 42 United States Code 5304(a)(1)(1), enacted as Section 104 of the Housing and Community Development Act of 1974, requires subrecipients of federal funds to adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations;

WHEREAS 42 United States Code 5304(a)(1)(2), enacted as Section 104 of the Housing and Community Development Act of 1974, requires subrecipients of federal funds to adopt and enforce a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CALLAHAN, FLORIDA:

Section 1. It is the policy of the Town of Callahan to prohibit the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction with due and proper consideration given to the extent and limits of the Town's power and authority to do so.

Section 2. All other resolutions and policies or sections of resolutions and policies of the Town of Callahan in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

Section 3. If any section, paragraph, sentence, or clause hereof or any provision of this Resolution is declared to be invalid or unconstitutional, the remaining provisions of this Resolution shall be unaffected thereby and shall remain in full force and effect.

Section 4. This Resolution shall take effect immediately upon its passage.

INTRODUCED, PASSED, AND ADOPTED THIS 18<sup>th</sup> DAY OF July, 2016.

TOWN OF CALLAHAN, FLORIDA

  
Ken Bass, Town Council President

ATTEST:

  
Stephanie Knagge, Town Clerk

APPROVED:

  
Robert Rau, Mayor