

## **RESOLUTION NO. 22-185**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, ADOPTING A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST 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(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 the law enforcement agency within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations;

**WHEREAS**, 42 United States Code 5304(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, if those laws exist, against physically banning entrance to or exit from a public facility or public location which is the location of such nonviolent civil rights demonstration within its jurisdiction;

**NOW, THEREFORE BE IT RESOLVED** by the City of Panama City Beach Council, as follows:

Section 1. It is the policy of the City of Panama City Beach to prohibit the use of excessive force by the law enforcement agency within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations in public spaces;

Section 2. It is the policy of the City of Panama City Beach to enforce applicable State and local laws, if those laws exist, against physically barring entrance to or exit from a public facility or public 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 City's power and authority to do so.

Section 3. All other resolutions and policies or sections of resolutions and policies of the City of Panama City Beach in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

Section 4. 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.

**THIS RESOLUTION** shall be effective immediately upon passage.

**PASSED** in regular session this 14<sup>th</sup> day of July, 2022.

**CITY OF PANAMA CITY BEACH**

By:   
Mark Sheldon, Mayor

**ATTEST:**

  
Lynne Fasone, City Clerk

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