

RESOLUTION NO. 2022- 2857

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REAFFIRMING THE TOWN'S COMMITMENT TO CONDEMN ANTI-SEMITIC, HATEFUL AND HURTFUL MESSAGES AND BEHAVIOR, INCLUDING THE REAFFIRMATION OF THE PROVISIONS OF SECTION 54-2 OF THE TOWN'S CODE, "CONSIDERATION OF ANTI-SEMITISM AND HATE CRIMES IN ENFORCING LAWS" AND SUPPORTING AN AMENDMENT TO SECTION 54-2 TO BROADEN THE DEFINITION OF ANTI-SEMITISM AS OUTLINED HEREIN; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR IMPLEMENTATION AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, recently the Town of Surfside ("Town") was blanketed with anti-Semitic flyers which were offensive and hurtful to many Surfside residents; and

WHEREAS, the Town Commission of the Town of Surfside ("Town Commission") abhors the distribution of anti-Semitic, hurtful or hateful messages within its jurisdiction; and

WHEREAS, the Town has recently adopted anti-hate resolutions in order to ensure the safety and well-being of any of its victimized community members; and

WHEREAS, in the process of adopting the foregoing resolutions, the Town demonstrated that it desires to underscore its commitment to rejecting anti-Semitic, hurtful and hateful messages, whatever their bases; and

WHEREAS, in addition to the foregoing, the Town supports its Police Department in its consideration of the definitions of anti-Semitism and hate crimes for the purposes of determining whether a violation is motivated by the intent to commit a hate crime in a manner consistent with federal and state statutes, and Section 54-2 of the Town Code, prohibiting hate crimes; and

WHEREAS, every human being is born in the image of Almighty God and has fundamental human rights to live and prosper endowed by our Creator; and

WHEREAS, the Town Commission reaffirms the provisions of Section 54-2 of the Town's Code, "Consideration of Anti-Semitism and Hate Crimes in Enforcing Laws" and supports an amendment to Section 54-2 to broaden the definition of anti-Semitism as outlined herein and wishes to direct the Town administration and staff to prepare an ordinance for such purpose; and

WHEREAS, the Town Commission hereby finds and determines that this Resolution is in the best interest of its residents.

NOW, THEREFORE, IT IS RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS¹:

Section 1. Recitals Adopted. Each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Reaffirming the Town's Commitment to Condemn Anti-Semitic, Hateful and Hurtful Messages and Behavior, Including Reaffirmation of Section 54-2 of the Town's Code, "Consideration of Anti-Semitism and Hate Crimes In Enforcing Laws" and Supporting an Amendment to Section 54-2 to Broaden the Definition of Anti-Semitism as Outlined Herein. The Town Commission reaffirms its commitment to condemn Anti-Semitic, hateful and hurtful messages, and reaffirms Section 54-2 of the Town Code, "Consideration of Anti-Semitism and Hate Crimes in Enforcing Laws". The Town Commission further supports an amendment to Section 54-2 of the Town's Code to broaden the definition of Anti-Semitism to include substantially the following changes:

The term definition of "Anti-Semitism:" includes the following:

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

(2) Examples of anti-Semitism include:

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

b. Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective—especially, but the media, economy, government or other societal institutions;

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

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

e. Accusing Jewish citizens of being anti-American because of loyalty to Israel.

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

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

b. Applying a double standard to Israel by requiring behavior of Israel that is not expected or demanded of any other democratic nation, or focusing peace or human rights investigations only on Israel and not all others for the same reasons;
or

c. Delegitimizing Israel by denying the Jewish people their right to self-determination, and denying Israel the right to exist.

d. However, notwithstanding the foregoing, criticism of Israel similar to that levied against any other country cannot be regarded as anti-Semitic.

Section 3. Severability and Conflicts. That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Resolution but they shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

Section 4. Implementation. The Town Manager and Town Officials are authorized to take all necessary or further action to implement the purposes of this Resolution. The Town administration and staff are further directed to prepare an ordinance amending section 54-2 of the Town Code as outlined herein.

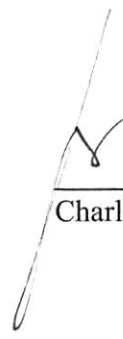
Section 5. Effective Date. That this Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 8th day of February, 2022.

Motion By: Commissioner Velasquez
Second By: Mayor Burkett

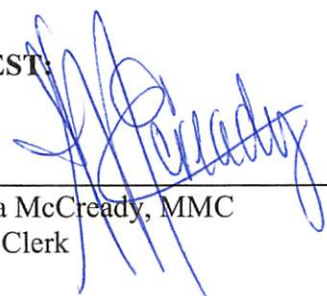
FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl	<u>Yes</u>
Commissioner Eliana R. Salzhauer	<u>Yes</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Vice Mayor Tina Paul	<u>Yes</u>
Mayor Charles W. Burkett	<u>Yes</u>




Charles W. Burkett, Mayor

ATTEST:



Sandra McCready, MMC
Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney