

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD,
FLORIDA, AMENDING CHAPTER 133 OF THE CODE OF
ORDINANCES PERTAINING TO ANTISEMITISM AND BIAS-
MOTIVATED CRIMES.

WHEREAS, Jews are consistently one of the most targeted religious communities in the United States; and

WHEREAS, Jewish institutions such as synagogues, Jewish community centers and Jewish schools are also the targets of antisemitic incidents, including vandalism, harassment, assaults, and deadly violence; and

WHEREAS, antisemitic incidents are being reported at record levels; and

WHEREAS, Jews are regularly targeted because of their actual or perceived support for Israel and Zionism; and

WHEREAS, Broward County, home to the third-largest population of Holocaust survivors in the world, has not been immune to antisemitism; and

WHEREAS, the Kantor Center recently released a report stating that the working definition of antisemitism of the International Holocaust Remembrance Alliance ("IHRA") "has become a barometer in the global fight against Jew-hatred, serving as a comprehensive and well-known tool to monitor, measure and ultimately combat contemporary manifestations of this age-old societal scourge"; and

WHEREAS, adopting a working definition of antisemitism similar to that of the IHRA and establishing its intent that the definitions of bias-motivated crimes and antisemitism be considered in determining the motivation behind a violation of law would help fight the serious, pervasive, and enduring problem of antisemitism and benefit the entire community; and

WHEREAS, Chapter 133 of the City Code regulates offenses against public peace and safety within the City; and

WHEREAS, the City Commission desires an amendment to Chapter 133 to address rising incidents of antisemitism.

(Words that are underlined are additions to existing text; struck-through words are deletions from existing text).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That Chapter 133 of the Code of Ordinances is hereby amended to read as follows:

TITLE XIII: GENERAL OFFENSES

CHAPTER 133: OFFENSES AGAINST PUBLIC PEACE AND SAFETY

§ 133.32 BIAS-MOTIVATED CRIMES AND ANTISEMITISM.

(A) In investigating whether there has been a violation of law, the City intends that the definitions of bias-motivated crime and antisemitism, as hereinafter stated, be considered for purposes of determining whether the alleged violation was motivated by an intent to commit a bias-motivated crime.

(B) Nothing in this section shall be construed to diminish or infringe on any right protected under the First Amendment to the Constitution of the United States, or the State of Florida's Constitution, or to conflict with federal or state discrimination laws.

(C) Definitions.

(1) Advanced age shall mean that the victim is at least 65 years of age.

(2) Antisemitism shall mean a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions, and toward Jewish religious facilities. Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include but are not limited to:

(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 not exclusively, the myth about a world Jewish conspiracy or of Jews controlling 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 ("Israel"), or even for acts committed by non-Jews;

(d) Accusing the Jews as a people or the State of Israel ("Israel") of inventing or exaggerating the Holocaust;

(e) Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations;

(f) Seeking to delegitimize Israel by denying the Jewish people their right to self-determination and denying Israel the right to exist.

(D) Criticism of Israel similar to that levied against any other country should not be regarded as antisemitic, and in no event shall anything in this definition or in any of the foregoing examples be construed to conflict with the United States Constitution, the Florida Constitution, or federal or state law.

§ 133.99 PENALTY.

(A) Whoever violates any provision of this chapter for which another penalty is not already otherwise provided, shall be subject to the penalty provisions of § 10.99.

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Section 3: That it is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of this Ordinance may be renumbered to accomplish such intention.

Section 4: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, such invalidity shall not affect the validity of any remaining portions of this Ordinance.

Section 5: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.

Section 6: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 133 OF THE CODE OF ORDINANCES PERTAINING TO ANTISEMITISM AND BIAS-MOTIVATED CRIMES.

Advertised on _____, 2022.

PASSED on first reading this _____ day of _____, 2022.

PASSED AND ADOPTED on second reading this _____ day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY