

ORDINANCE 2021-01

AN ORDINANCE OF THE CITY OF CRESCENT CITY ENACTED BY A MINIMUM OF 4/5 (FOUR OF FIVE COMMISSIONERS) OF THE CITY COMMISSION OF THE CITY OF CRESCENT CITY AS PROVIDED FOR IN SECTION 3.05 OF THE CHARTER OF THE CITY OF CRESCENT CITY PROVIDING FOR THE ABOLISHMENT OF THE CRESCENT CITY POLICE DEPARTMENT; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Crescent City has determined that a small police department provides limited advancement opportunities for its officers and the department is increasingly faced with serious budgetary constraints and

WHEREAS, at the present time the City of Crescent City is spending approximately its entire Ad Valorem (property tax) revenue on the Crescent City Police Department, and

WHEREAS, a small agency such as the Crescent City Police Department does not provide the law enforcement assets and specialty divisions within the department that a larger agency has available, and

WHEREAS, advancement opportunities, advanced training for various specialized sub-departments or divisions within a law enforcement agency, and the availability of law enforcement assets can, in many instances, attract and retain qualified law enforcement candidates and

WHEREAS, a small agency such as the Crescent City Police Department is at a disadvantage in competing for the available qualified law enforcement candidates and

WHEREAS, the City of Crescent City has exposure to substantial liability issues related to the operation of its own Police Department and

WHEREAS, the citizens of Crescent City are already paying property tax millage (ad valorem tax) to the County of Putnam for the funding of the Putnam County Sheriff's Department and

WHEREAS, the Sheriff's Department of Putnam County has a duty to provide law enforcement to the citizens of the City of Crescent City in the same manner as those services provided for all of the citizens of Putnam County and

WHEREAS, the City of Crescent is lawfully able to contract with the Putnam County Sheriff's Department to provide law enforcement services dedicated to the City of Crescent City which would be in addition to or "over and above" those law enforcement services which would be currently provided by the Sheriff's Department to all of the citizens of Putnam County

including those citizens inside the city limits of Crescent City, Florida.

THEREFORE, it is hereby ordained and enacted by the City Commission of the City of Crescent City, Florida as follows:

SECTION 1. ABOLISHMENT OF POLICE DEPARTMENT

- A. The City of Crescent City Police Department is hereby abolished.
- B. The City Commission of the City of Crescent City recognizes and acknowledges the beneficial and honorable service of those law enforcement officers who have served the City of Crescent City.
- C. This ordinance shall not prevent or hinder the City Commission of the City of Crescent City from establishing a Police Department, a Department of Public Safety, or any other law enforcement department in the future.

SECTION 2. CODIFICATION OF ORDINANCE.

This Ordinance shall be codified in the City of Crescent City Code of Ordinances as Ordinance 2021-01.

SECTION 3. CONFLICT OF ORDINANCES.

In the event of any conflict with any other provision of the *Code of Ordinances of the City of Crescent City*, the provisions of this Ordinance shall prevail. It is not the intent of this Ordinance to conflict with the controlling provisions of State law.

All ordinances or parts of ordinances, in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 4. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and to this end the provisions of this Ordinance are declared severable.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective upon the date of passage on second reading.

PASSED AND ADOPTED ON SECOND READING BY THE City Commission of
the City of Crescent City, Florida, at its special meeting held on the 11th day of March, 2021.

First Reading: _____ Ayes _____ Nays Date: February 11, 2021

Second Reading: _____ Ayes _____ Nays Date: March 11, 2021

Michele Myers, Mayor – Commissioner

ATTEST:

Michael Esposito, City Manager

Passed on first reading:
Adopted on second reading:

APPROVED AS TO FORM AND LEGALITY

Jay D. Asbury, City Attorney