

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY



COLLEEN HAMPSEY,
RESEARCH ASSISTANT
(904) 255-5151

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2024-334

Introducer/Sponsor(s): Council Members Peluso, Carlucci, Gaffney, Jr., Pittman, Clark-Murray and Johnson

Date of Introduction: April 23, 2024

Committee(s) of Reference: NCSPHS, R, LUZ

Date of Analysis: April 23, 2024

Type of Action: *Ordinance Code* amendments

Bill Summary: This bill amends: Section 368.301 (Violations and criminal penalties), Part 3 (Enforcement), Chapter 368 (Noise Control); Section 614.103 (Reserved), Chapter 614 (Public Order and Safety); Section 632.101 (Classes of offenses), Chapter 632 (Penalties); Section 656.1309 (Unlawful sign messages), Subpart A (General Provisions), Part 13 (Sign Regulations), Chapter 656 (Zoning Code); and Section 741.107, Violation of Zero-Tolerance for Litter Law, *Ordinance Code*.

Background Information: On August 26, 2023 Angela Michelle Carr, Jerrald De'Shaun Gallion and Anolt Joseph "AJ" Laguerre Jr. were murdered at the Dollar General store on Kings Road by a perpetrator motivated by racial hatred. Between 2020 and 2022, the Jacksonville Sheriff's Office reported 24 hate crimes to the FBI's Uniform Crime Reporting Program. Federal and state governments have previously responded to hate crimes by enhancing criminal penalties when those crimes were demonstrated to be motivated by hate. Additionally, the use of Nazi symbols has been present in Jacksonville in the past few years. The purpose of this legislation is to amend the *Ordinance Code* in several ways to enhance penalties (up to triple) which can be imposed against the commission of a code infraction based on hate. The bill amends the following sections of the *Ordinance Code*:
Section 368.301: adds to noise control enforcement, up to triple the assessed fine and/or jail penalty if the offense was committed with the primary purpose of expressing, or attempting to promote, animosity, hostility or malice against a person or persons or against the property of a person or persons because of race, color, religion, sex, sexual orientation, gender identity, marital status, national origin, age or disability.
Section 614.103: adds the same enhanced penalties for violations to public order and safety motivated by the above-described hate.
Section 632.101: adds the same enhanced penalties for hate crime offenses to be listed with the other classes of offenses.
Section 656.1309: adds to the sign regulations in the zoning code to enhance fines for the projections of light, laser beams or any other medium to form text, graphics, logos, or artwork upon streets, walkways, fences, sign structures, land or water surfaces, or exterior walls or other exterior portions of buildings or any other structure motivated by the above-described hate.
Section 741.107: adds the same enhanced penalties to the zero tolerance for litter/snipe signs if the violation is motivated by the above-described hate.

Policy Impact Area: Code enforcement and hate crime penalties

Fiscal Impact: No direct cost to the City, undetermined revenue from penalty enforcement

Analyst: Hampsey