

ORDINANCE NO. 405

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVANA, FLORIDA, AMENDING CHAPTER 2, ARTICLE III, DIVISION 5, SECTION 2-127(b) OF THE CODE OF ORDINANCES OF HAVANA, FLORIDA, PROVIDING FOR THE TOWN COUNCIL TO EXERCISE DISCRETION IN REGARD TO THE RESIDENCE OF THE CHIEF OF POLICE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article IV, Section 4.04 of the Charter provides that the qualifications of the Chief of Police shall be as prescribed by ordinance;

WHEREAS, Chapter 2, Article III, Division 5, Section 2-127(b) of the Code of Ordinances of Havana, Florida, currently provides: "The chief of police shall reside within the town limits;" and

WHEREAS, the town council hereby finds and determines that it is in the best interests of the town to permit a greater exercise of discretion of the town council in regard to the residence of the chief of police.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAVANA, FLORIDA, AS FOLLOWS:

**SECTION 1. INCORPORATION OF RECITALS.** The above recitals are true and accurate and are hereby incorporated herein and made a material part of this ordinance.

**SECTION 2. AMENDMENT TO SECTION 2-127(b).** Chapter 2, Article III, Division 5, Section 2-127(b) of the Code of Ordinances of Havana, Florida, is hereby amended and restated to read as follows:

**Sec. 2-127. Qualifications**

.....

(b) The town council may require the chief of police to reside within the town limits, or within such other geographic area as it determines appropriate and in the best interests of the town, and may provide time-limits for any such requirement.

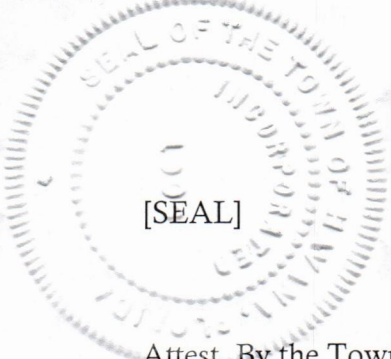
**SECTION 3. REPEAL OF CONFLICTING ORDINANCES.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4. AUTHORITY TO CODIFY.** Specific authority is hereby granted to codify this Ordinance.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective upon its final approval and adoption.

PASSED in an open session of the Town Council of the Town of Havana, Florida, on this 8 day of October, 2024, by a vote of 6 - 0.

PASSED AND ADOPTED in an open session of the Town Council of the Town of Havana, Florida, on this 8 day of October, 2024, by a vote of 6 - 0.



[SEAL]

TOWN OF HAVANA, FLORIDA:

A handwritten signature in black ink, appearing to read "Tim Loughmiller Jr.", written over a horizontal line.

Tim Loughmiller Jr., Mayor

Attest, By the Town Clerk of the Town of Havana, Florida:

A handwritten signature in black ink, appearing to read "Alan L. Allen", written over a horizontal line.

Town Clerk

Approved as to Form:

A handwritten signature in black ink, appearing to read "John L. ...", written over a horizontal line.

Town Attorney