

RESOLUTION 2006-16

WHEREAS, the Office of the City Marshal, operating by and through the City of DeFuniak Springs Police Department, effectuates seizures of property pursuant to §§932.701-707, Fla. Stat. (2006), Florida Contraband Forfeiture Act; and

WHEREAS, the Office of the City Marshal, operating by and through the City of DeFuniak Springs Police Department, intends to effectuate such seizures, and subsequent legal proceedings, within the laws set forth in §§932.701-707, Fla. Stat. (2006), Florida Contraband Forfeiture Act; and

WHEREAS, the Office of the City Marshal, operating by and through the City of DeFuniak Springs Police Department, is required to make semiannual reports to the Florida Department of Law Enforcement concerning seized and/or forfeited property; and

WHEREAS, property forfeited under the Florida Forfeiture Contraband Act shall only be used in accordance with §932.7055(1)-(8), Fla. Stat. (2006); and

WHEREAS, proceeds from forfeited property sold pursuant to §932.7055(1)(b), Fla. Stat. (2006) shall be disbursed only according to §932.7055(4)-(5), Fla. Stat. (2006); and

WHEREAS, §932.7055(5)(a), Fla. Stat. (2006) requires any remaining proceeds from the sale of forfeited property to be deposited in a special law enforcement trust fund established by the governing body of the municipality

NOW THEREFORE BE IT RESOLVED that the City of DeFuniak Springs hereby establishes “The DeFuniak Springs Police Department Forfeiture Trust Fund” which shall receive proceeds from forfeited items sold pursuant to §932.7055(1)(b), Fla. Stat. (2006); and

BE IT FURTHER RESOLVED that the City of DeFuniak Springs shall comply with the requirements set forth in §932.7055(5), Fla. Stat. (2006) regarding the expenditure of such proceeds and interest earned thereon; and

BE IT FURTHER RESOLVED that this Resolution shall not be read, interpreted, or applied in any manner inconsistent with the Laws of the State of Florida, nor shall this Resolution be read, interpreted, or applied in any manner so as to prevent the Office of the City Marshal, operating by and through the City of DeFuniak Springs Police Department, from disposing of forfeited property in accordance with §932.7055(1)(a), (c), (2), Fla. Stat. (2006).

ADOPTED this 24th day of July, 2006.

Sandra J. Arnold
Deputy Attest: City Clerk

C. Harold Fipps
MAYOR

In Witness Where of, the parties hereto have made and executed Agreement on the date set forth above, following the Public Hearing by the City of DeFuniak Springs City Council, approving the Agreement held on JULY 24th 2006

C. Harold Fipps
Mayor

Sandra J. Arnold
City Clerk
Deputy