

1 Introduced by Council Members Cumber and Carlucci and Co-Sponsored by  
2 Council Members Diamond, DeFoor, and Ferraro & amended by the  
3 Neighborhoods, Community Services, Public Health and Safety Committee:  
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6 **ORDINANCE 2022-172-E**

7 AN ORDINANCE AMENDING CHAPTER 150 (ADULT  
8 ENTERTAINMENT AND SERVICES CODE), PART 2  
9 (ADMINISTRATION), SECTION 150.224 (PERFORMER  
10 WORK IDENTIFICATION CARD), *ORDINANCE CODE*, TO  
11 AMEND THE PROCESS FOR ISSUANCE OF A PERFORMER  
12 WORK IDENTIFICATION CARD FOR ALL PERFORMERS IN  
13 ADULT ENTERTAINMENT ESTABLISHMENTS; AMENDING  
14 CHAPTER 151 (DANCING ENTERTAINMENT  
15 ESTABLISHMENT CODE), PART 2 (ADMINISTRATION),  
16 SECTION 151.214 (PERFORMER WORK IDENTIFICATION  
17 CARD), *ORDINANCE CODE*, TO AMEND THE PROCESS FOR  
18 ISSUANCE OF A PERFORMER WORK IDENTIFICATION CARD  
19 FOR ALL PERFORMERS IN DANCING ENTERTAINMENT  
20 ESTABLISHMENTS; PROVIDING AN EFFECTIVE DATE.  
21

22 **BE IT ORDAINED** by the Council of the City of Jacksonville:

23 **Section 1. Intent and severability.** The intent of this  
24 legislation is to enact a scheme of uniform and non-discriminatory  
25 time, place and manner regulations for performers at adult  
26 entertainment establishments and dancing entertainment establishments  
27 in the City. It is the Council's intent that these regulations be  
28 interpreted and applied to not eliminate all forms of adult  
29 entertainment, but instead, to be narrowly tailored and limited to  
30 assist in reducing criminal activities occurring at these facilities.  
31 The provisions of this Ordinance are intended to be severable, and

1 if any provision is declared invalid or unenforceable by a court of  
2 competent jurisdiction, such provision shall be severed and the  
3 remainder shall continue in full force and effect with the Ordinance  
4 being deemed amended to the least degree legally permissible.

5 **Section 2. Amending Chapter 150 (Adult Entertainment and**  
6 **Services Code), Part 2 (Administration), Section 150.224 (Performer**  
7 **work identification card), Ordinance Code.** Chapter 150 (Adult  
8 Entertainment and Services Code), Part 2 (Administration), Section  
9 150.224 (Performer work identification card), *Ordinance Code*, is  
10 hereby amended to read as follows:

11 **CHAPTER 150. ADULT ENTERTAINMENT AND SERVICES CODE.**

12 \* \* \*

13 **PART 2. ADMINISTRATION**

14 \* \* \*

15 **Sec. 150.224. Performer work identification card.**

16 (a) *Performer Work Identification Card required.* Any person  
17 desiring to perform in an adult entertainment establishment licensed  
18 under this Chapter must obtain a Work Identification Card from the  
19 Sheriff. No person shall act as a performer in an adult entertainment  
20 establishment without having previously obtained said Work  
21 Identification Card, except as permitted during the Grace Period as  
22 set forth in this section. Additionally, no license holder or  
23 establishment manager shall employ, contract with or otherwise allow  
24 any performer to perform in an adult entertainment establishment who  
25 does not possess a valid and effective Work Identification Card except  
26 as permitted during the Grace Period as set forth in this section.  
27 Establishment managers shall be required to review all Performer  
28 Rosters at the commencement of his or her shift to verify compliance  
29 with this section.

30 (b) *Penalty.* Violations of this section shall be a civil  
31 infraction. Any performer, license holder, owner, operator or manager

1 who violates or knowingly permits a violation of this section shall  
 2 be assessed a civil penalty of \$200~~guilty of a misdemeanor of the~~  
 3 ~~second degree.~~

4 (c) *Application for Work Identification Card.* An application  
 5 for a Work Identification Card shall be ~~created by and~~ obtained from  
 6 the Sheriff. ~~The Sheriff is authorized to include whatever information~~  
 7 ~~he or she deems relevant to the purposes established in this section~~  
 8 ~~for issuance of the Work Identification Card, including~~ The  
 9 application shall include: the applicant's full legal name (including  
 10 maiden name, if applicable); residential address; driver's license  
 11 number or government issued identification or passport number; date  
 12 of birth; natural hair and eye color; race; sex; height and weight;  
 13 place of birth (city, state or country); telephone number; email  
 14 address; a list of locations of and descriptions of any tattoos;  
 15 confirmation that the applicant has not been convicted within the  
 16 relevant periods of time of any violation listed in subparagraph (1),  
 17 and a list of each adult entertainment establishment where the  
 18 applicant will be performing and each stage name used by the applicant  
 19 at each location~~fingerprinting and photographs and proof of a valid~~  
 20 ~~and effective work permit or visa for non-U.S. citizens. Each~~  
 21 ~~applicant shall demonstrate~~ affirm through either attestation on the  
 22 application or presentation of a certificate of completion to the  
 23 Sheriff that he or she has completed ~~a~~one, free-of-charge, sex  
 24 trafficking education program. ~~Acceptable training programs include~~  
 25 ~~those developed and presented by the American Hotel & Lodging~~  
 26 ~~Association,~~ ~~the~~ ~~Polaris~~ ~~Project~~  
 27 (<https://polarisproject.org/training/>) (approximately 45 min. in  
 28 length), ~~ECPAT-USA, Business Ending Slavery & Trafficking and or the~~  
 29 U.S. Department of Homeland Security, Blue Campaign Consequences  
 30 Training ([https://www.dhs.gov/blue-](https://www.dhs.gov/blue-campaign/course-consequences-p01)  
 31 campaign/course consequences p01) (approximately 15 min. in length).

1 The Sheriff shall maintain and make available to any applicant each  
2 sex trafficking education program in the event any applicant does not  
3 have online access to the program(s). Additionally, the applicant  
4 shall affirm that he or she understands that the Work Identification  
5 Card may be immediately revoked if issuance of the card is made  
6 illegal through order of any court. ~~Other programs not listed may~~  
7 ~~be approved by the Sheriff.~~ The application shall be in writing,  
8 signed and notarized, fully completed and submitted to the Sheriff  
9 together with the nonrefundable application fee. Each applicant must  
10 submit proof of identity at the time the application is submitted.  
11 It is the Council's intent that no Work Identification Card shall be  
12 issued to any applicant who is under the age of twenty-one (21) years  
13 of age; however, this requirement shall not become effective unless  
14 and until the legality of this age restriction is determined to be  
15 valid or the City is otherwise not legally prevented from imposing  
16 this restriction. ~~and proof that applicant is at least twenty-one~~  
17 ~~(21) years of age. Work Identification Cards shall not be issued to~~  
18 ~~any person under the age of twenty one.~~ Additionally, ~~n~~No Work  
19 Identification Card shall be issued to an applicant who has been  
20 convicted of human trafficking or any human trafficking-related  
21 charge or who is currently on ~~probation~~suspension for any violation  
22 listed under subsection (1), below. Work Identification Cards are  
23 valid for a term of one (1) year. Applicants are required to update  
24 his or her application with changes to any of the application  
25 information (except height and weight) within 60 days of the change  
26 of such information. All current performers shall ~~obtain~~complete and  
27 submit an application for a Work Identification Card within ninety  
28 (90) days from the effective date of this section (the "Grace  
29 Period"). Upon conclusion of the Grace Period, no performer shall be  
30 permitted to perform until a current Work Identification Card is  
31 obtained or without a valid copy of the application fee payment check

1 or receipt as specified in subparagraph (e), below.

2 (d) *False statement or false information in applying for a Work*  
3 *Identification Card.* It shall be unlawful for any person applying for  
4 a Work Identification Card to make a false statement or otherwise  
5 provide false information which is intended to facilitate the issuance  
6 of same. In addition to any other penalties provided herein, the  
7 Sheriff is authorized to petition the court for immediate revocation  
8 of any Worker Identification Card that has been determined by the  
9 Sheriff to have been issued based on fraudulent or false information.

10 (e) *Fees.* The applicant shall pay an application fee with each  
11 new request for a Work Identification Card and with each renewal of  
12 a Work Identification Card. The fees shall not be prorated. The  
13 applicant shall also pay a duplicate card fee for each duplicate copy  
14 of an existing Work Identification Card. The initial fee for an  
15 initial Work Identification Card shall be \$100. The initial fee for  
16 a renewal card shall be \$50. The initial fee for a duplicate  
17 replacement card shall be \$35. The Sheriff shall be entitled to  
18 impose a three percent (3%) annual increase of the fees. A copy of  
19 the check, or of a receipt issued by the Sheriff, showing payment for  
20 an application or duplicate card shall operate as a receipt for said  
21 fees and shall allow the applicant to perform pending receipt of the  
22 official Work Identification Card. ~~The initial and renewal~~  
23 ~~application fee shall be \$150. The fee for issuance of a duplicate~~  
24 ~~Work Identification Card shall be \$50. Fees are non-refundable.~~

25 (f) *Issuance of Work Identification Card.* The Sheriff is  
26 responsible for verifying all information contained on a Work  
27 Identification Card application. The Sheriff shall approve or deny  
28 an application within fourteen (14) days of receipt of a completed  
29 application and payment of the applicable fee. If the Sheriff fails  
30 to approve or deny an application within the 14-day time limit, the  
31 application shall be deemed granted and the applicant can continue

1 to rely on his or her receipt or check copy as a substitute for the  
2 Work Identification Card to legally perform or can request the Sheriff  
3 to issue an official card. ~~Upon determining that the Work~~  
4 ~~Identification Card should be issued, the Sheriff shall immediately~~  
5 ~~render a Work Identification Card to the applicant. Said~~An issued  
6 Work Identification Card shall, ~~at a minimum,~~ include the performer's  
7 name, photograph, date of birth, height, weight, natural eye and hair  
8 color, and a unique card number. Should the Sheriff determine that  
9 the proof submitted with the application for the Work Identification  
10 Card as required hereinabove is not satisfactory or full payment of  
11 the application fee is not received, the Sheriff shall deny issuance  
12 of said Work Identification Card and shall provide written  
13 notification to the applicant stating the reason(s) for any such  
14 denial.

15 (g) *Retention of Performer Roster and Work Identification Card.*

16 All persons required pursuant to this Code to obtain a Work  
17 Identification Card shall keep same on their person or with their  
18 personal belongings at all times while performing at an adult  
19 entertainment establishment. The adult entertainment establishment  
20 shall compile and retain a complete performer roster that includes  
21 all performers performing at the establishment for a period of thirty  
22 (30) days from each performer's most recent performance date. The  
23 performer roster shall be organized by date and performer, including  
24 the performer's first and last name and stage name. The adult  
25 entertainment establishment shall also maintain a Work Identification  
26 Card file, organized alphabetically by performer's last name, with  
27 legible photocopies of the Work Identification Card of each performer  
28 performing at said establishment for a period of two (2) years from  
29 each performer's most recent performance date. Other than performers  
30 performing during the Grace Period established in this section, no  
31 performer shall perform until the performer roster is updated to

1 include the performer information, and the legible photocopy of the  
2 Work Identification Card is placed on file as required herein. The  
3 performer roster and the Work Identification Card file shall be made  
4 available to the Sheriff for inspection and/or copying upon request,  
5 which shall only be made during normal business hours when the  
6 establishment is open to the public.

7 (h) *Appeal.* In the event that an applicant for a Work  
8 Identification Card is denied, said applicant may request emergency  
9 injunctive relief from the Circuit Court of the Fourth Judicial  
10 Circuit of the State of Florida. Due to the overriding public interest  
11 in not having persons ~~under the age of twenty-one or with criminal~~  
12 ~~convictions identified in paragraph (l) perform in adult~~  
13 ~~entertainment establishments,~~ no provisional Work Identification  
14 Cards shall be issued by the Sheriff.

15 (i) *Transfer of Work Identification Card prohibited.* A Work  
16 Identification Card shall not be transferred from one person to  
17 another; however, the person to whom the Work Identification Card was  
18 issued may utilize same in any ~~and all~~ licensed adult entertainment  
19 establishments ~~in the City~~ identified in the Work Identification Card  
20 application.

21 (j) *Alteration of Work Identification Card prohibited.* It shall  
22 be unlawful for any person to alter or otherwise change the contents  
23 of a Work Identification Card without the written permission of the  
24 Sheriff.

25 (k) *Requirement of Managers, License Holders, Owners and*  
26 *Operators to Verify Work Identification Cards of Performers.* No person  
27 managing, owning or operating or holding a license to operate an  
28 adult entertainment establishment shall permit, employ, or otherwise  
29 allow any person to perform at said establishment unless such person  
30 has a valid, current, Work Identification Card issued in accordance  
31 herewith, unless such performer is performing within the Grace Period

1 established in this section. Each owner and operator of the  
 2 establishment shall have a separate and independent duty to verify  
 3 that all performers are in compliance with this section. Each manager  
 4 of the establishment shall have a separate and independent duty to  
 5 verify that all performers are in compliance with this section during  
 6 all times the manager is working at the establishment. Separate  
 7 violations may be issued to the managers, owners and operators of the  
 8 establishment for each performer, and for each day that a performer  
 9 does not have the required Work Identification Card. It shall be  
 10 prima facie evidence of a violation of this Chapter if the  
 11 establishment does not have a legible photocopy of a current Work  
 12 Identification Card on file for each performer as of the date of each  
 13 performance, except during the Grace Period.

14 (1) Violations that are subject to criminal prosecution;  
 15 suspension. ~~Either while performing at or while present in any adult~~  
 16 ~~entertainment establishment, any performer who violates this section~~  
 17 ~~may be prosecuted by the State Attorney. Upon conviction of such~~  
 18 ~~violation, the prosecuting officials shall notify the Sheriff of said~~  
 19 ~~conviction.~~ ~~Additionally,~~ ~~f~~For any performer convicted of the  
 20 following violations either while performing at or while present in  
 21 any adult entertainment establishment, the performer's Work  
 22 Identification Card shall be suspended as follows:

- 23 i. Five (5) years for prostitution;
- 24 ii. Three (3) years for ~~violent~~ forcible felonies;
- 25 iii. Three (3) years for narcotic sales or drug trafficking;
- 26 iv. One (1) year for lewd/obscene acts; and
- 27 v. One (1) year for possession of narcotics or narcotics  
 28 paraphernalia.

29 The suspensions authorized herein shall not be ordered as part of any  
 30 criminal penalties assessed in any criminal proceeding. It is the  
 31 Council's intent that the remedies established herein are civil in

1 nature and are not intended to be a criminal penalty in contravention  
2 of those established in the Florida Statutes. The Sheriff is  
3 authorized to petition the court for immediate suspension of any  
4 Worker Identification Card as authorized herein.

5 (m) *Violation Subject to Civil Prosecution.* Any owners,  
6 managers or operators of an adult entertainment establishment who  
7 violates the provisions of ~~subsections (g), (k) or (l) of this section~~  
8 may be prosecuted by the Sheriff or the City. Upon adjudication of  
9 such civil violation, the prosecuting officials shall notify the  
10 Sheriff of such adjudication within five (5) business days. Violations  
11 shall be ~~considered a Class F civil offense~~assessed a fine of \$200,  
12 with each day upon which a violation occurs constituting a separate  
13 civil offense.

14 (n) *Violations Subject to ~~All~~ Legal Remedies.* The violation of  
15 any provision of this section may be prosecuted pursuant to the civil  
16 procedures and penalties of Chapter 609, *Ordinance Code*, or through  
17 the issuance of notices to appear, at the discretion of the Sheriff  
18 or the City. Additionally, the City shall be authorized to take any  
19 appropriate legal action, including, but not limited to, seeking  
20 cease and desist orders, and requesting temporary or permanent  
21 injunctive relief. It is the intent and purpose of this section to  
22 provide additional and cumulative remedies.

23 **Section 3. Amending Chapter 151 (Dancing Entertainment**  
24 **Establishment Code), Part 2 (Administration), Section 151.214**  
25 **(Performer work identification card), Ordinance Code.** Chapter 151  
26 (Dancing Entertainment Establishment Code), Part 2 (Administration),  
27 Section 151.214 (Performer work identification card), *Ordinance Code*,  
28 is hereby amended to read as follows:

29 **CHAPTER 151. DANCING ENTERTAINMENT ESTABLISHMENT CODE.**

30 \* \* \*

31 **PART 2. ADMINISTRATION**

\* \* \*

**Sec. 151.214. Performer work identification card.**

(a) *Performer Work Identification Card required.* Any person desiring to perform in a dancing entertainment establishment licensed under this Chapter must obtain a Work Identification Card from the Sheriff. No person shall act as a performer in a dancing entertainment establishment without having previously obtained said Work Identification Card, except as permitted during the Grace Period as set forth in this section. Additionally, no license holder or establishment manager shall employ, contract with or otherwise allow any performer to perform in a dancing entertainment establishment who does not possess a valid and effective Work Identification Card except as permitted during the Grace Period as set forth in this section. Establishment managers shall be required to review all Performer Rosters at the commencement of his or her shift to verify compliance with this section.

(b) *Penalty.* Violations of this section shall be a civil infraction. Any performer, license holder, owner, operator or manager who violates or knowingly permits a violation of this section shall be assessed a civil penalty of \$200~~guilty of a misdemeanor of the second degree.~~

(c) *Application for Work Identification Card.* An application for a Work Identification Card shall be ~~created by and~~ obtained from the Sheriff. ~~The Sheriff is authorized to include whatever information he or she deems relevant to the purposes established in this section for issuance of the Work Identification Card, including~~ The application shall include: the applicant's full legal name (including maiden name, if applicable); residential address; driver's license number, government issued identification or passport number; date of birth; natural hair and eye color; race; sex; height and weight; place of birth (city, state or country); telephone number;

1 email address; a list of locations of and descriptions of any tattoos;  
2 confirmation that the applicant has not been convicted within the  
3 relevant periods of time of any violation listed in subparagraph (1),  
4 and a list of each dancing entertainment establishment where the  
5 applicant will be performing and each stage name used by the applicant  
6 at each location~~fingerprinting and photographs and proof of a valid~~  
7 ~~and effective work permit or visa for non-U.S. citizens.~~ Each  
8 applicant shall ~~demonstrate~~affirm through either attestation on the  
9 application or presentation of a certificate of completion to the  
10 Sheriff that he or she has completed alone, free-of-charge, sex  
11 trafficking education program. ~~Acceptable training programs include~~  
12 ~~those developed and presented by the American Hotel & Lodging~~  
13 ~~Association,~~ ~~the~~ Polaris ~~the~~ Project  
14 (<https://polarisproject.org/training/>) (approximately 45 min. in  
15 length), ~~ECPAT-USA, Business Ending Slavery & Trafficking and/or~~ the  
16 U.S. Department of Homeland Security , Blue Campaign Consequences  
17 Training ([https://www.dhs.gov/blue-](https://www.dhs.gov/blue-campaign/course-consequences-p01)  
18 campaign/course consequences p01) (approximately 15 min. in length).  
19 The Sheriff shall maintain and make available to any Applicant each  
20 sex trafficking education program free-of-charge in the event any  
21 applicant does not have online access to the program(s). Additionally,  
22 the applicant shall affirm that he or she understands that the Work  
23 Identification Card may be immediately revoked if issuance of the  
24 card is made illegal through order of any court. ~~Other programs not~~  
25 ~~listed may be approved by the Sheriff.~~ The application shall be in  
26 writing, signed and notarized, fully completed and submitted to the  
27 Sheriff together with the nonrefundable application fee. Each  
28 applicant must submit proof of identity at the time the application  
29 is submitted. It is the Council's intent that no Work Identification  
30 Card shall be issued to any applicant who is under the age of twenty-  
31 one (21) years of age; however, this requirement shall not become

1 effective unless and until the legality of this age restriction is  
2 determined to be valid or the City is otherwise not legally prevented  
3 from imposing this restriction. ~~and proof that applicant is at least~~  
4 ~~twenty-one (21) years of age. Work Identification Cards shall not be~~  
5 ~~issued to any person under the age of twenty-one. Additionally, nNo~~  
6 Work Identification Card shall be issued to an applicant who has been  
7 convicted of human trafficking or any human trafficking-related  
8 charge or who is currently on ~~probation~~ suspension for any violation  
9 listed under subsection (1), below. Work Identification Cards are  
10 valid for a term of one (1) year. Applicants are required to update  
11 his or her application with changes to any of the application  
12 information (except height and weight) within 60 days of the change  
13 of such information. All current performers shall ~~obtain~~ complete  
14 and submit an application for a Work Identification Card within ninety  
15 (90) days from the effective date of this section (the "Grace  
16 Period"). Upon conclusion of the Grace Period, no performer shall be  
17 permitted to perform until a current Work Identification Card is  
18 obtained or without a valid copy of the application fee payment check  
19 or receipt as specified in subparagraph (e), below.

20 (d) *False statement or false information in applying for a Work*  
21 *Identification Card.* It shall be unlawful for any person applying for  
22 a Work Identification Card to make a false statement or otherwise  
23 provide false information which is intended to facilitate the issuance  
24 of same. In addition to any other penalties provided herein, the  
25 Sheriff is authorized to petition the court for immediate revocation  
26 of any Worker Identification Card that has been determined by the  
27 Sheriff to have been issued based on fraudulent or false information.

28 (e) *Fees.* The applicant shall pay an application fee with each  
29 new request for a Work Identification Card and with each renewal of  
30 a Work Identification Card. The fees shall not be prorated. The  
31 applicant shall also pay a duplicate card fee for each duplicate copy

1 of an existing Work Identification Card. The initial fee for an  
2 initial Work Identification Cards shall be \$100. The initial fee for  
3 a renewal card shall be \$50. The initial fee for a duplicate  
4 replacement card shall be \$35. The Sheriff shall be entitled to  
5 impose a three percent (3%) annual increase of the fees. A copy of  
6 the check, or of a receipt issued by the Sheriff, showing payment for  
7 an application or duplicate card shall operate as a receipt for said  
8 fees and shall allow the applicant to perform pending receipt of the  
9 official Work Identification Card. ~~The initial and renewal~~  
10 ~~application fees shall be \$150. The fee for issuance of a duplicate~~  
11 ~~Work Identification Card shall be \$50. Fees are non-refundable.~~

12 (f) *Issuance of Work Identification Card.* The Sheriff is  
13 responsible for verifying all information contained on a Work  
14 Identification Card application. The Sheriff shall approve or deny  
15 an application within fourteen (14) days of receipt of a completed  
16 application and payment of the applicable fee. If the Sheriff fails  
17 to approve or deny an application within the 14-day time limit, the  
18 application shall be deemed granted and the applicant can continue  
19 to rely on his or her receipt or check copy as a substitute for the  
20 Work Identification Card to legally perform or can request the Sheriff  
21 to issue an official card. ~~Upon determining that the Work~~  
22 ~~Identification Card should be issued, the Sheriff shall immediately~~  
23 ~~render a Work Identification Card to the applicant. Said~~ An issued  
24 Work Identification Card shall, ~~at a minimum,~~ include the performer's  
25 name, photograph, date of birth, height, weight, natural eye and hair  
26 color, and a unique card number. Should the Sheriff determine that  
27 the proof submitted with the application for the Work Identification  
28 Card as required hereinabove is not satisfactory or full payment of  
29 the application fee is not received, the Sheriff shall deny issuance  
30 of said Work Identification Card and shall provide written  
31 notification to the applicant stating the reason(s) for any such

1 denial.

2 (g) *Retention of Performer Roster and Work Identification Card.*

3 All persons required pursuant to this Code to obtain a Work  
4 Identification Card shall keep same on their person or with their  
5 personal belongings at all times while performing at a dancing  
6 entertainment establishment. The dancing entertainment establishment  
7 shall compile and retain a complete performer roster that includes  
8 all performers performing at the establishment for a period of thirty  
9 (30) days from each performer's most recent performance date. The  
10 performer roster shall be organized by date and performer, including  
11 the performer's first and last name and stage name. The dancing  
12 entertainment establishment shall also maintain a Work Identification  
13 Card file, organized alphabetically by performer's last name, with  
14 legible photocopies of the Work Identification Card of each performer  
15 performing at said establishment for a period of two (2) years from  
16 each performer's most recent performance date. Other than performers  
17 performing during the Grace Period established in this section, no  
18 performer shall perform until the performer roster is updated to  
19 include the performer information, and the legible photocopy of the  
20 Work Identification Card is placed on file as required herein. The  
21 performer roster and the Work Identification Card file shall be made  
22 available to the Sheriff for inspection and/or copying upon request,  
23 which shall only be made during normal business hours when the  
24 establishment is open to the public.

25 (h) *Appeal.* In the event that an applicant for a Work  
26 Identification Card is denied, said applicant may request emergency  
27 injunctive relief from the Circuit Court of the Fourth Judicial  
28 Circuit of the State of Florida. Due to the overriding public interest  
29 in not having persons ~~under the age of twenty-one or~~ with criminal  
30 convictions identified in paragraph (l) perform in adult  
31 entertainment establishments, no provisional Work Identification

1 Cards shall be issued by the Sheriff.

2 (i) *Transfer of Work Identification Card prohibited.* A Work  
3 Identification Card shall not be transferred from one person to  
4 another; however, the person to whom the Work Identification Card was  
5 issued may utilize same in any ~~and all~~ licensed dancing entertainment  
6 establishments ~~in the City~~ identified in the Work Identification Card  
7 application.

8 (j) *Alteration of Work Identification Card prohibited.* It shall  
9 be unlawful for any person to alter or otherwise change the contents  
10 of a Work Identification Card without the written permission of the  
11 Sheriff.

12 (k) *Requirement of Managers, License Holders, Owners and*  
13 *Operators to Verify Work Identification Cards of Performers.* No person  
14 managing, owning or operating or holding a license to operate a  
15 dancing entertainment establishment shall permit, employ, or  
16 otherwise allow any person to perform at said establishment unless  
17 such person has a valid, current, Work Identification Card issued in  
18 accordance herewith, unless such performer is performing within the  
19 Grace Period established in this section. Each owner and operator of  
20 the establishment shall have a separate and independent duty to verify  
21 that all performers are in compliance with this section. Each manager  
22 of the establishment shall have a separate and independent duty to  
23 verify that all performers are in compliance with this section during  
24 all times the manager is working at the establishment. Separate  
25 violations may be issued to the managers, owners and operators of the  
26 establishment for each performer, and for each day that a performer  
27 does not have the required Work Identification Card. It shall be  
28 prima facie evidence of a violation of this Chapter if the  
29 establishment does not have a legible photocopy of a current Work  
30 Identification Card on file for each performer as of the date of each  
31 performance, except during the Grace Period.

1 (l) Violations that are subject to criminal prosecution;  
2 suspension. ~~Either while performing at or while present in any dancing~~  
3 ~~entertainment establishment, any performer who violates subsection~~  
4 ~~(a) of this section may be prosecuted by the State Attorney. Upon~~  
5 ~~conviction of such violation, the prosecuting officials shall notify~~  
6 ~~the Sheriff of said conviction. Additionally, f~~For any performer  
7 convicted of the following violations either while performing at or  
8 while present in any dancing entertainment establishment, the  
9 performer's Work Identification Card shall be suspended as follows:

- 10 i. Five (5) years for prostitution;  
11 ii. Three (3) years for ~~violent~~forcible felonies;  
12 iii. Three (3) years for narcotic sales or drug trafficking;  
13 iv. One (1) year for lewd/obscene acts; and  
14 v. One (1) year for possession of narcotics or narcotics  
15 paraphernalia.

16 The suspensions authorized herein shall not be ordered as part of any  
17 criminal penalties assessed in any criminal proceeding. It is the  
18 Council's intent that the remedies established herein are civil in  
19 nature and are not intended to be a criminal penalty in contravention  
20 of those established in the Florida Statutes. The Sheriff is  
21 authorized to petition the court for immediate suspension of any  
22 Worker Identification Card as authorized herein.

23 (m) Violation Subject to Civil Prosecution. Any owners,  
24 managers or operators of a dancing entertainment establishment who  
25 violates the provisions of ~~subsections (g), (k) or (l) of this section~~  
26 may be prosecuted by the Sheriff or the City. Upon adjudication of  
27 such civil violation, the prosecuting officials shall notify the  
28 Sheriff of such adjudication within five (5) business days.  
29 Violations shall be ~~considered a Class F civil offense~~assessed a fine  
30 of \$200, with each day upon which a violation occurs constituting a  
31 separate civil offense.

1 (n) *Violations Subject to ~~All~~ Legal Remedies.* The violation of  
2 any provision of this section may be prosecuted pursuant to the civil  
3 procedures and penalties of Chapter 609, *Ordinance Code* or through  
4 the issuance of notices to appear, at the discretion of the City or  
5 the Sheriff. Additionally, the City shall be authorized to take any  
6 appropriate legal action, including, but not limited to, seeking  
7 cease and desist orders, and requesting temporary or permanent  
8 injunctive relief. It is the intent and purpose of this section to  
9 provide additional and cumulative remedies.

10 **Section 4. Effective Date.** This ordinance shall become  
11 effective upon signature by the Mayor or upon becoming effective  
12 without the Mayor's signature.

13  
14 Form Approved:

15  
16                   /s/ Paige H. Johnston                  

17 Office of General Counsel

18 Legislation prepared by: Jason R. Teal

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