

1 Introduced by Council Members Carlucci and Carrico:
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4 **ORDINANCE 2021-547**

5 AN ORDINANCE ADOPTED PURSUANT TO THE CITY'S
6 POLICE POWERS AND HOME RULE AUTHORITY;
7 DIRECTING THE OFFICE OF GENERAL COUNSEL AND
8 THE JACKSONVILLE SHERIFF'S OFFICE TO
9 INVESTIGATE, DETERMINE AND ABATE, IF
10 NECESSARY, BY ALL LEGAL MEANS AVAILABLE,
11 PUBLIC NUISANCE CONDITIONS ASSOCIATED WITH THE
12 PROPERTY AND USES LOCATED AT 3225 SOUTHSIDE
13 BLVD., OPERATING AS MASCARAS GENTLEMEN'S CLUB;
14 PROVIDING AN EFFECTIVE DATE.
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16 **WHEREAS**, Mascaras Gentlemen's Club, located at 3225 Southside
17 Blvd., has been documented as the site of numerous criminal
18 activities including prostitution, drug crimes, shootings, murders
19 and deaths, including the recent triple shooting leaving one person
20 dead on August 1, 2021; and

21 **WHEREAS**, the Council determines that the endangerment of both
22 the public and the first responders requires the City to
23 investigate whether the ongoing criminal activity rises to the
24 level of being considered a public nuisance; and

25 **WHEREAS**, the Council expressly finds and concludes that
26 certain activities taking place within the Club are protected by
27 the First Amendment to the U.S. Constitution, and the purpose of
28 this legislation is not to curtail or restrict any legitimate First
29 Amendment expression but is limited to abating criminal activities
30 that are determined to rise to the level of being a public
31 nuisance; and

1 **WHEREAS**, the Council finds that there is a legitimate public
2 purpose in investigating this establishment and abating all public
3 nuisance conditions that are found to exist; now, therefore,

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

5 **Section 1. Findings and Statement of Intent.**

6 (a) The above recitals are hereby adopted as the Council's
7 Findings of Fact; and

8 (b) It is the intent of the Council to enact this ordinance
9 to investigate and, if necessary, abate a public nuisance and an
10 immediate and ongoing hazard to the public health, safety and
11 welfare associated with operation of this establishment.

12 **Section 2. Directing the Office of General Counsel and**
13 **the Jacksonville Sheriff's Office to Immediately Commence**
14 **Investigating and Abating a Public Nuisance.** The Council hereby

15 directs the City's Office of General Counsel to immediately begin
16 working with the Jacksonville Sheriff's Office to gather
17 information concerning criminal activities occurring at the
18 premises of 3225 Southside Blvd. Such information shall be
19 expeditiously reviewed by the Office of General Counsel to
20 determine whether there is sufficient evidence of ongoing criminal
21 activities to justify pursuit of an injunction to abate a public
22 nuisance. If the investigation reveals a sufficient basis to
23 identify a public nuisance, pursuant to the City's police powers
24 the Council hereby authorizes and directs the Office of General
25 Counsel to take such legal steps as are necessary, including
26 instituting a lawsuit for injunctive relief and/or civil penalties,
27 to abate the public nuisance.

28 **Section 3. Effective Date.** This ordinance shall become
29 effective upon signature by the Mayor or upon becoming effective
30 without the Mayor's signature.

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Form Approved:

 /s/ Jason R. Teal

Office of General Counsel

Legislation prepared by: Jason R. Teal

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