

1 Introduced by the Council President at the request of the Office of  
2 General Counsel:

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4  
5 **ORDINANCE 2023-497**

6 AN ORDINANCE AMENDING CHAPTER 150 (ADULT  
7 ENTERTAINMENT AND SERVICES CODE), PART 2  
8 (ADMINISTRATION), SECTION 150.224 (PERFORMER  
9 WORK IDENTIFICATION CARD), *ORDINANCE CODE*, TO  
10 REMOVE LANGUAGE REGARDING PROVIDING A LIST OF  
11 LOCATIONS WHERE AN APPLICANT WOULD BE PERMITTED  
12 TO PERFORM AND PROVIDING STAGE NAMES USED BY THE  
13 PERFORMER; AMENDING CHAPTER 151 (DANCING  
14 ENTERTAINMENT ESTABLISHMENT CODE), PART 2  
15 (ADMINISTRATION), SECTION 151.214 (PERFORMER  
16 WORK IDENTIFICATION CARD), *ORDINANCE CODE*, TO  
17 REMOVE LANGUAGE REGARDING PROVIDING A LIST OF  
18 LOCATIONS WHERE AN APPLICANT WOULD BE PERMITTED  
19 TO PERFORM AND PROVIDING STAGE NAMES USED BY THE  
20 PERFORMER; PROVIDING CODIFICATION INSTRUCTIONS;  
21 PROVIDING AN EFFECTIVE DATE.

22  
23 **WHEREAS**, on February 27, 2023, in the case of *Wackos Too, Inc.,*  
24 *et al. v. City of Jacksonville*, case no. 3:20-cv-00303-TJC-MCR  
25 ("Wackos Lawsuit"), the federal judge ruled the City's requirement  
26 for performers at adult and dancing entertainment establishments  
27 obtain a performer work identification card is constitutional;  
28 however, the Court ruled the City is not allowed as part of the  
29 application for the work identification card to require the performers  
30 to list the locations and stage names where they will be performing;  
31 and

1           **WHEREAS**, the intent of this legislation is to legally perfect  
2 the performer work identification card application requirement by  
3 removing the requirement compelling dancer performance location and  
4 stage name information and is not meant to address any other provision  
5 in Chapters 150 and 151, *Ordinance Code* addressed by the Court in the  
6 Wackos Lawsuit; now therefore,

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

8           **Section 1.           Amending Chapter 150 (Adult Entertainment and**  
9 **Services Code), Part 1 (General Provisions), Section 150.104**  
10 **(Reserved) and Part 2 (Administration), Section 150.224 (Performer**  
11 **work identification card), *Ordinance Code*.** Chapter 150 (Adult  
12 Entertainment and Services Code), Part 1 (General Provisions),  
13 Section 150.104 (Reserved) and Part 2 (Administration), Section  
14 150.224 (Performer work identification card), *Ordinance Code*, is  
15 hereby amended to read as follows:

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

17                           \* \* \*

18                           **PART 2. ADMINISTRATION**

19                           \* \* \*

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

21                           \* \* \*

22           (c) *Application for Work Identification Card.* An application  
23 for a Work Identification Card shall be obtained from the Sheriff.  
24 The application shall include: the applicant's full legal name  
25 (including maiden name, if applicable); residential address; driver's  
26 license number or government issued identification or passport  
27 number; date of birth; natural hair and eye color; race; sex; height  
28 and weight; place of birth (city, state or country); telephone number;  
29 email address; and a list of locations of and descriptions of any  
30 tattoos; confirmation that the applicant has not been convicted within  
31 the relevant periods of time of any violation listed in subparagraph

1 ~~(1), and a list of each adult entertainment establishment where the~~  
2 ~~applicant will be performing and each stage name used by the applicant~~  
3 ~~at each location.~~ Each applicant shall affirm through either  
4 attestation on the application or presentation of a certificate of  
5 completion to the Sheriff that he or she has completed one, free-of-  
6 charge, sex trafficking education program presented by the Polaris  
7 Project (<https://polarisproject.org/training/>) (approximately 45  
8 min. in length) or the U.S. Department of Homeland Security, Blue  
9 Campaign Consequences Training ([https://www.dhs.gov/blue-](https://www.dhs.gov/blue-campaign/course_consequences_p01)  
10 [campaign/course\\_consequences\\_p01](https://www.dhs.gov/blue-campaign/course_consequences_p01)) (approximately 15 min. in length).  
11 The Sheriff shall maintain and make available to any applicant each  
12 sex trafficking education program in the event any applicant does not  
13 have online access to the program(s). Additionally, the applicant  
14 shall affirm that he or she understands that the Work Identification  
15 Card may be immediately revoked if issuance of the card is made  
16 illegal through order of any court. The application shall be in  
17 writing, signed and notarized, fully completed and submitted to the  
18 Sheriff together with the nonrefundable application fee. Each  
19 applicant must submit proof of identity at the time the application  
20 is submitted. No Work Identification Card shall be issued to any  
21 applicant who is under the age of twenty-one (21) years of age. No  
22 Work Identification Card shall be issued to an applicant who has been  
23 convicted of human trafficking or who is currently on suspension for  
24 any violation listed under subsection (1), below. Work Identification  
25 Cards are valid for a term of one (1) year. Applicants are required  
26 to update his or her application with changes to any of the  
27 application information (except height and weight) within 60 days of  
28 the change of such information. All current performers shall complete  
29 and submit an application for a Work Identification Card within ninety  
30 (90) days from the effective date of this section (the "Grace  
31 Period"). Upon conclusion of the Grace Period, no performer shall be

1 permitted to perform until a current Work Identification Card is  
2 obtained or without a valid copy of the application fee payment check  
3 or receipt as specified in subparagraph (e), below.

4 \* \* \*

5 **Section 2. Amending Chapter 151 (Dancing Entertainment**  
6 **Establishment Code), Part 1 (General Provisions) to create a new**  
7 **Section 151.104 (Performer age restriction) and amending Part 2**  
8 **(Administration), Section 151.214 (Performer work identification**  
9 **card), Ordinance Code.** Chapter 151 (Dancing Entertainment  
10 Establishment Code), Part 1 (General Provisions) and Part 2  
11 (Administration), Section 151.214 (Performer work identification  
12 card), *Ordinance Code*, is hereby amended to read as follows:

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

14 \* \* \*

15 **PART 2. ADMINISTRATION**

16 \* \* \*

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

18 \* \* \*

19 (c) *Application for Work Identification Card.* An application  
20 for a Work Identification Card shall be obtained from the Sheriff.  
21 The application shall include: the applicant's full legal name  
22 (including maiden name, if applicable); residential address; driver's  
23 license number, government issued identification or passport number;  
24 date of birth; natural hair and eye color; race; sex; height and  
25 weight; place of birth (city, state or country); telephone number;  
26 email address; a list of locations of and descriptions of any tattoos;  
27 and confirmation that the applicant has not been convicted within the  
28 relevant periods of time of any violation listed in subparagraph (l)~~7~~  
29 ~~and a list of each dancing entertainment establishment where the~~  
30 ~~applicant will be performing and each stage name used by the applicant~~  
31 ~~at each location.~~ Each applicant shall affirm through either

1 attestation on the application or presentation of a certificate of  
2 completion to the Sheriff that he or she has completed one, free-of-  
3 charge, sex trafficking education program the Polaris Project  
4 (<https://polarisproject.org/training/>) (approximately 45 min. in  
5 length), or the U.S. Department of Homeland Security, Blue Campaign  
6 Consequences Training ([https://www.dhs.gov/blue-](https://www.dhs.gov/blue-campaign/course_consequences_p01)  
7 [campaign/course\\_consequences\\_p01](https://www.dhs.gov/blue-campaign/course_consequences_p01)) (approximately 15 min. in length).  
8 The Sheriff shall maintain and make available to any Applicant each  
9 sex trafficking education program free-of-charge in the event any  
10 applicant does not have online access to the program(s). Additionally,  
11 the applicant shall affirm that he or she understands that the Work  
12 Identification Card may be immediately revoked if issuance of the  
13 card is made illegal through order of any court. The application  
14 shall be in writing, signed, fully completed and submitted to the  
15 Sheriff together with the nonrefundable application fee. Each  
16 applicant must submit proof of identity at the time the application  
17 is submitted. No Work Identification Card shall be issued to any  
18 applicant who is under the age of twenty-one (21) years of age. No  
19 Work Identification Card shall be issued to an applicant who has been  
20 convicted of human trafficking or who is currently on suspension for  
21 any violation listed under subsection (1), below. Work Identification  
22 Cards are valid for a term of one (1) year. All current performers  
23 shall complete and submit an application for a Work Identification  
24 Card within ninety (90) days from the effective date of this section  
25 (the "Grace Period"). Upon conclusion of the Grace Period, no  
26 performer shall be permitted to perform until a current Work  
27 Identification Card is obtained or without a valid copy of the  
28 application fee payment check or receipt as specified in subparagraph  
29 (e), below.

30 \* \* \*

31 **Section 3. Codification Instructions.** The Codifier and the

1 Office of General Counsel are authorized to make all chapter and  
2 division "table of contents" consistent with the changes set forth  
3 herein. Such editorial changes and any other necessary changes to  
4 make the *Ordinance Code* consistent with the intent of this legislation  
5 are approved and directed herein, and the changes to the *Ordinance*  
6 *Code* shall be made forthwith and when inconsistencies are discovered.

7 **Section 4. Effective Date.** This ordinance shall become  
8 effective upon signature by the Mayor or upon becoming effective  
9 without the Mayor's signature.

10

11 Form Approved:

12

13 /s/ Jason Teal

14 Office of General Counsel

15 Legislation prepared by: Jason R. Teal

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