

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

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5 **ORDINANCE 2023-497-E**

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 2 (Administration), Section 150.224 (Performer**
10 **work identification card), *Ordinance Code*.** Chapter 150 (Adult
11 Entertainment and Services Code), Part 2 (Administration), Section
12 150.224 (Performer work identification card), *Ordinance Code*, is
13 hereby amended to read as follows:

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

15 * * *

16 **PART 2. ADMINISTRATION**

17 * * *

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

19 * * *

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

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

3 **Section 2. Amending Chapter 151 (Dancing Entertainment**
4 **Establishment Code), Part 2 (Administration), Section 151.214**
5 **(Performer work identification card), Ordinance Code.** Chapter 151
6 (Dancing Entertainment Establishment Code), Part 2 (Administration),
7 Section 151.214 (Performer work identification card), *Ordinance Code*,
8 is hereby amended to read as follows:

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

10 * * *

11 **PART 2. ADMINISTRATION**

12 * * *

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

14 * * *

15 (c) *Application for Work Identification Card.* An application
16 for a Work Identification Card shall be obtained from the Sheriff.
17 The application shall include: the applicant's full legal name
18 (including maiden name, if applicable); residential address; driver's
19 license number, government issued identification or passport number;
20 date of birth; natural hair and eye color; race; sex; height and
21 weight; place of birth (city, state or country); telephone number;
22 email address; a list of locations of and descriptions of any tattoos;
23 and confirmation that the applicant has not been convicted within the
24 relevant periods of time of any violation listed in subparagraph (1) ~~7~~
25 ~~and a list of each dancing entertainment establishment where the~~
26 ~~applicant will be performing and each stage name used by the applicant~~
27 ~~at each location.~~ Each applicant shall affirm through either
28 attestation on the application or presentation of a certificate of
29 completion to the Sheriff that he or she has completed one, free-of-
30 charge, sex trafficking education program the Polaris Project
31 (<https://polarisproject.org/training/>) (approximately 45 min. in

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

26 * * *

27 **Section 3. Codification Instructions.** The Codifier and the
28 Office of General Counsel are authorized to make all chapter and
29 division "table of contents" consistent with the changes set forth
30 herein. Such editorial changes and any other necessary changes to
31 make the *Ordinance Code* consistent with the intent of this legislation

1 are approved and directed herein, and the changes to the *Ordinance*
2 *Code* shall be made forthwith and when inconsistencies are discovered.

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

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7 Form Approved:

8

9 /s/ Mary E. Staffopoulos

10 Office of General Counsel

11 Legislation prepared by: Jason R. Teal

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