

1 Introduced by Council Members Cumber and Hazouri and Co-Sponsored by
2 Council Members White, Morgan, Diamond, Boylan, DeFoor, Priestly
3 Jackson, Newby, Bowman, Carlucci, Pittman, Salem, R. Gaffney,
4 Freeman, Becton and Ferraro:

5
6
7 **ORDINANCE 2020-74**

8 AN ORDINANCE REGULATING CERTAIN BUSINESSES AND
9 OCCUPATIONS TO REDUCE OR PREVENT HUMAN AND SEX
10 TRAFFICKING AND ESTABLISHING THE SEX
11 TRAFFICKING SURVIVORS LEADERSHIP COUNCIL;
12 AMENDING CHAPTER 150 (ADULT ENTERTAINMENT AND
13 SERVICES CODE), PART 2 (ADMINISTRATION),
14 *ORDINANCE CODE*, TO REQUIRE A PERFORMER WORK
15 IDENTIFICATION CARD FOR ALL PERFORMERS IN
16 ADULT ENTERTAINMENT ESTABLISHMENTS; TO
17 PROHIBIT ADULT ENTERTAINMENT PERFORMERS UNDER
18 AGE TWENTY-ONE; AMENDING CHAPTER 151 (DANCING
19 ENTERTAINMENT ESTABLISHMENT CODE), PART 4
20 (ENFORCEMENT), *ORDINANCE CODE*, TO REQUIRE A
21 WORK IDENTIFICATION CARD; AMENDING 250
22 (MISCELLANEOUS BUSINESS REGULATIONS),
23 *ORDINANCE CODE* CREATE A NEW SUBSECTION 250.125
24 (PUBLIC LODGING ESTABLISHMENT HUMAN
25 TRAFFICKING PUBLIC AND EMPLOYEE AWARENESS) TO
26 REQUIRE THE POSTING OF PUBLIC AWARENESS SIGNS
27 INSIDE ALL GUEST ROOMS OF PUBLIC LODGING
28 ESTABLISHMENTS AND TO ESTABLISH A EMPLOYEE
29 EDUCATION COMPONENT FOR SAME; CREATING A NEW
30 CHAPTER 96 (SEX TRAFFICKING SURVIVORS
31 LEADERSHIP COUNCIL), *ORDINANCE CODE*, TO

1 ESTABLISH AN ADVISORY BOARD COMPRISED OF SEX
2 TRAFFICKING SURVIVORS FOR THE PURPOSE OF
3 DEVELOPING, EVALUATING AND REPORTING ON THE
4 STATUS OF SEX TRAFFICKING PREVENTION MEASURES
5 IN JACKSONVILLE; PROVIDING AN EFFECTIVE DATE.
6

7 **WHEREAS**, Florida is ranked third nationally for reported cases
8 of human trafficking abuses, many of which involved sex
9 trafficking; and

10 **WHEREAS**, strip clubs and hotels/motels are widely recognized
11 as being a significant part of the sex trafficking network used by
12 traffickers to coerce and facilitate men, women and children into
13 performing sexual acts, which places the employees of these
14 establishments in direct and frequent contact with the victims of
15 human trafficking; and

16 **WHEREAS**, in 2019, the American Hotel & Lodging Association
17 ("AHLA") launched its, "No Room for Trafficking" campaign, which
18 established the goal of training every hotel employee to spot and
19 stop trafficking; and

20 **WHEREAS**, on January 9, 2020, the AHLA, the Florida Restaurant
21 & Lodging Association, the Asian American Hotel Owners Association,
22 the National Football League, Florida Attorney General Ashley Moody
23 and various state and federal officials met to develop a prevention
24 and response campaign concerning use of Florida's hotel industry
25 for sex trafficking during and around Super Bowl LIV in Miami; and

26 **WHEREAS**, victims of sex trafficking are frequently recruited
27 to work as performers or employees in strip clubs; and

28 **WHEREAS**, researchers have found that sex trafficking victims
29 are more likely to be trafficked by someone from within her or his
30 own community; and

1 **WHEREAS**, persons under the age of twenty-one are more likely
2 to still remain within and dependent on the community in which they
3 were raised; and

4 **WHEREAS**, research studies have identified the average age at
5 which a person in the United States enters the sex trade for the
6 first time is age seventeen (17); and

7 **WHEREAS**, because of the prevalence of human and sex
8 trafficking among Florida's youth population, on September 30,
9 2019, Florida's State Board of Education voted unanimously to make
10 Florida the first state in the country to require child trafficking
11 prevention education for all public education students in grades K-
12 12; and

13 **WHEREAS**, on January 14, 2020, the U.S. Department of Justice
14 hosted the Summit on Combating Human Trafficking to focus attention
15 on and highlight the federal government's efforts to address all
16 aspects of human trafficking; and

17 **WHEREAS**, on February 3, 2020, the Council conducted a Sex
18 Trafficking workshop at which representatives from the Jacksonville
19 Sheriff's Office, the Federal Bureau of Investigation and the
20 Department of Homeland Security provided information and statistics
21 on human and sex trafficking, as well as endorsing the means
22 established in this legislation as appropriate and meaningful to
23 reduce or prevent these activities from occurring in Jacksonville;
24 and

25 **WHEREAS**, sex trade at strip clubs is a common occurrence in
26 Jacksonville, thereby subjecting performers at these strip clubs to
27 frequent propositions and enticements to engage in sex trade
28 actions and sex trafficking from customers, as well as strip club
29 employees, managers and owners; and

30 **WHEREAS**, on November 16, 2018, the federal Fifth Circuit Court
31 of Appeals, in the case of *Jane Doe I v. Landry*, reported at 909

1 F.3d 99 (5th Cir. 2018), upheld a regulation enacted by the State of
2 Louisiana to prohibit persons under the age of twenty-one from nude
3 erotic dancing at establishments serving alcohol on the grounds
4 that such a regulation furthered the state's interests in curbing
5 human trafficking and prostitution; now therefore

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

7 **Section 1. Findings.** The above-stated recitals, as well
8 as the supporting documentation, materials and media placed **on file**
9 with the Office of Legislative Services and associated with the
10 subject matters addressed in this Ordinance, are hereby adopted as
11 findings of the Council with respect to this Ordinance.

12 **Section 2. Intent and severability.** The intent of this
13 legislation is to enact a scheme of uniform and non-discriminatory
14 time, place and manner regulations for adult entertainment
15 establishments and dancing entertainment establishments in the
16 City. It is the Council's intent that these regulations be
17 interpreted and applied to not eliminate all forms of adult
18 entertainment, but instead, to be narrowly tailored and limited to
19 combating negative secondary effects on a vulnerable segment of our
20 City's population and to provide a means of licensing and
21 permitting to assist in reducing criminal activities occurring at
22 these facilities. The provisions of this Ordinance are intended to
23 be severable, and if any provision is declared invalid or
24 unenforceable by a court of competent jurisdiction, such provision
25 shall be severed and the remainder shall continue in full force and
26 effect with the Ordinance being deemed amended to the least degree
27 legally permissible.

28 **Section 3. Amending Chapter 150 (Adult Entertainment and**
29 **Services Code), Part 2 (Administration) to amend section 150.212**
30 **(Suspension or revocation of license) to amend the requirements for**
31 **suspending or revoking an adult entertainment establishment**

1 license; to delete Section 150.224 (Performer records) and replace
2 it with a new section 150.224, *Ordinance Code*. Chapter 150 (Adult
3 Entertainment and Services Code), Part 2 (Administration),
4 *Ordinance Code*, is hereby amended to amend section 150.212
5 (Suspension or revocation of license) to amend the requirements for
6 suspending or revoking an adult entertainment establishment
7 license; to delete section 150.224 (Performer records) and replace
8 it with a new section 150.224 to read as follows:

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

10 * * *

11 **PART 2. ADMINISTRATION**

12 * * *

13 **Sec. 150.212. Suspension or revocation of license.**

14 * * *

15 (b) Before the Sheriff shall suspend or revoke a license, he
16 shall furnish the licensee a written statement, by certified
17 or registered mail or by personal service, of the cause for
18 suspension or revocation of the license and the length of time
19 of suspension.

20 The Sheriff shall, within 20 days of notification, ~~seek judicial~~
21 ~~review of the proposed decision in a court of competent~~
22 ~~jurisdiction. The licensee may seek judicial review of the proposed~~
23 ~~decision in a court of competent jurisdiction at anytime after~~
24 ~~notification.~~refer the matter to a county court judge, who shall
25 hold a hearing for the sole purpose of determining whether just
26 cause exists for the suspension or revocation. For purposes of
27 this subsection, a violation shall be deemed committed by the
28 county court judge based upon a preponderance of the evidence
29 submitted at the hearing. A finding of violation at a suspension or
30 revocation hearing shall not establish precedent or be used in any
31 civil or criminal penalty proceeding. This suspension or

1 revocation process is intended to apply retroactively to all adult
2 entertainment licenses currently existing and to those
3 prospectively issued hereinafter. The suspension or revocation of
4 a license shall not become effective until the Sheriff obtains a
5 final order authorizing the suspension or revocation or the parties
6 stipulate otherwise. In any judicial review, whether review is
7 brought by the applicant or the Sheriff, the Sheriff shall have the
8 burden of demonstrating the validity of the proposed suspension or
9 revocation.

10 * * *

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

12 (a) *Performer Work Identification Card required.* Any person
13 desiring to perform in an adult entertainment establishment
14 licensed under this Chapter must obtain a Work Identification Card
15 from the Sheriff. No person shall act as a performer in an adult
16 entertainment establishment without having previously obtained said
17 Work Identification Card, except as permitted during the Grace
18 Period as set forth in this section. Additionally, no license
19 holder or establishment manager shall employ, contract with or
20 otherwise allow any performer to perform in an adult entertainment
21 establishment who does not possess a valid and effective Work
22 Identification Card except as permitted during the Grace Period as
23 set forth in this section. Except as specifically provided for
24 herein, a featured performer is exempt from the provisions of this
25 section.

26 (b) *Penalty.* Any performer, license holder, owner, operator
27 or manager who violates or knowingly permits a violation of this
28 section shall be guilty of a misdemeanor of the second degree.

29 (c) *Application for Work Identification Card.* An application
30 for a Work Identification Card shall be created by and obtained
31 from the Sheriff. The Sheriff is authorized to include whatever

1 information he or she deems relevant to the purposes established in
2 this section for issuance of the Work Identification Card,
3 including fingerprinting and photographs and proof of a valid and
4 effective work permit or visa for non-U.S. citizens. Each applicant
5 shall demonstrate to the Sheriff that he or she has completed a sex
6 trafficking education program. Acceptable training programs
7 include those developed and presented by the American Hotel &
8 Lodging Association, the Polaris Project, ECPAT-USA and Business
9 Ending Slavery & Trafficking. Other programs not listed may be
10 approved by the Sheriff. The application shall be in writing,
11 signed, fully completed and submitted to the Sheriff together with
12 the nonrefundable application fee. Each applicant must submit proof
13 of identity and proof that applicant is at least twenty-one (21)
14 years of age. Work Identification Cards shall not be issued to any
15 person under the age of twenty one. Additionally, no Work
16 Identification Card shall be issued to an applicant who has been
17 convicted of human trafficking or any human trafficking-related
18 charge or who is currently on probation for any violation listed
19 under subsection (m), below. Work Identification Cards are valid
20 for a term of two (2) years. All current performers shall obtain a
21 Work Identification Card within ninety (90) days from the effective
22 date of this section (the "Grace Period"). Upon conclusion of the
23 Grace Period, no performer shall be permitted to perform until a
24 current Work Identification Card is obtained.

25 (d) *False statement or false information in applying for a*
26 *Work Identification Card.* It shall be unlawful for any person
27 applying for a Work Identification Card to make a false statement
28 or otherwise provide false information which is intended to
29 facilitate the issuance of same.

30 (e) *Fees.* The applicant shall pay an application fee with
31 each new request for a Work Identification Card and with each

1 renewal of a Work Identification Card. The fees shall not be
2 prorated. The applicant shall also pay a duplicate card fee for
3 each duplicate copy of an existing Work Identification Card. The
4 initial and renewal application fee shall be \$150. The fee for
5 issuance of a duplicate Work Identification Card shall be \$50.
6 Fees are non-refundable.

7 (f) *Issuance of Work Identification Card.* The Sheriff is
8 responsible for verifying all information contained on a Work
9 Identification Card application. Upon determining that the Work
10 Identification Card should be issued, the Sheriff shall immediately
11 render a Work Identification Card to the applicant. Said Work
12 Identification Card shall, at a minimum, include the performer's
13 name, photograph, and a unique card number. Should the Sheriff
14 determine that the proof submitted with the application for the
15 Work Identification Card as required hereinabove is not
16 satisfactory, the Sheriff shall deny issuance of said Work
17 Identification Card and shall provide written notification to the
18 applicant stating the reason(s) for any such denial.

19 (g) *Retention of Performer Roster and Work Identification*
20 *Card.* All persons required pursuant to this Code to obtain a Work
21 Identification Card shall keep same on their person or with their
22 personal belongings at all times while performing at an adult
23 entertainment establishment. The adult entertainment establishment
24 shall compile and retain a complete performer roster that includes
25 all performers performing at the establishment for a period of
26 thirty (30) days from each performer's most recent performance
27 date. The performer roster shall be organized by date and
28 performer, including the performer's first and last name and stage
29 name. The adult entertainment establishment shall also maintain a
30 Work Identification Card file, organized alphabetically by
31 performer's last name, with legible photocopies of the Work

1 Identification Card of each performer performing at said
2 establishment for a period of two (2) years from each performer's
3 most recent performance date. Other than performers performing
4 during the Grace Period established in this section, no performer
5 shall perform until the performer roster is updated to include the
6 performer information, and the legible photocopy of the Work
7 Identification Card is placed on file as required herein. The
8 performer roster and the Work Identification Card file shall be
9 made available to the Sheriff for inspection and/or copying upon
10 request.

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

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

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

27 (k) *Requirement of Managers, License Holders, Owners and*
28 *Operators to Verify Work Identification Cards of Performers.* No
29 person managing, owning or operating or holding a license to
30 operate an adult entertainment establishment shall permit, employ,
31 or otherwise allow any person, other than a featured performer, to

1 perform at said establishment unless such person has a valid,
2 current, Work Identification Card issued in accordance herewith,
3 unless such performer is performing within the Grace Period
4 established in this section. Separate violations may be issued to
5 the managers, owners and operators of the establishment for each
6 performer, and for each day that a performer does not have the
7 required Work Identification Card. It shall be prima facie evidence
8 of a violation of this Chapter if the establishment does not have a
9 legible photocopy of a current Work Identification Card on file for
10 each performer as of the date of each performance, except during
11 the Grace Period.

12 (l) *Requirement of managers, owners, and operators for*
13 *featured performers.* Persons managing, owning, or operating an
14 adult entertainment establishment may allow featured performers, as
15 defined herein, to perform in said establishment without a Work
16 Identification Card for up to a maximum of fourteen (14) days in
17 any calendar year for each featured performer. However, any person
18 managing, owning or operating an adult entertainment establishment
19 shall verify that any featured performer performing in said adult
20 entertainment establishment is twenty-one (21) years of age or
21 older. Upon discovery that a person under age twenty one is
22 performing as a featured performer in an adult entertainment
23 establishment, the person managing, owning or operating said adult
24 entertainment establishment shall be subject to prosecution for a
25 violation of this Chapter. A featured performer means a person who
26 does not perform at an adult entertainment establishment on a
27 routine or regular basis and who is advertised to the public as a
28 "guest", "featured", or other similarly identified performer.

29 (m) *Violations subject to criminal prosecution.* Either while
30 performing at or while present in any adult entertainment
31 establishment, any performer who violates this section may be

1 prosecuted by the State Attorney. Upon conviction of such
2 violation, the prosecuting officials shall notify the Sheriff of
3 said conviction. Additionally, for any performer convicted of the
4 following violations either while performing at or while present in
5 any adult entertainment establishment, the performer's Work
6 Identification Card shall be suspended as follows:

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

13 (n) *Violation Subject to Civil Prosecution.* Any owners, managers
14 or operators of an adult entertainment establishment who violates
15 the provisions of subsections (g), (k) or (l) of this section may
16 be prosecuted by the Sheriff or the City. Upon adjudication of such
17 violation, the prosecuting officials shall notify the Sheriff of
18 such adjudication. Violations shall be considered a Class D
19 offense, with each day upon which a violation occurs constituting a
20 separate offense.

21 (o) *Violations Subject to All Legal Remedies.* The violation
22 of any provision of this section may also be prosecuted pursuant to
23 the procedures and penalties of Chapter 609, *Ordinance Code* and
24 through the issuance of notices to appear, at the discretion of the
25 Sheriff or the City. In addition to the sanctions contained herein,
26 the City shall be authorized to take any appropriate legal action,
27 including, but not limited to, seeking cease and desist orders, and
28 requesting temporary or permanent injunctive relief. It is the
29 intent and purpose of this section to provide additional and
30 cumulative remedies.

31 **Section 4. Amending Chapter 151 (Dancing Entertainment**

1 Establishment Code), Part 1 (General provisions.) and Part 2
2 (Administration) to amend section 151.103 (Definitions.) and
3 section 151.208 (Suspension and revocation of license.), Ordinance
4 Code. Chapter 151 (Dancing Entertainment Establishment Code), Part
5 1 (General provisions.) and Part 2 (Suspension and revocation of
6 license.), Ordinance Code, is hereby amended to read as follows:

7 CHAPTER 151. DANCING ENTERTAINMENT ESTABLISHMENT CODE.

8 * * *

9 Sec. 151.103. Definitions.

10 * * *

11 (k) Violation means ~~any~~ a judicial action determining either
12 a finding inconsistent with a determination of innocence, including
13 by but not limited to, a plea of guilty, a plea of no contest,
14 withhold of adjudication or guilt or paying court costs or, for
15 purposes of section 151.208, a positive finding based upon a
16 preponderance of the evidence submitted at a license suspension or
17 revocation hearing.

18 * * *

19 (n) Featured performer means a person who does not perform at
20 a dancing entertainment establishment on a routine or regular basis
21 and who is advertised as a "guest", "featured", or other similarly
22 identified performer.

23 PART 2. ADMINISTRATION

24 * * *

25 Sec. 151.208. Suspension and revocation of license.

26 * * *

27 (e) Prior to the suspension or revocation of any dancing
28 entertainment license, the Sheriff shall refer the matter to
29 ~~binding arbitration through the American Arbitration Association,~~
30 ~~subject to the American Arbitration Association rules and~~
31 ~~procedures~~ a county court judge, who shall hold a hearing for the

1 sole purpose of determining whether just cause exists for the
2 suspension or revocation. For purposes of this subsection, a
3 violation shall be deemed committed by the county court judge based
4 upon a preponderance of the evidence submitted at the hearing. A
5 finding of violation at a suspension or revocation hearing shall
6 not establish precedent or be used in any civil or criminal penalty
7 proceeding. This suspension or revocation process is intended to
8 apply retroactively to all adult entertainment licenses currently
9 existing and to those prospectively issued hereinafter. The
10 suspension or revocation of a license shall not become effective
11 until the Sheriff obtains a final order authorizing the suspension
12 or revocation or the parties stipulate otherwise. In any judicial
13 review, whether review is brought by the applicant or the Sheriff,
14 the Sheriff shall have the burden of demonstrating the validity of
15 the proposed suspension or revocation.

16 (f) The suspension or revocation of a license shall not
17 become effective until the Sheriff obtains ~~a binding arbitration~~
18 ~~awards~~ a final order authorizing the suspension or revocation or the
19 parties stipulate otherwise.

20 * * *

21 **Section 5. Amending Chapter 151 (Dancing Entertainment**
22 **Establishment Code), Part 2 (Administration) to delete section**
23 **151.214 (Performer records.), Ordinance Code and replace it with a**
24 **new section 151.214, Ordinance Code.** Chapter 151 (Dancing
25 Entertainment Establishment Code), Part 2 (Suspension and
26 revocation of license), *Ordinance Code*, is hereby amended to delete
27 section 151.214 (Performer records.) and replace it with a new
28 section 151.214 to read as follows:

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

30 * * *

31 **PART 2. ADMINISTRATION**

1 * * *

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

3 (a) *Performer Work Identification Card required.* Any person
4 desiring to perform in a dancing entertainment establishment
5 licensed under this Chapter must obtain a Work Identification Card
6 from the Sheriff. No person shall act as a performer in a dancing
7 entertainment establishment without having previously obtained said
8 Work Identification Card, except as permitted during the Grace
9 Period as set forth in this section. Additionally, no license
10 holder or establishment manager shall employ, contract with or
11 otherwise allow any performer to perform in a dancing entertainment
12 establishment who does not possess a valid and effective Work
13 Identification Card except as permitted during the Grace Period as
14 set forth in this section. Except as specifically provided for
15 herein, a featured performer is exempt from the provisions of this
16 section.

17 (b) *Penalty.* Any performer, license holder, owner, operator
18 or manager who violates or knowingly permits a violation of this
19 section shall be guilty of a misdemeanor of the second degree.

20 (c) *Application for Work Identification Card.* An application
21 for a Work Identification Card shall be created by and obtained
22 from the Sheriff. The Sheriff is authorized to include whatever
23 information he or she deems relevant to the purposes established in
24 this section for issuance of the Work Identification Card,
25 including fingerprinting and photographs and proof of a valid and
26 effective work permit or visa for non-U.S. citizens. Each applicant
27 shall demonstrate to the Sheriff that he or she has completed a sex
28 trafficking education program. Acceptable training programs
29 include those developed and presented by the American Hotel &
30 Lodging Association, the Polaris Project, ECPAT-USA and Business
31 Ending Slavery & Trafficking. Other programs not listed may be

1 approved by the Sheriff. The application shall be in writing,
2 signed, fully completed and submitted to the Sheriff together with
3 the nonrefundable application fee. Each applicant must submit proof
4 of identity and proof that applicant is at least twenty-one (21)
5 years of age. Work Identification Cards shall not be issued to any
6 person under the age of twenty one. Additionally, no Work
7 Identification Card shall be issued to an applicant who has been
8 convicted of human trafficking or any human trafficking-related
9 charge or who is currently on probation for any violation listed
10 under subsection (m), below. Work Identification Cards are valid
11 for a term of two (2) years. All current performers shall obtain a
12 Work Identification Card within ninety (90) days from the effective
13 date of this section (the "Grace Period"). Upon conclusion of the
14 Grace Period, no performer shall be permitted to perform until a
15 current Work Identification Card is obtained.

16 (d) *False statement or false information in applying for a*
17 *Work Identification Card.* It shall be unlawful for any person
18 applying for a Work Identification Card to make a false statement
19 or otherwise provide false information which is intended to
20 facilitate the issuance of same.

21 (e) *Fees.* The applicant shall pay an application fee with
22 each new request for a Work Identification Card and with each
23 renewal of a Work Identification Card. The fees shall not be
24 prorated. The applicant shall also pay a duplicate card fee for
25 each duplicate copy of an existing Work Identification Card. The
26 initial and renewal application fees shall be \$150. The fee for
27 issuance of a duplicate Work Identification Card shall be \$50.
28 Fees are non-refundable.

29 (f) *Issuance of Work Identification Card.* The Sheriff is
30 responsible for verifying all information contained on a Work
31 Identification Card application. Upon determining that the Work

1 Identification Card should be issued, the Sheriff shall immediately
2 render a Work Identification Card to the applicant. Said Work
3 Identification Card shall, at a minimum, include the performer's
4 name, photograph, and a unique card number. Should the Sheriff
5 determine that the proof submitted with the application for the
6 Work Identification Card as required hereinabove is not
7 satisfactory, the Sheriff shall deny issuance of said Work
8 Identification Card and shall provide written notification to the
9 applicant stating the reason(s) for any such denial.

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

1 request.

2 (h) *Appeal.* In the event that an applicant for a Work
3 Identification Card is denied, said applicant may request emergency
4 injunctive relief from the Circuit Court of the Fourth Judicial
5 Circuit of the State of Florida. Due to the overriding public
6 interest in not having persons under the age of twenty-one perform
7 in dancing entertainment establishments, no provisional Work
8 Identification Cards shall be issued by the Sheriff.

9 (i) *Transfer of Work Identification Card prohibited.* A Work
10 Identification Card shall not be transferred from one person to
11 another; however, the person to whom the Work Identification Card
12 was issued may utilize same in any and all licensed dancing
13 entertainment establishments in the City.

14 (j) *Alteration of Work Identification Card prohibited.* It
15 shall be unlawful for any person to alter or otherwise change the
16 contents of a Work Identification Card without the written
17 permission of the Sheriff.

18 (k) *Requirement of Managers, License Holders, Owners and*
19 *Operators to Verify Work Identification Cards of Performers.* No
20 person managing, owning or operating, or holding a license to
21 operate, a dancing entertainment establishment shall permit,
22 employ, or otherwise allow any person, other than a featured
23 performer, to perform at said establishment unless such person has
24 a valid, current, Work Identification Card issued in accordance
25 herewith, unless such performer is performing within the Grace
26 Period established in this section. Separate violations may be
27 issued to the managers, owners and operators of the establishment
28 for each performer, and for each day that a performer does not have
29 the required Work Identification Card. It shall be prima facie
30 evidence of a violation of this Chapter if the establishment does
31 not have a legible photocopy of a current Work Identification Card

1 on file for each performer as of the date of each performance,
2 except during the Grace Period.

3 (l) *Requirement of managers, owners, and operators for*
4 *featured performers.* Persons managing, owning, or operating a
5 dancing entertainment establishment may allow featured performers,
6 as defined hereinabove, to perform in said establishment without a
7 Work Identification Card for up to a maximum of fourteen (14) days
8 in any calendar year for each featured performer. However, any
9 person managing, owning or operating a dancing entertainment
10 establishment shall verify that any featured performer performing
11 in said dancing entertainment establishment is twenty-one (21)
12 years of age or older. Upon discovery that a person under age
13 twenty one is performing as a featured performer in a dancing
14 entertainment establishment, the person managing, owning or
15 operating said dancing entertainment establishment shall be subject
16 to prosecution for a violation of this Chapter.

17 (m) *Violations subject to criminal prosecution.* Either while
18 performing at or while present in any dancing entertainment
19 establishment, any performer who violates subsection (a) of this
20 section may be prosecuted by the State Attorney. Upon conviction of
21 such violation, the prosecuting officials shall notify the Sheriff
22 of said conviction. Additionally, for any performer convicted of
23 the following violations either while performing at or while
24 present in any dancing entertainment establishment, the performer's
25 Work Identification Card shall be suspended as follows:

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

1 (n) *Violation Subject to Civil Prosecution.* Any owners,
2 managers or operators of a dancing entertainment establishment who
3 violates the provisions of subsections (g), (k) or (l) of this
4 section may be prosecuted by the Sheriff or the City. Upon
5 adjudication of such violation, the prosecuting officials shall
6 notify the Sheriff of such adjudication.

7 (o) *Violations Subject to All Legal Remedies.* The violation
8 of any provision of this section may also be prosecuted pursuant to
9 the procedures and penalties of Chapter 609, *Ordinance Code*. In
10 addition to the sanctions contained herein, the City shall be
11 authorized to take any appropriate legal action, including, but not
12 limited to, seeking cease and desist orders, and requesting
13 temporary or permanent injunctive relief. It is the intent and
14 purpose of this section to provide additional and cumulative
15 remedies.

16 **Section 6. Amending Chapter 250 (Miscellaneous Business**
17 **Regulations), Part 1 (In General), Ordinance Code, to create a new**
18 **subsection 250.125 (Public Lodging Establishment Human Trafficking**
19 **Public and Employee Awareness).** Chapter 250 (Miscellaneous
20 Business Regulations), Part 1 (In General), *Ordinance Code*, is
21 hereby amended to create a new subsection 250.125 (Public Lodging
22 Establishment Human Trafficking Public and Employee Awareness) to
23 read as follows:

24 **Sec. 250.125. Public Lodging Establishment Human Trafficking**
25 **Public and Employee Awareness.**

26 (a) Pursuant to section 509.096, Florida Statutes, Public
27 Lodging Establishments regulated by Part I of chapter 509, Florida
28 Statutes must display public awareness signs in a conspicuous
29 location that is clearly visible to the public and employees of the
30 establishment and must provide human trafficking training to all
31 housekeepers and front desk or reception employees. In addition to

1 the requirements of section 509.096, Public Lodging Establishments
2 shall also display public awareness signs on the inside of the main
3 access door of all Guest rooms. The term "Guest" shall have the
4 meaning defined by section 509.013, Florida Statutes, as it may be
5 amended from time to time. Any Guest room not displaying the
6 public awareness sign shall constitute a separate violation.

7 The required public awareness signs located in the Guest rooms
8 must be at least 3 inches by 7 inches in size and must be printed
9 in at least 12-point type and must state substantially the
10 following in English and Spanish or English and such other language
11 as determined by industry demographic:

12 If you or someone you know is being forced to engage in
13 an activity and cannot leave-whether it is prostitution
14 or sex work, housework, farm work, factory work, retail
15 work, restaurant work, or any other activity- call the
16 National Human Trafficking Resource Center at 1-888-373-
17 7888 or text INFO or HELP to 233-733 to access help and
18 services. Victims of slavery and human trafficking are
19 protected under United States and Florida law. This
20 notice is posted pursuant to Section 787.29, Florida
21 Statutes, and Section 250.125, Jacksonville Ordinance
22 Code.

23 (b) Within six (6) months of the effective date of this
24 ordinance, all Public Lodging Establishments shall provide training
25 to all employees on spotting, reporting and preventing human
26 trafficking. Acceptable training programs include those developed
27 and presented by the American Hotel & Lodging Association, the
28 Polaris Project, ECPAT-USA and Business Ending Slavery &
29 Trafficking. Other programs not listed may be approved by the
30 Director of the Neighborhoods Department. The manager or owner (or
31 designated representative) must certify to the Director of the

1 Neighborhoods Department on a quarterly basis the names of all
2 employees who have received the required training and identify the
3 name of the program used for the training.

4 (c) This subsection shall be enforced by the Director of the
5 Neighborhoods Department, or his or her designee. Violations of
6 this subpart shall be considered a Class C offense, with each day
7 and each separate violation of the requirements of this subpart
8 constituting a separate and enforceable violation.

9 (d) Within ninety (90) days of the effective date of this
10 ordinance, the Neighborhoods Department shall provide information
11 about or a link to the educational programs identified herein for
12 those businesses affected by this ordinance. In addition, the Tax
13 Collector shall be encouraged to provide all applicants of
14 occupational licenses from affected businesses with an educational
15 statement explaining the requirements of the ordinance, which the
16 Neighborhoods Department shall provide.

17 **Section 7. Authorizing Fee Increase.** In order to more
18 accurately reflect the actual costs of administering the respective
19 licensing programs, the Sheriff is hereby authorized to increase
20 the license fee specified in sections 150.215 and 151.212 *Ordinance*
21 *Code* up to and including a maximum amount of \$2500.00 per
22 application per year.

23 **Section 8. Deleting Section 150.423.** Section 150.423 is
24 hereby deleted in its entirety. A copy of the deleted language is
25 placed **on file** with the Office of Legislative Services.

26 **Section 9. Creating a new Chapter 96 (Sex Trafficking**
27 **Survivors Leadership Council), *Ordinance Code*.** Chapter 96 (Sex
28 Trafficking Survivors Leadership Council), *Ordinance Code*, is
29 hereby created to read as follows:

30 **Chapter 96. SEX TRAFFICKING SURVIVORS LEADERSHIP COUNCIL.**

31 **Sec. 96.101. Intent.**

1 It is the intent of this Chapter to create an advisory body to
2 the City Council to investigate the root causes of sex trafficking
3 in the City and to develop effective measures to prevent sex
4 trafficking, enhance public awareness of both the problems
5 associated with sex trafficking and to recognize the
6 characteristics of the sex trafficking trade and to advise the
7 Council on potential policies and programs to further the City's
8 goal of eliminating the sex trafficking trade in the City.

9 **Sec. 96.102. Establishment.**

10 There is hereby established an advisory body to be known as
11 the Sex Trafficking Survivors Leadership Council, hereinafter
12 referred to as the Survivors Council. The Survivors Council shall
13 be subject to all applicable public meetings and public records
14 laws.

15 **Sec. 96.103. Membership; Terms; Composition.**

16 The Survivors Council shall be composed of seven members
17 selected by the Mayor and approved by the City Council. Each
18 member shall be a sex trafficking survivor, who shall reside in
19 Duval County or shall have significant business or financial
20 interests in Duval County. In selecting potential Survivors
21 Council members, the Mayor shall consult with recognized sex
22 trafficking survivor organizations in Duval County. One City
23 Council member shall be appointed by the City Council President to
24 serve as a liaison to the Survivors Council.

25 The Survivors Council members shall serve for a term of two
26 years or until a successor has been appointed/confirmed by the City
27 Council; provided that, of the initial appointments, three of the
28 Survivors Council members shall serve for a three-year term and the
29 remaining four members shall serve for a two-year term. Members of
30 the Survivors Council may be appointed for consecutive terms
31 consistent with general laws regulating service on City boards and

1 commissions. Any member appointed to the Survivors Council for two
2 consecutive full terms shall not be eligible for the next
3 succeeding term.

4 **Sec. 96.104. Organization.**

5 (a) The Survivors Council shall meet at least quarterly at
6 such times and places as are fixed by the rules of the Survivors
7 Council. Special meetings shall be called in accordance with the
8 rules of the Survivors Council. At its first regularly scheduled
9 meeting held after each October 1st, the Survivors Council shall
10 elect from among its members a Chair and Vice Chair, who shall
11 assume their positions immediately upon election.

12 (b) The Chair shall preside at all meetings of the Survivors
13 Council and shall appoint the members of the various committees,
14 task forces, study groups, and other bodies authorized by the
15 Survivors Council in furtherance of its purposes.

16 (c) The Survivors Council may adopt, amend, and rescind
17 procedural rules of the Survivors Council to aid in implementing
18 the provisions of this chapter. All reports, studies, and
19 recommendations made by or at the direction of the Survivors
20 Council shall be approved by the Survivors Council before the same
21 may be presented to the City Council.

22 (d) The Survivors Council may establish such committees from
23 among its membership as it deems necessary to perform its
24 functions. The Survivors Council may also, from time to time,
25 authorize the establishment of task forces, study groups, and
26 similar bodies to carry out specialized and detailed projects
27 within the scope of its purposes. Any such body may include persons
28 who are not members of the Survivors Council, but the Chair thereof
29 shall be a Survivors Council member. The committee shall report on
30 its progress to the Survivors Council at such times as the
31 Survivors Council shall require. No report, study, or

1 recommendation, favorable or adverse, may be made by any such
2 committee unless the matter is approved by the Survivors Council.

3 **Sec. 96.105. Purpose and Duties.**

4 The Survivors Council is established to accomplish the general
5 purposes and duties as follows:

6 (a) To study and make recommendations to the City
7 Council, Mayor's Office, City Staff, and community
8 stakeholders with respect to the root causes of sex
9 trafficking in the City; developing effective measures to
10 prevent sex trafficking, enhancing public awareness of the
11 problems associated with sex trafficking and recognizing the
12 characteristics of the sex trafficking trade.

13 (b) To act as a motivating and coordinating body to
14 encourage joint public and private participation in
15 accomplishing the Survivors Council's goals and objectives.

16 (c) To review and make recommendations, if necessary, to
17 the City Council concerning potential policies and programs to
18 further the City's goal of eliminating the sex trafficking
19 trade in the City.

20 (d) To provide the City Council with an annual report,
21 due on September 30th of each year, regarding the state of sex
22 trafficking in the City, including, but not limited to, the
23 status and effectiveness of sex trafficking prevention
24 efforts, public awareness campaigns and any challenges
25 identified to the elimination of sex trafficking in the City.

26 **Section 10. Effective Date.** This ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

29
30 Form Approved:
31

1 /s/ Jason R. Teal
2 Office of General Counsel
3 Legislation prepared by: Jason R. Teal
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