

Memorandum



DATE February 12, 2024

CITY OF DALLAS

Honorable Members of the Public Safety Committee
TO Cara Mendelsohn (Chair), Kathy Stewart (Vice Chair), Tennell Atkins,
Jesse Moreno, Gay Donnell Willis

SUBJECT **Section 41A Dallas City Code Enforcement: Sexually Oriented Business (SOB) Hours of Operation Update**

On November 21, 2023, the 5th Circuit Court of Appeals issued their mandate lifting the injunction that was preventing the enforcement of Section 41A-14.3, "Hours of Operation," of the Dallas City Code. On November 27, 2023, the Vice Licensing Squad of the Special Investigations Division mailed certified letters notifying all 34 active Sexually Oriented Business (SOB) licensees of the Dallas Police Department's intent to enforce the "Hours of Operation" provision of the ordinance beginning November 30, 2023, at 2:00 am. Site visits were also conducted on November 27 by Vice Licensing Squad to hand deliver a copy of the letter and to answer any questions from the licensees.

Beginning November 30 at 2:00 am, several operations were conducted by the Special Investigations Division and the Patrol Bureau to ensure compliance with the ordinance. The majority of licensees complied with the ordinance; however, two licensees did not comply with the ordinance. Enforcement action was taken by the Special Investigations Division that included seven custodial arrests and five at-large warrants filed for Violation of a Sexually Oriented Business Ordinance (Texas Local Government Code 243.010), a Class A Misdemeanor.

As a result of the operations, arrests, and non-compliance of the licensees, the Chief of Police suspended the two SOB licenses under authority granted by Section 41A-9 of the Dallas City Code. One licensee has served their suspension and is now in compliance with the ordinance. The second licensee has appealed their suspension to a State District Court, and the appeal is currently pending.

The Special Investigations Division Vice Licensing Squad and the Patrol Bureau are continually working to ensure compliance with the ordinance.

A handwritten signature in blue ink that reads "Jon Fortune".

Jon Fortune
Deputy City Manager

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c: T.C. Broadnax, City Manager
Tammy Palomino, Interim City Attorney
Mark Swann, City Auditor
Billierae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Deputy City Manager

Majed A. Al-Ghafry, Assistant City Manager
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Dr. Robert Perez, Assistant City Manager
Jack Ireland, Chief Financial Officer
Genesis D. Gavino, Chief of Staff to the City Manager
Directors and Assistant Directors