

1 Introduced by Council Members Cumber and Hazouri, Co-Sponsored by  
2 Council Members White, Morgan, Diamond, Boylan, DeFoor, Priestly  
3 Jackson, Newby, Bowman, Carlucci, Salem, Gaffney, Pittman, Freeman,  
4 Becton and Ferraro and substituted by the Neighborhoods, Community  
5 Services, Public Health & Safety Committee and amended on the floor  
6 of Council:

7  
8  
9 **ORDINANCE 2020-74-E**

10 AN ORDINANCE REGULATING CERTAIN BUSINESSES AND  
11 OCCUPATIONS TO REDUCE OR PREVENT HUMAN AND SEX  
12 TRAFFICKING AND ESTABLISHING THE SEX  
13 TRAFFICKING SURVIVORS LEADERSHIP COUNCIL;  
14 AMENDING CHAPTER 150 (ADULT ENTERTAINMENT AND  
15 SERVICES CODE), PART 1 (GENERAL PROVISIONS),  
16 *ORDINANCE CODE*, TO AMEND THE DEFINITION OF  
17 DANCE PERFORMANCE PERMIT; AMENDING CHAPTER 150  
18 (ADULT ENTERTAINMENT AND SERVICES CODE), TO  
19 DELETE SECTION 150.224 (PERFORMER RECORDS) AND  
20 REPLACE IT WITH A NEW SECTION 150.224  
21 (PERFORMER WORK IDENTIFICATION CARD),  
22 *ORDINANCE CODE*, AND PART 2 (ADMINISTRATION),  
23 *ORDINANCE CODE*, TO AMEND THE PROCESS FOR  
24 SUSPENSION OR REVOCATION OF AN ADULT  
25 ENTERTAINMENT LICENSE, TO REQUIRE A PERFORMER  
26 WORK IDENTIFICATION CARD FOR ALL PERFORMERS IN  
27 ADULT ENTERTAINMENT ESTABLISHMENTS AND TO  
28 PROHIBIT ADULT ENTERTAINMENT PERFORMERS UNDER  
29 AGE TWENTY-ONE; AMENDING CHAPTER 151 (DANCING  
30 ENTERTAINMENT ESTABLISHMENT CODE), PARTS 1

1 (GENERAL PROVISIONS) AND PART 2  
2 (ADMINISTRATION), *ORDINANCE CODE*, TO AMEND THE  
3 DEFINITIONS OF VIOLATION AND DANCE PERFORMANCE  
4 PERMIT AND TO AMEND THE PROCESS FOR SUSPENSION  
5 OR REVOCATION OF A DANCING ENTERTAINMENT  
6 LICENSE; TO DELETE SECTION 151.214 (PERFORMER  
7 RECORDS), *ORDINANCE CODE* AND REPLACE IT WITH A  
8 NEW SECTION 151.214 (PERFORMER WORK  
9 IDENTIFICATION CARD), *ORDINANCE CODE*; DELETING  
10 SECTIONS 150.423 AND 151.413; AMENDING 250  
11 (MISCELLANEOUS BUSINESS REGULATIONS),  
12 *ORDINANCE CODE* TO CREATE A NEW SUBSECTION  
13 250.125 (PUBLIC LODGING ESTABLISHMENT HUMAN  
14 TRAFFICKING PUBLIC AND EMPLOYEE AWARENESS) TO  
15 REQUIRE THE POSTING OF PUBLIC AWARENESS SIGNS  
16 INSIDE ALL GUEST ROOMS OF PUBLIC LODGING  
17 ESTABLISHMENTS AND TO ESTABLISH AN EMPLOYEE  
18 EDUCATION COMPONENT FOR SAME; AUTHORIZING A  
19 FEE INCREASE FOR ADULT AND DANCING  
20 ENTERTAINMENT ESTABLISHMENTS; CREATING A NEW  
21 CHAPTER 96 (SEX TRAFFICKING SURVIVORS  
22 LEADERSHIP COUNCIL), *ORDINANCE CODE*, TO  
23 ESTABLISH AN ADVISORY BOARD COMPRISED OF SEX  
24 TRAFFICKING SURVIVORS FOR THE PURPOSE OF  
25 DEVELOPING, EVALUATING AND REPORTING ON THE  
26 STATUS OF SEX TRAFFICKING PREVENTION MEASURES  
27 IN JACKSONVILLE; REQUIRING HUMAN TRAFFICKING  
28 TRAINING FOR CERTAIN CITY AND JACKSONVILLE  
29 SHERIFF'S OFFICE EMPLOYEES; PROVIDING AN  
30 EFFECTIVE DATE.  
31

1           **WHEREAS**, Florida is ranked third nationally for reported cases  
2 of human trafficking abuses, many of which involved sex  
3 trafficking; and

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

10           **WHEREAS**, in 2019, the American Hotel & Lodging Association  
11 (“AHLA”) launched its, “No Room for Trafficking” campaign, which  
12 established the goal of training every hotel employee to spot and  
13 stop trafficking; and

14           **WHEREAS**, on January 9, 2020, the AHLA, the Florida Restaurant  
15 & Lodging Association, the Asian American Hotel Owners Association,  
16 the National Football League, Florida Attorney General Ashley Moody  
17 and various state and federal officials met to develop a prevention  
18 and response campaign concerning use of Florida’s hotel industry  
19 for sex trafficking during and around Super Bowl LIV in Miami; and

20           **WHEREAS**, hotels and motels are a crucial piece of the  
21 infrastructure necessary to facilitate human trafficking  
22 (particularly sex trafficking) in escort services - of the 3,596  
23 cases of human trafficking reported to the National Hotline to be  
24 occurring at a hotel, 2,920 or 81 percent of those involved sex  
25 trafficking; 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

31           **WHEREAS**, persons under the age of twenty-one are more likely

1 to still remain within and dependent on the community in which they  
2 were raised; and

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

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

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

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

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

29 **WHEREAS**, on November 16, 2018, the federal Fifth Circuit Court  
30 of Appeals, in the case of *Jane Doe I v. Landry*, reported at 909  
31 F.3d 99 (5<sup>th</sup> Cir. 2018), upheld a regulation enacted by the State of

1 Louisiana to prohibit persons under the age of twenty-one from nude  
2 erotic dancing at establishments serving alcohol on the grounds  
3 that such a regulation furthered the state's interests in curbing  
4 human trafficking and prostitution; now therefore

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

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

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

27 **Section 3. Amending Chapter 150 (Adult Entertainment and**  
28 **Services Code), Part 1 (General Provisions) to amend section**  
29 **150.103 (Definitions) to amend the definition of Dance performance**  
30 **permit.** Chapter 150 (Adult Entertainment and Services Code), Part  
31 1 (General Provisions), *Ordinance Code*, is hereby amended to amend

1 section 150.103 (Definitions) to read as follows:

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

3 \* \* \*

4 **PART 1. GENERAL PROVISIONS**

5 \* \* \*

6 **Sec. 150.103 Definitions.**

7 \* \* \*

8 (kk) *Dance performance permit* means the performer work  
9 identification card established in section 150.224.~~an~~  
10 ~~identification card, issued by a commercial establishment that has~~  
11 ~~or requires a dancing entertainment establishment license, to each~~  
12 ~~performer, which shall contain at a minimum the name and photograph~~  
13 ~~of the performer.~~

14 **Section 4. Amending Chapter 150 (Adult Entertainment and**  
15 **Services Code), Part 2 (Administration) to amend section 150.212**  
16 **(Suspension and revocation of license) to amend the requirements**  
17 **for suspending or revoking an adult entertainment establishment**  
18 **license; to delete Section 150.224 (Performer records) and replace**  
19 **it with a new section 150.224 (Performer work identification card),**  
20 **Ordinance Code.** Chapter 150 (Adult Entertainment and Services  
21 Code), Part 2 (Administration), *Ordinance Code*, is hereby amended  
22 to amend section 150.212 (Suspension and revocation of license) to  
23 amend the requirements for suspending or revoking an adult  
24 entertainment establishment license; to delete section 150.224  
25 (Performer records), place a copy of the deleted language **Revised**  
26 **On File** with the Office of Legislative Services, and replace it  
27 with a new section 150.224 (Performer work identification card) to  
28 read as follows:

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

30 \* \* \*

31 **PART 2. ADMINISTRATION**

1 \* \* \*

2 **Sec. 150.212. Suspension and revocation of license.**

3 \* \* \*

4 (b) Before the Sheriff shall suspend or revoke a license, he  
5 shall furnish the licensee a written statement, by certified  
6 or registered mail or by personal service, of the cause for  
7 suspension or revocation of the license and the length of time  
8 of suspension.

9 The Sheriff shall, within 20 days of notification, ~~seek judicial~~  
10 ~~review of the proposed decision in a court of competent~~  
11 ~~jurisdiction. The licensee may seek judicial review of the proposed~~  
12 ~~decision in a court of competent jurisdiction at anytime after~~  
13 ~~notification.~~ refer the matter to a county court judge, who shall  
14 hold a hearing for the sole purpose of determining whether just  
15 cause exists for the suspension or revocation. For purposes of  
16 this subsection, a violation shall be deemed committed, by the  
17 county court judge, based upon clear and convincing evidence  
18 submitted at the hearing. A finding of violation at a suspension or  
19 revocation hearing shall not establish precedent or be used in any  
20 civil or criminal penalty proceeding. This suspension or  
21 revocation process is intended to apply retroactively to all adult  
22 entertainment licenses currently existing and to those  
23 prospectively issued hereinafter. The suspension or revocation of  
24 a license shall not become effective until the Sheriff obtains a  
25 final order authorizing the suspension or revocation or the parties  
26 stipulate otherwise. In any judicial review, whether review is  
27 brought by the applicant or the Sheriff, the Sheriff shall have the  
28 burden of demonstrating the validity of the proposed suspension or  
29 revocation.

30 \* \* \*

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

1           (a) *Performer Work Identification Card required.* Any person  
2 desiring to perform in an adult entertainment establishment  
3 licensed under this Chapter must obtain a Work Identification Card  
4 from the Sheriff. No person shall act as a performer in an adult  
5 entertainment establishment without having previously obtained said  
6 Work Identification Card, except as permitted during the Grace  
7 Period as set forth in this section. Additionally, no license  
8 holder or establishment manager shall employ, contract with or  
9 otherwise allow any performer to perform in an adult entertainment  
10 establishment who does not possess a valid and effective Work  
11 Identification Card except as permitted during the Grace Period as  
12 set forth in this section.

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

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



1 identity and proof that applicant is at least twenty-one (21) years  
2 of age. Work Identification Cards shall not be issued to any person  
3 under the age of twenty one. Additionally, no Work Identification  
4 Card shall be issued to an applicant who has been convicted of  
5 human trafficking or any human trafficking-related charge or who is  
6 currently on probation for any violation listed under subsection  
7 (1), below. Work Identification Cards are valid for a term of one  
8 (1) year. All current performers shall obtain a Work Identification  
9 Card within ninety (90) days from the effective date of this  
10 section (the "Grace Period"). Upon conclusion of the Grace Period,  
11 no performer shall be permitted to perform until a current Work  
12 Identification Card is obtained.

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

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

26 (f) *Issuance of Work Identification Card.* The Sheriff is  
27 responsible for verifying all information contained on a Work  
28 Identification Card application. Upon determining that the Work  
29 Identification Card should be issued, the Sheriff shall immediately  
30 render a Work Identification Card to the applicant. Said Work  
31 Identification Card shall, at a minimum, include the performer's

1 name, photograph, and a unique card number. Should the Sheriff  
2 determine that the proof submitted with the application for the  
3 Work Identification Card as required hereinabove is not  
4 satisfactory, the Sheriff shall deny issuance of said Work  
5 Identification Card and shall provide written notification to the  
6 applicant stating the reason(s) for any such denial.

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

30 (h) *Appeal.* In the event that an applicant for a Work  
31 Identification Card is denied, said applicant may request emergency

1 injunctive relief from the Circuit Court of the Fourth Judicial  
2 Circuit of the State of Florida. Due to the overriding public  
3 interest in not having persons under the age of twenty-one or with  
4 criminal convictions identified in paragraph (l) perform in adult  
5 entertainment establishments, no provisional Work Identification  
6 Cards shall be issued by the Sheriff.

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

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

16 (k) *Requirement of Managers, License Holders, Owners and*  
17 *Operators to Verify Work Identification Cards of Performers.* No  
18 person managing, owning or operating or holding a license to  
19 operate an adult entertainment establishment shall permit, employ,  
20 or otherwise allow any person to perform at said establishment  
21 unless such person has a valid, current, Work Identification Card  
22 issued in accordance herewith, unless such performer is performing  
23 within the Grace Period established in this section. Each owner and  
24 operator of the establishment shall have a separate and independent  
25 duty to verify that all performers are in compliance with this  
26 section. Each manager of the establishment shall have a separate  
27 and independent duty to verify that all performers are in  
28 compliance with this section during all times the manager is  
29 working at the establishment. Separate violations may be issued to  
30 the managers, owners and operators of the establishment for each  
31 performer, and for each day that a performer does not have the

1 required Work Identification Card. It shall be prima facie evidence  
2 of a violation of this Chapter if the establishment does not have a  
3 legible photocopy of a current Work Identification Card on file for  
4 each performer as of the date of each performance, except during  
5 the Grace Period.

6 (l) *Violations subject to criminal prosecution.* Either while  
7 performing at or while present in any adult entertainment  
8 establishment, any performer who violates this section may be  
9 prosecuted by the State Attorney. Upon conviction of such  
10 violation, the prosecuting officials shall notify the Sheriff of  
11 said conviction. Additionally, for any performer convicted of the  
12 following violations either while performing at or while present in  
13 any adult entertainment establishment, the performer's Work  
14 Identification Card shall be suspended as follows:

- 15 i. Five (5) years for prostitution;
- 16 ii. Three (3) years for violent felonies;
- 17 iii. Three (3) years for narcotic sales or drug trafficking;
- 18 iv. One (1) year for lewd/obscene acts; and
- 19 v. One (1) year for possession of narcotics or narcotics  
20 paraphernalia.

21 The suspensions authorized herein shall not be ordered as part of  
22 any criminal penalties assessed in any criminal proceeding. It is  
23 the Council's intent that the remedies established herein are civil  
24 in nature and are not intended to be a criminal penalty in  
25 contravention of those established in the Florida Statutes.

26 (m) *Violation Subject to Civil Prosecution.* Any owners,  
27 managers or operators of an adult entertainment establishment who  
28 violates the provisions of subsections (g), (k) or (l) of this  
29 section may be prosecuted by the Sheriff or the City. Upon  
30 adjudication of such civil violation, the prosecuting officials  
31 shall notify the Sheriff of such adjudication within five (5)

1 business days. Violations shall be considered a Class F civil  
2 offense, with each day upon which a violation occurs constituting a  
3 separate civil offense.

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

14 **Section 5. Amending Chapter 151 (Dancing Entertainment**  
15 **Establishment Code), Part 1 (General provisions) and Part 2**  
16 **(Administration) to amend section 151.103 (Definitions.) and**  
17 **section 151.208 (Suspension and revocation of license.), Ordinance**  
18 **Code.** Chapter 151 (Dancing Entertainment Establishment Code), Part  
19 1 (General provisions) and Part 2 (Administration), *Ordinance Code*,  
20 is hereby amended to read as follows:

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

22 \* \* \*

23 **Sec. 151.103. Definitions.**

24 \* \* \*

25 (k) *Violation* means ~~any~~ a judicial action determining either  
26 a finding inconsistent with a determination of innocence, including  
27 by but not limited to, a plea of guilty, a plea of no contest,  
28 withhold of adjudication or guilt or paying court costs or, for  
29 purposes of section 151.208, a positive finding based upon clear  
30 and convincing evidence submitted at a license suspension or  
31 revocation hearing.

1 \* \* \*

2 (m) *Dance performance permit* means the performer work  
3 identification card established in section 151.214.~~an~~  
4 ~~identification card, issued by a commercial establishment that has~~  
5 ~~or requires a dancing entertainment establishment license, to each~~  
6 ~~performer, which shall contain at a minimum the name and photograph~~  
7 ~~of the performer.~~

8 **PART 2. ADMINISTRATION**

9 \* \* \*

10 **Sec. 151.208. Suspension and revocation of license.**

11 \* \* \*

12 (e) Prior to the suspension or revocation of any dancing  
13 entertainment license, the Sheriff shall refer the matter to  
14 ~~binding arbitration through the American Arbitration Association,~~  
15 ~~subject to the American Arbitration Association rules and~~  
16 ~~procedures~~ a county court judge, who shall hold a hearing for the  
17 sole purpose of determining whether just cause exists for the  
18 suspension or revocation. For purposes of this subsection, a  
19 violation shall be deemed committed, by the county court judge,  
20 based upon clear and convincing evidence submitted at the hearing.  
21 A finding of violation at a suspension or revocation hearing shall  
22 not establish precedent or be used in any civil or criminal penalty  
23 proceeding. This suspension or revocation process is intended to  
24 apply retroactively to all dancing entertainment licenses currently  
25 existing and to those prospectively issued hereinafter. The  
26 suspension or revocation of a license shall not become effective  
27 until the Sheriff obtains a final order authorizing the suspension  
28 or revocation or the parties stipulate otherwise. In any judicial  
29 review, whether review is brought by the applicant or the Sheriff,  
30 the Sheriff shall have the burden of demonstrating the validity of  
31 the proposed suspension or revocation.

1 (f) The suspension or revocation of a license shall not  
2 become effective until the Sheriff obtains a ~~binding arbitration~~  
3 ~~award~~ final order authorizing the suspension or revocation or the  
4 parties stipulate otherwise.

5 \* \* \*

6 **Section 6. Amending Chapter 151 (Dancing Entertainment**  
7 **Establishment Code), Part 2 (Administration) to delete section**  
8 **151.214 (Performer records.), Ordinance Code, and replace it with a**  
9 **new section 151.214 (Performer work identification card), Ordinance**  
10 **Code.** Chapter 151 (Dancing Entertainment Establishment Code), Part  
11 2 (Administration), *Ordinance Code*, is hereby amended to delete  
12 section 151.214 (Performer records.), place a copy of the deleted  
13 language **Revised On File** with the Office of Legislative Services,  
14 and replace it with a new section 151.214 (Performer work  
15 identification card) to read as follows:

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

17 \* \* \*

18 **PART 2. ADMINISTRATION**

19 \* \* \*

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

21 (a) *Performer Work Identification Card required.* Any person  
22 desiring to perform in a dancing entertainment establishment  
23 licensed under this Chapter must obtain a Work Identification Card  
24 from the Sheriff. No person shall act as a performer in a dancing  
25 entertainment establishment without having previously obtained said  
26 Work Identification Card, except as permitted during the Grace  
27 Period as set forth in this section. Additionally, no license  
28 holder or establishment manager shall employ, contract with or  
29 otherwise allow any performer to perform in a dancing entertainment  
30 establishment who does not possess a valid and effective Work  
31 Identification Card except as permitted during the Grace Period as

1 set forth in this section.

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

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



1 Identification Card is obtained.

2 (d) *False statement or false information in applying for a*  
3 *Work Identification Card.* It shall be unlawful for any person  
4 applying for a Work Identification Card to make a false statement  
5 or otherwise provide false information which is intended to  
6 facilitate the issuance of same.

7 (e) *Fees.* The applicant shall pay an application fee with  
8 each new request for a Work Identification Card and with each  
9 renewal of a Work Identification Card. The fees shall not be  
10 prorated. The applicant shall also pay a duplicate card fee for  
11 each duplicate copy of an existing Work Identification Card. The  
12 initial and renewal application fees shall be \$150. The fee for  
13 issuance of a duplicate Work Identification Card shall be \$50.  
14 Fees are non-refundable.

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

27 (g) *Retention of Performer Roster and Work Identification*  
28 *Card.* All persons required pursuant to this Code to obtain a Work  
29 Identification Card shall keep same on their person or with their  
30 personal belongings at all times while performing at a dancing  
31 entertainment establishment. The dancing entertainment

1 establishment shall compile and retain a complete performer roster  
2 that includes all performers performing at the establishment for a  
3 period of thirty (30) days from each performer's most recent  
4 performance date. The performer roster shall be organized by date  
5 and performer, including the performer's first and last name and  
6 stage name. The dancing entertainment establishment shall also  
7 maintain a Work Identification Card file, organized alphabetically  
8 by performer's last name, with legible photocopies of the Work  
9 Identification Card of each performer performing at said  
10 establishment for a period of two (2) years from each performer's  
11 most recent performance date. Other than performers performing  
12 during the Grace Period established in this section, no performer  
13 shall perform until the performer roster is updated to include the  
14 performer information, and the legible photocopy of the Work  
15 Identification Card is placed on file as required herein. The  
16 performer roster and the Work Identification Card file shall be  
17 made available to the Sheriff for inspection and/or copying upon  
18 request.

19 (h) *Appeal.* In the event that an applicant for a Work  
20 Identification Card is denied, said applicant may request emergency  
21 injunctive relief from the Circuit Court of the Fourth Judicial  
22 Circuit of the State of Florida. Due to the overriding public  
23 interest in not having persons under the age of twenty-one or with  
24 criminal convictions identified in paragraph (l) perform in adult  
25 entertainment establishments, no provisional Work Identification  
26 Cards shall be issued by the Sheriff.

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

1           (j) *Alteration of Work Identification Card prohibited.* It  
2 shall be unlawful for any person to alter or otherwise change the  
3 contents of a Work Identification Card without the written  
4 permission of the Sheriff.

5           (k) *Requirement of Managers, License Holders, Owners and*  
6 *Operators to Verify Work Identification Cards of Performers.* No  
7 person managing, owning or operating or holding a license to  
8 operate a dancing entertainment establishment shall permit, employ,  
9 or otherwise allow any person to perform at said establishment  
10 unless such person has a valid, current, Work Identification Card  
11 issued in accordance herewith, unless such performer is performing  
12 within the Grace Period established in this section. Each owner and  
13 operator of the establishment shall have a separate and independent  
14 duty to verify that all performers are in compliance with this  
15 section. Each manager of the establishment shall have a separate  
16 and independent duty to verify that all performers are in  
17 compliance with this section during all times the manager is  
18 working at the establishment. Separate violations may be issued to  
19 the managers, owners and operators of the establishment for each  
20 performer, and for each day that a performer does not have the  
21 required Work Identification Card. It shall be prima facie evidence  
22 of a violation of this Chapter if the establishment does not have a  
23 legible photocopy of a current Work Identification Card on file for  
24 each performer as of the date of each performance, except during  
25 the Grace Period.

26           (l) *Violations subject to criminal prosecution.* Either while  
27 performing at or while present in any dancing entertainment  
28 establishment, any performer who violates subsection (a) of this  
29 section may be prosecuted by the State Attorney. Upon conviction of  
30 such violation, the prosecuting officials shall notify the Sheriff  
31 of said conviction. Additionally, for any performer convicted of

1 the following violations either while performing at or while  
2 present in any dancing entertainment establishment, the performer's  
3 Work Identification Card shall be suspended as follows:

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

10 The suspensions authorized herein shall not be ordered as part of  
11 any criminal penalties assessed in any criminal proceeding. It is  
12 the Council's intent that the remedies established herein are civil  
13 in nature and are not intended to be a criminal penalty in  
14 contravention of those established in the Florida Statutes.

15 (m) *Violation Subject to Civil Prosecution.* Any owners,  
16 managers or operators of a dancing entertainment establishment who  
17 violates the provisions of subsections (g), (k) or (l) of this  
18 section may be prosecuted by the Sheriff or the City. Upon  
19 adjudication of such civil violation, the prosecuting officials  
20 shall notify the Sheriff of such adjudication within five (5)  
21 business days. Violations shall be considered a Class F civil  
22 offense, with each day upon which a violation occurs constituting a  
23 separate civil offense.

24 (n) *Violations Subject to All Legal Remedies.* The violation  
25 of any provision of this section may be prosecuted pursuant to the  
26 civil procedures and penalties of Chapter 609, *Ordinance Code* or  
27 through the issuance of notices to appear, at the discretion of the  
28 City or the Sheriff. Additionally, the City shall be authorized to  
29 take any appropriate legal action, including, but not limited to,  
30 seeking cease and desist orders, and requesting temporary or  
31 permanent injunctive relief. It is the intent and purpose of this

1 section to provide additional and cumulative remedies.

2 **Section 7. Deleting Sections 150.423 (Performer dancer**  
3 **requirements) and 151.413 (Performer dancer requirements).** Sections  
4 150.423 (Performer dancer requirements) and 151.413 (Performer  
5 dancer requirements) are hereby deleted in their entirety. A  
6 copy of the deleted language is placed **Revised On File** with the  
7 Office of Legislative Services.

8 **Section 8. Amending Chapter 250 (Miscellaneous Business**  
9 **Regulations), Part 1 (In General), Ordinance Code, to create a new**  
10 **section 250.125 (Public Lodging Establishment Human Trafficking**  
11 **Public and Employee Awareness).** Chapter 250 (Miscellaneous  
12 Business Regulations), Part 1 (In General), *Ordinance Code*, is  
13 hereby amended to create a new section 250.125 (Public Lodging  
14 Establishment Human Trafficking Public and Employee Awareness) to  
15 read as follows:

16 **CHAPTER 250. MISCELLANEOUS BUSINESS REGULATIONS**

17 **PART 1. IN GENERAL**

18 \* \* \*

19 **Sec. 250.125. Public Lodging, Gas Station and Convenience**  
20 **Store Establishment Human Trafficking Public and Employee**  
21 **Awareness.**

22 (a) Pursuant to section 509.096, Florida Statutes, Public  
23 Lodging Establishments regulated by Part I of chapter 509, Florida  
24 Statutes must display public awareness signs in a conspicuous  
25 location that is clearly visible to the public and employees of the  
26 establishment and must provide human trafficking training to all  
27 housekeepers and front desk or reception employees. In addition to  
28 the requirements of section 509.096, Public Lodging Establishments,  
29 and all gas stations and convenience stores, shall also display  
30 public awareness signs on the inside of the main access door of all  
31 Guest rooms and public restrooms. The term "Guest" shall have the

1 meaning defined by section 509.013, Florida Statutes, as it may be  
2 amended from time to time. Any Guest room or public restroom not  
3 displaying the public awareness sign shall constitute a separate  
4 violation.

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

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

20 (b) Within six (6) months of the effective date of this  
21 ordinance, all Public Lodging Establishments, gas stations and  
22 convenience stores shall provide training to all employees on  
23 spotting, reporting and preventing human trafficking. Acceptable  
24 training literature and programs include those developed and  
25 presented by the American Hotel & Lodging Association, the Polaris  
26 Project, ECPAT-USA, Business Ending Slavery & Trafficking and the  
27 U.S. Department of Homeland Security. Other programs not listed  
28 may be approved by the Director of the Neighborhoods Department.  
29 The manager or owner (or designated representative) must certify to  
30 the Director of the Neighborhoods Department on a quarterly basis  
31 the names of all employees who have received the required training

1 and identify the name of the program used for the training.

2 (c) This subsection shall be enforced by the Director of the  
3 Neighborhoods Department, or his or her designee. Violators shall  
4 be provided a warning and reasonable opportunity to correct a  
5 violation before enforcement is sought. Violations of this subpart  
6 shall be considered a Class C offense, with each day and each  
7 separate violation of the requirements of this subpart constituting  
8 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 (e) Because it has been demonstrated that approximately 81%  
18 of sex trafficking occurs in public lodging establishments, if any  
19 requirement contained in this section is determined to be preempted  
20 to the state, then rather than mandatory compliance with section  
21 250.125, the City would strongly encourage those public lodging  
22 establishments to voluntarily comply with these requirements.

23 **Section 9. Authorizing Fee Increase.** In order to more  
24 accurately reflect the actual costs of administering the respective  
25 licensing programs, the Sheriff is hereby authorized to increase  
26 the license fee specified in sections 150.215 and 151.212, *Ordinance*  
27 *Code*, up to and including a maximum amount of \$2500.00 per  
28 application per year. The Sheriff shall post the updated fee  
29 amount on its website: [www.jaxsheriff.org/fees](http://www.jaxsheriff.org/fees).

30 **Section 10. Creating a new Chapter 96 (Sex Trafficking**  
31 **Survivors Leadership Council), Ordinance Code.** Chapter 96 (Sex

1 Trafficking Survivors Leadership Council), *Ordinance Code*, is  
2 hereby created to read as follows:

3 **CHAPTER 96. SEX TRAFFICKING SURVIVORS LEADERSHIP COUNCIL.**

4 **Sec. 96.101. Intent.**

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

13 **Sec. 96.102. Establishment.**

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

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

20 The Survivors Council shall be composed of seven members  
21 selected by the Mayor and approved by the City Council. Each  
22 member shall be a sex trafficking survivor, who shall reside in  
23 Duval County or shall have significant business or financial  
24 interests in Duval County. In selecting potential Survivors Council  
25 members, the Mayor shall consult with recognized sex trafficking  
26 survivor organizations in Duval County. One City Council member  
27 shall be appointed by the City Council President and one employee  
28 of the Jacksonville Sheriff's Office shall be appointed by the  
29 Sheriff to serve as liaisons to the Survivors Council.

30 The Survivors Council members shall serve for a term of two  
31 years or until a successor has been appointed/confirmed by the City



1 Council; provided that, of the initial appointments, three of the  
2 Survivors Council members shall serve for a three-year term and the  
3 remaining four members shall serve for a two-year term. Members of  
4 the Survivors Council may be appointed for consecutive terms  
5 consistent with general laws regulating service on City boards and  
6 commissions. Any member appointed to the Survivors Council for two  
7 consecutive full terms shall not be eligible for the next  
8 succeeding term.

9 **Sec. 96.104. Organization.**

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

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

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

27 (d) The Survivors Council may establish such committees from  
28 among its membership as it deems necessary to perform its  
29 functions. The Survivors Council may also, from time to time,  
30 authorize the establishment of task forces, study groups, and  
31 similar bodies to carry out specialized and detailed projects

1 within the scope of its purposes. Any such body may include persons  
2 who are not members of the Survivors Council, but the Chair thereof  
3 shall be a Survivors Council member. The committee shall report on  
4 its progress to the Survivors Council at such times as the  
5 Survivors Council shall require. No report, study, or  
6 recommendation, favorable or adverse, may be made by any such  
7 committee unless the matter is approved by the Survivors Council.

8 **Sec. 96.105. Purpose and Duties.**

9 The Survivors Council is established to accomplish the general  
10 purposes and duties as follows:

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

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

21 (c) To review and make recommendations, if necessary, to the City  
22 Council concerning potential policies and programs to further  
23 the City's goal of eliminating the sex trafficking trade in  
24 the City.

25 (d) To provide the City Council with an annual report, due on  
26 September 30<sup>th</sup> of each year, regarding the state of sex  
27 trafficking in the City, including, but not limited to, the  
28 status and effectiveness of sex trafficking prevention  
29 efforts, public awareness campaigns and any challenges  
30 identified to the elimination of sex trafficking in the City.

31 **Section 11. City and Sheriff employee training.** The Mayor

1 and the Sheriff shall develop a training program for all City  
2 inspectors, Fire and Rescue personnel and Sheriff's office  
3 employees, and any other personnel who regularly conduct property  
4 inspections or visits regarding human trafficking awareness and  
5 reporting.

6 **Section 12. Effective Date.** This ordinance shall become  
7 effective upon signature by the Mayor or upon becoming effective  
8 without the Mayor's signature.

9

10 Form Approved:

11

12 /s/ Jason R. Teal

13 Office of General Counsel

14 Legislation prepared by: Jason R. Teal

15 GC-#1343820-v1-2020-74\_-\_FINAL.docx