

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 2019-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, PERTAINING TO POSTINGS OF HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL REQUIREMENTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR MODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, human trafficking is a form of modern-day slavery, which involves the exploitation of persons for commercial sex or forced labor and often subjects victims to force, fraud and coercion; and

WHEREAS, while many victims of human trafficking are forced to work in prostitution or the sexual entertainment industry, trafficking also occurs in forms of labor exploitation, such as domestic servitude and restaurants, janitorial, sweatshop factory and agricultural work; and

WHEREAS, traffickers use various techniques to instill fear in victims to keep them enslaved such as isolation, threats of imprisonment and deportation, confiscation of passports, visas or other identification documents and threats of violence toward victims or their families; and

WHEREAS, Florida law authorizes counties to enforce posting of human trafficking public awareness signs in certain establishments; and,

WHEREAS, it is the intent of this Ordinance to promote, protect, and improve the health, safety, and welfare of the residents of Alachua County by creating Chapter 84 of the Alachua

County Code to regulate the posting of human trafficking public awareness signs in certain establishments.

NOW, THEREFORE, BE IT DULY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. The Board of County Commissioners finds and declares that all statements in the preamble of the ordinance are true and correct.

SECTION 2. Title 7 of the Alachua County Code, entitled "Health and Safety," is hereby amended, creating Chapter 84, as follows:

Chapter 84 – Human Trafficking Public Awareness Signs

Sec. 84.01 - Purpose

This chapter provides a regulatory framework for placement of human trafficking public awareness signs in certain areas through Alachua County.

Sec. 84.02 – Definitions

For the purposes of this Chapter, the following definition shall apply:

Adult Entertainment Establishment means adult bookstores and theaters, special cabarets and unlicensed massage establishments regulated pursuant to Chapter 847, Florida Statutes and defined in Section 847.001, Florida Statutes, as may be amended and strip clubs.

Bodywork Services means services involving therapeutic touching or manipulation of the body using specialized techniques.

Business or establishment means any place of business or any club, organization, person, firm, corporation or partnership, wherein massage or bodywork services are provided and such establishment is not owned by a health care profession regulated pursuant to Chapter 456, Florida Statutes, and defined in Section 456.001, Florida Statutes, as may be amended.

Human trafficking means transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining another person for the purpose of exploitation of that person regulated pursuant to Chapter 787, Florida Statutes, and defined in Section 787.06, Florida Statutes, as may be amended.

Massage services means the manipulation of the soft tissues of the human body with the hand, foot, arm, or elbow, whether or not such manipulation is aided by hydrotherapy, including colonic irrigation, or thermal therapy; any electrical or mechanical device; or the application to the human body of a chemical or herbal preparation.

1 **Sec. 84.03 – General Requirements**

2 (a) The employer at each of the following establishments shall display public awareness
3 signs in a conspicuous location that is clearly visible to the public and employees of the
4 establishment:

5
6 (1) A strip club or other adult entertainment establishment.

7
8 (2) A business or establishment that offers massage or bodywork services for
9 compensation that is not owned by a health care profession regulated pursuant to
10 Chapter 456, Florida Statutes, and defined by Section 456.001, Florida Statutes.

11
12 (b) The required public awareness sign must be at least 8.5 inches by 11 inches in size, must
13 be printed in at least a 16-point type, and must state substantially the following in English and
14 Spanish:

15
16 “If you or someone you know is being forced to engage in an activity and cannot
17 leave—whether it is prostitution, housework, farm work, factory work, retail
18 work, restaurant work, or any other activity—call the National Human Trafficking
19 Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access
20 help and services. Victims of slavery and human trafficking are protected under
21 United States and Florida law.” Posted Pursuant to Section 787.29, Florida
22 Statutes and Alachua County Code Chapter 84.

23
24 **Sec. 84.04 – Enforcement**

25 It is unlawful to violate any provision of this Chapter and any violation hereof shall be deemed a
26 noncriminal violation, punishable by a fine only as provided in Section 775.083, Florida Statutes.

27
28
29 SECTION 4. Repealing Clause. All ordinances or portions thereof in conflict herewith
30 are, to the extent of such conflict, hereby repealed.

31 SECTION 5. Modification. It is the intent of the Board of County Commissioners that
32 the provisions of this ordinance may be modified as a result of considerations that may arise
33 during public hearings. Such modifications shall be incorporated into the final version of the
34 ordinance adopted by the Board and filed by the Clerk to the Board.

35 SECTION 6. Severability. If any word, phrase, clause, paragraph, section or provision of
36 this ordinance or the application hereof to any person or circumstance is held invalid or
37 unconstitutional, such finding shall not affect the other provisions or applications of the

1 ordinance which can be given effect without the invalid or unconstitutional provisions or
2 application, and to this end the provisions of this ordinance are declared severable.

3 SECTION 7. Inclusion in the Code, Scrivener's Error. It is the intention of the Board of
4 County Commissioners of Alachua County, Florida, and it is hereby provided that the provisions
5 of this ordinance shall become and be made a part of the Code of Ordinances of Alachua County,
6 Florida; that the section of this ordinance may be renumbered or re-lettered to accomplish such
7 intent and that the word "ordinance" may be changed to "section", "article", or other appropriate
8 designation. The correction of typographical errors that do not affect the intent of the ordinance
9 may be authorized by the County Manager or designee, without public hearing, by filing a
10 corrected or re-codified copy of the same with the Clerk of the Circuit Court.

11 SECTION 8. Effective Date. A certified copy of this ordinance shall be filed with the
12 Department of State by the Clerk of the Board within ten (10) days after enactment by the
13 Board and shall take effect upon filing with the Department of State.

14
15 **DULY ADOPTED** in regular session, this ____ day of _____, 2019.

16
17 **BOARD OF COUNTY COMMISSIONERS OF**
18 **ALACHUA COUNTY, FLORIDA**

19
20 ATTEST:

21
22
23 _____
24 Jesse K. Irby, II
25 Clerk of Court

26 BY: _____
27 Charles Chestnut, IV, Chair
28 Board of County Commissioners

29 APPROVED AS TO FORM

30 _____
31 County Attorney

(SEAL)