

ORDINANCE NO. 19-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PERTAINING TO POSTING OF HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL REQUIREMENTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CAPTIONS; 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 restaurant, 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 passport, 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, the Board of County Commissioners finds that it will serve the public health, safety and welfare of the citizens of Marion County to inform the public as to the existence of human trafficking and the reporting thereof.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Marion County, Florida:

Section 1. Definitions

The following words, phrases, or terms when used in this Ordinance shall, unless the content otherwise indicates, have the meanings provided below.

A. **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.

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

C. **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.

D. **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.

E. **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.

F. **Marion County Sheriff's Office (MCSO)** means the designated authority charged with administration and enforcement of the Marion County Human Trafficking Ordinance.

Section 2. General Requirements

A. The employer at each of the following establishments shall display public awareness signs in a conspicuous location that is clearly visible to the public and employees of the establishment:

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

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

B. The required public awareness sign must be at least 8.5 inches by 11 inches in size, must be printed in at least 16-point type, and must state substantially the following in English and Spanish:

“If you or someone you know is being forced to engage in an activity and cannot leave – whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity – call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.” Posted Pursuant to Section 787.29, Florida Statutes and Marion County Code Section (Insert Section # _____).

Section 3. Enforcement

It is unlawful to violate any provisions of this Ordinance and any violation hereof shall be deemed a noncriminal violation, punishable by a fine only as provided in Section 775.083, Florida Statutes. The Marion County Sheriff’s Office (MCSO) and/or Code Enforcement is empowered to investigate any situation where an establishment/person is alleged to be violating this Ordinance. The Marion County Sheriff’s Office is authorized to enforce this Ordinance.

Section 4. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a Court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 5. Repeal of Ordinances in Conflict

All ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 6. Inclusion in the Code of Laws and Ordinances

The provisions of this Ordinance shall become and be made part of the Marion County Code. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

Section 7. Captions

The captions, section headings, and section designations used in this Ordinance are for convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.

Section 8. Applicability

All provisions of this Ordinance shall apply to the unincorporated areas of Marion County, Florida and to all municipalities within Marion County that elect to have the provisions of this Ordinance apply within their respective jurisdictions.

Section 9. Effective Date

A certified copy of this Ordinance as enacted shall be filed by the Clerk of the Board with the office of the Secretary of State of the State of Florida within ten (10) days after enactment, and this ordinance shall take effect in accordance with Section 125.66(2), Florida Statutes.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

MICHELLE STONE, CHAIRMAN

ATTEST:

DAVID R. ELLSPERMANN, CLERK

Filed with the Department of State on the _____ day of _____, 2019.