

AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY CODE OF ORDINANCES CHAPTER 210, BUSINESSES, TO CREATE ARTICLE IV, PERTAINING TO POSTING OF HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL REQUIREMENTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE OF ORDINANCES; AND 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 or 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 passports, visas or other identification documents and threats of violence toward victims or their families; and

**WHEREAS**, Florida law, pursuant to Section 787.29, Fla. Stat., authorizes counties to enforce posting of human trafficking public awareness signs in certain establishments; and,

**WHEREAS**, the Board of County Commissioners enacts this ordinance pursuant to Chapter 125, Fla. Stat., and under the home rule powers of the County and finds that it will serve the public health, safety and welfare of the citizens of Pasco County.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, as follows:**

**SECTION 1. RECITALS.**

The WHEREAS Clauses above are a true and accurate and are incorporated by reference and made part of this Ordinance.

**SECTION 2. Chapter 210, Businesses, Article IV Posting of Human Trafficking Public Awareness Signs, Pasco County Code of Ordinances, is hereby created as follows:**

Section 210-35. 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 consistent with Section 787.29, Florida Statutes, as may be amended.

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 as provided for and consistent with the terms as defined in Section 787.29, Florida Statutes, as may be amended.

#### Section 210-36. 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 a 16-point type, and must state substantially the following in English, Mandarin 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 1-888-3737-888 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 Statute, and Pasco County Code Section 210-36.

#### Section 210-37. Additional Signage Required.

A. The employers identified in Section 210-36 shall also display additional signage. Said signage shall only be posted within every female bathroom stall and within every female dressing room within each of their establishments identified in Section 210-36.

B. The additional sign must be at least 8.5 inches by 11 inches in size, must be printed in at least a 16-point type, and must state the following in English, Mandarin, and Spanish:

"Have you ever been hit or made to perform sexual acts at work (or by someone connected to your work) that you don't want to? Has anyone ever used drugs or the threat of holding drugs so you are dope sick to control you or to make you perform sex acts? Do you have a Manager, Driver or someone else who controls your money or schedule? Have you ever been in fear for your life or has someone ever threaten another person or pet that you care about? Help is available 24/7 if you call 1-888-3737-888 or text BeFree to 233-733. You are not a criminal and you will be protected under United States and Florida law." Posted Pursuant to Section 787.29, Florida Statutes, and Pasco County Code Section 210-37.

#### Section 210-38. Enforcement

The Pasco County Sheriff's Office and/or the Pasco County Code of Enforcement Department is empowered to investigate any situation where an establishment/person is alleged to be violating this Ordinance. The Pasco County Sheriff's Office and/or the Pasco County Code Enforcement Department are authorized to enforce this Ordinance through the issuance of a noncriminal civil

citation as provided in Sections 787.29 and 775.083, Florida Statutes.

Each municipal law enforcement agency and/or municipal code enforcement department within Pasco County is empowered to investigate any situation where as establishment/person within the municipality's jurisdiction is alleged to be violation this Ordinance. Each municipal law enforcement agency and/ or municipal code enforcement department within Pasco County is authorized to enforce this Ordinance through the issuance of a noncriminal civil citation as provided in Sections 787.29 and 775.083, Florida Statutes.

**Section 3. 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 4. Inclusion into the Code of Ordinances**

The provisions of this Ordinance shall become and be made a part of the Pasco County Code of Ordinances. The word "ordinance" may be changed to "section," "article," or other appropriate word.

**Section 5. Applicability**

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

**Section 6. Effective Date**

This Ordinance shall be transmitted to the Department of State by the Clerk to the Board by electronic mail within ten (10) days of the adoption of this Ordinance. The provisions of this Ordinance shall become effective on December 1, 2016.

ADOPTED with a quorum present and voting this 25<sup>th</sup> day of October, 2016.



BY: Paula S. O'Neil  
Paula S. O'Neil, Ph.D.  
Clerk & Comptroller

APPROVED  
IN SESSION

OCT 25 2016

PASCO COUNTY  
BCC

BOARD OF COUNTY COMMISSIONERS  
OF PASCO COUNTY, FLORIDA

BY: Kathryn Starkey  
Kathryn Starkey, Chairman