

ORDINANCE NO. 19-__

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; 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 imprisonments and deportation, confiscation of passports, visas or other identification documents and threats of violence towards their families; and,

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

WHEREAS, the Administrative Official reviewed the proposed amendment to the Land Development Code and recommends approval, as set forth in the Staff Analysis and Recommendation dated February 20, 2019 and incorporated into this Ordinance by reference; and

WHEREAS, the Town Council appointed the Planning and Zoning Board as the Local Planning Agency (LPA) for the Town pursuant to Section 163.3174, Florida Statutes; and

WHEREAS, on February ____, 2019, after conducting a properly noticed public hearing, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, acted in accordance with state law, and in specific compliance with Section 163.3174, Florida Statutes and reviewed and recommended approval to the Miami Lakes Town Council; and

WHEREAS, on ____, 2019, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the Administrative Official, the Town

Council moved the proposed amendment on first reading for second reading and consideration of adoption; and

WHEREAS, The Town Council finds that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found in Subsection 13-306(b) of the Town Code; and

WHEREAS, on _____, 2019, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the Administrative Official, the Town Council finds it in the public interest to adopt the proposed ordinance.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, HEREBY ORDAINS AS FOLLOWS.

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Findings. After considering Staff's report, both submitted in writing and presented orally and the public, the Town Council finds, pursuant to Subsection 13-306(b) of the Town Code, that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found at Subsection 13-306(b) of the Town Code as provided for in the Staff Recommendation and Analysis Report.

Section 3. Approval. The Town Council hereby adopts the amendment as provided at Exhibit "A"

Section 4. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses,

and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall be included in the Town Code.

Section 7. Effective date. This Ordinance shall become effective immediately upon adoption.

[THIS SPACE INTENTIONALLY LEFT BLANK]

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____
Vice Mayor Nelson Rodriguez _____
Councilmember Carlos O. Alvarez _____
Councilmember Luis Collazo _____
Councilmember Joshua Dieguez _____
Councilmember Jeffrey Rodriguez _____
Councilmember Marilyn Ruano _____

Passed on first reading this _____ day of March, 2019.

[THIS SPACE INTENTIONALLY LEFT BLANK]

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____
Vice Mayor Nelson Rodriguez _____
Councilmember Carlos O. Alvarez _____
Councilmember Luis Collazo _____
Councilmember Joshua Dieguez _____
Councilmember Jeffrey Rodriguez _____
Councilmember Marilyn Ruano _____

Passed and adopted on second reading this _____ day of _____, 2019.

Manny Cid
MAYOR

Attest:

Gina Inganzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

CHAPTER 13 LAND DEVELOPMENT CODE

* * *

ARTICLE IV. – ZONING DISTRICT REGULATIONS

* * *

DIVISION 21. - ADDITIONAL BUSINESS, COMMERCIAL, INDUSTRIAL AND OTHER USE REGULATIONS

* * *

Sec. 13-799.8. - Human trafficking public awareness signs.

- 1) Employers at each of the following establishments shall display a human trafficking public awareness sign in a conspicuous location (the conspicuous location should be where other labor and employment signs are displayed), which is clearly visible to the employees of these businesses or establishments:
 - a) Restaurants, alcoholic beverage establishments, night clubs and any other entertainment or food service establishments; and
 - b) Public lodging establishments, classified as a hotel, motel, non-transient apartment, transient apartment, bed and breakfast inn, timeshare project, or vacation rentals; and
 - c) Any business or establishment operating as a specialty salon performing nail, beaut services; and
 - d) A business or establishment that offers massage or bodywork services for compensation that is not owned by a health care practitioner regulated pursuant to Florida Statute Chapter 456 and defined in Florida Statute § 456.001;
 - e) Urgent care centers, facilities or clinics that provide urgent care medicine or services, and may be commonly referenced as urgent care, convenient care, walk-in care or immediate care centers, whether operated by brand name corporations or non-brand name corporations, or other business entities.
- 2) The required human trafficking public awareness sign must be printed in a size consistent with, and must substantially state in English and Spanish the following as set forth in Florida Statutes § 787.29(4)

“If you or someone you know is being forced to engage in an activity an cannot leave – whether it is prostitution, housework, farm work, factory work, retain 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.”
- 3) Design specifics regarding color, graphics, and additional verbiage may be adopted via Resolution.
- 4) The code compliance department, in conjunction with the police department, shall enforce the provisions of this section and upon conviction of such offense, be punished by a fine not to exceed

Additions to the text are shown in underlined; deletions from the text are shown in ~~strikethrough~~.

Omitted portions of this ordinance are shown as “* * *”.

\$500.00 provided in F.S. § 775.083. A continued violation for each day shall be considered a separate offense.

- 5) The violation issued for this offense, will be consistent with those violation notices issued by the city pursuant to section 21-31.5 of the Code of Miami-Dade County.
- 6) Citations may be appealed Town's Special Master.



Department of Planning, Zoning and Code Compliance
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: Honorable Chair and Members of the Local Planning Agency
From: Susana Alonso, AICP, Principal Planner
Subject: Human Trafficking Public Awareness Signs
Date: February 20, 2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Manny Cid)

A. BACKGROUND

On September 1, 2015, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address prevention of human trafficking.

On January 27, 2018, the Town held a lecture event in which a variety of speakers presented information related to different areas of human trafficking, geared toward raising community awareness on the subject.

The proposed amendment to the Land Development Code provides for signage in certain commercial establishments in order to inform possible victims of human trafficking of help that is available to them through non-governmental organizations that specialize in the rescue, and rehabilitation of victims.

B. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance adding *Sec. 13-799.8. - Human trafficking public awareness signs* to the Land Development Code, providing for the requirement that specific businesses uses within the town boundaries post the required sign in full view of employees.

C. ANALYSIS

The Land Development Code provides that all proposed amendments to the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this ordinance.

Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

Analysis: See Section “A,” Background, of this report. The proposed ordinance complies with the following policies of the Comprehensive Development Master Plan. Explanations follow each Policy.

Policy 1.2.4: Develop a code enforcement system in the new Code that is proactive in ensuring that the high standards, which are the hallmark of Miami Lakes, are maintained, and the personnel are very responsive to resident and business owner inquiries. In addition, ensure that the system allows for the mitigation and/or correction of adverse nuisance impacts, such as noise, odor and/or dust, on residential neighborhoods caused by any existing commercial and industrial operations.

The proposed ordinance provides for fines and penalties for any business that does not display the required signage and ensures that the Zoning and Code enforcement Department can inspect and cite business accordingly.

Policy 1.2.10: The Town shall use the Land Development Code and code enforcement procedures to actively pursue and encourage methods to avoid the occurrence of blight. If areas do become blighted, the Town will undertake steps to renew or redevelop the blighted areas.

The proposed ordinance provides for enforcement pursuant to Chapter 8, of the Code of ordinances.

Finding: Complies

2. Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.

Analysis: See Section “A”, Background, of this report. The proposed is complementary to the recent approval of Section 13-311 as presented in Section A above.

Finding: Complies.

3. Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.

Analysis: See Section “A”, Background, and Criterion 2 of this report.

Finding: Complies.

4. **Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.**

Analysis: The amendment does not change the permitted uses within the zoning districts.

Finding: Complies.

5. **Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply, recreation, education, emergency services, and similar necessary facilities and services.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

6. **Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

7. **Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. The proposed amendment serves a compelling governmental interest to reduce the incidence of human trafficking and provide useful and timely information to any potential victims.

Finding: Complies.

8. **Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

Analysis: The proposed amendment does not change the permitted use of land.

Finding: Complies.

9. **Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. No portion of the proposed amendment is in conflict with the existing regulations of the LDC.

Finding: Complies.

10. Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.

Analysis: See Summary Section and all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether the proposed amendment is appropriate and consistent with the public interest.

Finding: As determined by the Town Council.



Town of Miami Lakes

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that the Planning and Zoning Board, of the Town of Miami Lakes, Florida, acting in its capacity as the Town's Local Planning Agency, is to consider and provide a recommendation to, the Town Council of the Town of Miami Lakes, at a public hearing on **Wednesday, February 20, 2019 at 6:30 PM, or as soon thereafter as the same may be heard, at the Town Hall Chambers, 6601 Main Street, Miami Lakes, Florida 33014**, the following ordinance to the Town's Code.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

All persons interested may appear in person, by attorney or agent, by letter or by email at pz@miamilakes-fl.gov and express objection or approval. All documentation pertaining to this item(s) is on file in the Office of the Town Clerk located at 6601 Main Street, Miami Lakes, FL 33014.

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Town of Miami Lakes Planning and Zoning Board with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should call Town Hall at (305) 364-6100 no later than two (2) days before the proceedings for assistance.

Gina Inguanzo
Town Clerk

be free

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.

ANONYMOUS AND CONFIDENTIAL

获取自由

如果你或者你认识的人正被迫参与某活动，无法离开：无论是卖淫，做家务，农业劳动，工厂作业，零售工作，餐厅工作或者任何其他活动 - 请致电 **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER**（国家打击人口贩运资源中心），联系电话：**1-888-373-7888**，或者编辑短信**INFO**（信息）或**HELP**（帮助）发送到**233-733**来寻求帮助和服务。奴役和人口贩卖的受害者都受到美国和佛罗里达州的法律保护。

匿名且保密

자유로워지십시오

만약 당신과 지인이 다음 활동에 강제로 투입되어 떠날 자유가 없다면: 매춘, 집안일, 농장일, 공장일, 소매일, 식당일 등 어떤 일이든지 **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** (국립인신매매정보센터)인 **1-888-373-7888** 로 전화 또는 **233-733** 으로 **INFO**(정보) 또는 **HELP**(도움)를 문자메세지로 보내어 도움과 서비스를 받으세요. 노예와 인신매매의 피해자는 미국과 플로리다주 법에 따라 보호 받을 수 있습니다.

익명과 기밀이 보장됩니다.

เป็นอิสระ

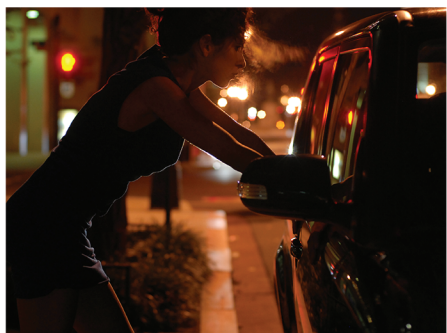
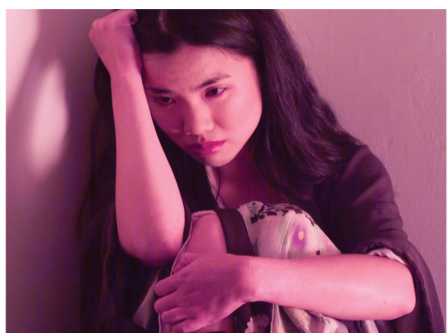
หากคุณหรือใครสักคนที่คุณรู้จักกำลังอยู่ใต้กิจกรรมที่ถูกบังคับ ไม่เต็มใจ และไม่สามารถหลีกเลี่ยงได้ ไม่ว่าจะเป็นการค้าประเวณี แรงงานงานบ้าน แรงงานเกษตร แรงงานในโรงงาน แรงงานร้านค้า แรงงานในร้านอาหาร หรือกิจกรรมอื่นใด - โปรดโทรแจ้ง **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** ที่ **1-888-373-7888** หรือส่งข้อความ **INFO** หรือ **HELP** ไปที่ **233-733** เพื่อเข้าถึงการให้บริการความช่วยเหลือ ผู้ที่เป็นเหยื่อจากการเป็นทาสและการค้ามนุษย์จะได้รับการคุ้มครองภายใต้กฎหมายสหรัฐอเมริกาและกฎหมายรัฐฟลอริดา

โดยนิรนามและเป็นความลับไม่เปิดเผย

1-888-373-7888 text BEFREE (233-733)



Posted pursuant to Palm Beach County Ordinance 2015-029 and s. 787.29 F.S.



NATIONAL HUMAN TRAFFICKING HOTLINE

Human trafficking is modern-day slavery,
and it's happening right here in the United States.

You can help.

1-888-373-7888

CONFIDENTIAL | TOLL-FREE | 24/7

www.HumanTraffickingHotline.org

Interpreters available

CALL THE HOTLINE TO:

- ① Get help.
- ② Report a tip.
- ③ Find services.
- ④ Learn about your options.

Victims are forced to provide labor or commercial sex in many situations, including the following venues/industries:

SEX TRAFFICKING

Hotel-Based Commercial Sex
Fake Massage Businesses
Street-Based Commercial Sex
Residential Brothels
Truck Stops
Escort Services

LABOR TRAFFICKING

Domestic Work
Agriculture
Travelling Sales Crew
Health & Beauty Services
Restaurants
Construction

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be free

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ANONYMOUS AND CONFIDENTIAL



sé libre

Si a usted, o alguien que conoce, lo están forzando a hacer algo y no lo dejan ir: Ya sea prostitución, trabajo doméstico, agrícola, de fábrica, en una tienda, restaurante o cualquier otra actividad — Llame al **CENTRO NACIONAL DE RECURSOS CONTRA LA TRATA DE PERSONAS** al **1-888-373-7888** o **envíe un mensaje de texto** al **233-733** con la palabra **INFO** o **HELP** para tener acceso a asistencia y servicios. Las víctimas de esclavitud y tráfico de personas están protegidas por las leyes de los Estados Unidos y Florida.

ANÓNIMO Y CONFIDENTIAL



qwe lib

Si oumenm oswa yon moun ou konnen gen moun kap fòse l pou lfè yon bagay epi li pa kapap sòti ladann bagay sa a: Ke se pwositisyon, travay nan kay, travay nan jaden, travay nan faktori, travay nan kote kap vann an detay, travay restoran, oswa ankenn lòt bagay — Rele the **SANT RESOUS NASYONAL POU EDE MOUN KE YAP FÒSE FÈ TRAVAY LI PA VLE FÈ** nan **1-888-373-7888** oswa **tèks INFO** oswa **HELP** nan **233-733** pou jwen èd ak lòt bagay ou bezwen. Gen pwoteksyon sou lwa etazini ak nan Florid pou moun ki viktim esklavag ak moun yap fòse fè travay yo pa vle fè.

ANONIM AK KONFIDANSYÈL

1-888-373-7888 text BEFREE (233-733)

