

ORDINANCE 2025-07

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CREATING SECTION 110-841 OF SUBDIVISION I (IN GENERAL) OF DIVISION 13 (ADULT ENTERTAINMENT USES) OF ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS) OF CHAPTER 110 (ZONING) OF THE CODE OF ORDINANCES TO PROHIBIT PERSONS UNDER THE AGE OF 18 YEARS TO ENTER, REMAIN IN OR PURCHASE GOODS OR SERVICES AT AN ADULT ENTERTAINMENT ESTABLISHMENT; TO PROHIBIT PERSONS UNDER THE AGE OF 21 YEARS TO BE AN EMPLOYEE OF AN ADULT ENTERTAINMENT ESTABLISHMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Madeira Beach previously adopted adult use provisions in its Code of Ordinances to establish reasonable and uniform regulations that will protect the health, safety and general welfare of the people of the City of Madeira Beach; and

WHEREAS, several courts have found that there is a demonstrated link between regulations which raise the minimum age for workers in adult use establishments and curbing the secondary effects of human trafficking; and

WHEREAS, the Florida Legislature recently created Florida Statute 787.30 which sets a minimum age for employment at adult use establishments at 21 years of age effective January 1, 2025; and

WHEREAS, in order to comply with State Law and in an effort to reduce human trafficking locally, the City Attorney has reviewed the current provisions of Division 13 (Adult Entertainment Uses) of the Code of Ordinances for the City of Madeira Beach and recommends creating a new Section to include a provision for the minimum age for those working in adult entertainment establishments and further to prohibit persons under 18 years of age from entering, remaining at or purchasing goods or services from such establishments; and

WHEREAS, the recommended amendment to the Land Development Code was presented to and reviewed by the Planning Commission at a public hearing; and

WHEREAS, the Planning Commission has recommended approval of the proposed amendment; and

WHEREAS, the recommendations of the Planning Commission and the City Attorney have been found meritorious by the Board of Commissioners; and

WHEREAS, the Board of Commissioners has received input from the public at two public hearings.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Section 110-841 (Minors Prohibited) of Subdivision I (In General) of Division 13 (Adult Entertainment Uses) of Article VI (Supplementary District Regulations) of Chapter 110 (Zoning) of the Code of Ordinances of the City of Madeira Beach is hereby created and shall read as follows:

Sec. 110-841 – Minors Prohibited.

It shall be a violation of this division for an operator of an adult entertainment establishment, regardless of whether it is licensed under this division, to knowingly, or with reason to know, permit, suffer or allow:

- (1) Admittance to the adult entertainment establishment of a person under 18 years of age;
- (2) A person under 18 years of age to remain at the adult entertainment establishment;
- (3) A person under 18 years of age to purchase goods or services at the adult entertainment establishment; or

(4) A person to work at the adult entertainment establishment as an employee who is under 21 years of age.

Section 2. That this Ordinance shall become effective immediately upon its passage and adoption.

Section 3. For purposes of codification of any existing section of the Madeira Beach Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 4. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 5. In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

Section 6. The Codifier shall codify the substantive amendments to the Code of Ordinances of the City of Madeira Beach contained in Section 1 of this Ordinance as provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 7. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2025.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____