

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-_____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING ARTICLE VII, UNDER CHAPTER 14 OF THE CITY OF CORAL GABLES CODE TO ADD ADDITIONAL REQUIREMENTS TO HOTELS/MOTELS, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, ENFORCEABILITY AND AN EFFECTIVE DATE.

WHEREAS, based on it being well established that hotels/motels that allow for the hourly rental of rooms, are frequented by individuals engaged in prostitution and/or human trafficking, as well as other illegal activity; and

WHEREAS, human trafficking has become an epidemic of significant consequences to our community such that the Miami-Dade State Attorney's Office established a Human Trafficking Unit in 2012 to more effectively combat the issue; and

WHEREAS, victims of human sex trafficking are often exposed to serious health risks, including sexually transmitted diseases, drug and alcohol addiction, broken bones and burns, memory loss, miscarriages or forced abortions, as well as PTSD, anxiety, fear and psychological trauma; and

WHEREAS, individuals engaged in prostitution are exposed to similar physical and psychological effects; and

WHEREAS, acknowledging the importance of this issue, in 2016, the City Commission created Article VII, Rental Periods for Hotels/Motels, of the City Code, to prohibit hourly rentals; and

WHEREAS, also acknowledging the gravity of the issue, in 2022, the Florida Legislature passed Senate Bill 898, now codified in section 509.098, F.S. which prohibits a hotel/motel operator from offering an hourly rate for an accommodation; and

WHEREAS, to further protect potential victims and strengthen the impact of these laws, the City Commission wishes to add section 14-142 and 14-143 to Article VII, to require certain attestations and signage;

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Article VII of the Code of the City of Coral Gables, Florida, under Chapter 14, is hereby amended to read as follows:

Chapter 14 – Businesses

Article VII, Rental periods for Hotels/Motels

* * *

Sec. 14-142 – Attestation Required – Certificate of Use/Business Tax Receipt.

All applications for a certificate of use and/or business tax receipt shall contain the following language and shall be notarized by the individual submitting the application on behalf of the hotel/motel:

“Under penalties of perjury and the City of Coral Gables False Claims and Presentations Ordinance, City Code Chapter 38, I certify that the hotel/motel on behalf of which this application is submitted does not rent accommodations on an hourly basis and does not have an hourly rate for accommodations.”

Nothing in this section should be interpreted to be in violation of sections 163.211, F.S. or 509.032(7)(a), F.S.

Sec. 14-143 – Signage Required.

(a) Hotels/motels shall conspicuously display a sign, at least 8.5” x 11” in size, advising the public of section 509.098 F.S. and providing for the Human Trafficking Hotline number at every front desk station where a patron would check in/out of the establishment. The sign shall contain the following language:

“AN OPERATOR OF A PUBLIC LODGING ESTABLISHMENT MAY NOT OFFER AN HOURLY RATE FOR AN ACCOMODATION.”

“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, reastaurant 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 human trafficking are protected under United States and Florida law.”

“Front desk station” means each place where a computer or similar device is used for the purpose of checking in/out of the establishment. If one counter has more than one computer or similar device, a sign shall be placed at each station.

(b) *Penalty.* Failure to conspicuously display the correct signage, as specified in this section, shall be subject the owner/operator of the hotel/motel to a fine of \$100 per day for each day that the violation exists.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the City Code, which provisions may be renumbered or re-lettered and the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

SECTION 6. If the City Code’s Tables of Contents, Supplemental History Table, or other reference portions are affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2022.

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS

CITY ATTORNEY