

CITY OF MARGATE, FLORIDA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CODE OF THE CITY OF MARGATE, FLORIDA, PROVIDING FOR A SIX MONTH MORATORIUM ON THE APPROVAL OF ANY NEW MASSAGE SPAS, MASSAGE PARLORS, AND SIMILAR MASSAGE SERVICE TYPE BUSINESSES WITHIN THE CITY OF MARGATE; PROVIDING FOR REVIEW OF THE DEFINITION OF "PERSONAL CARE SERVICES"; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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**WHEREAS**, the City Commission has noted the rapid rise in prostitution arrests at Margate massage parlors, including an incident as recent as August 30, 2016; and

**WHEREAS**, the City requires time to analyze, review, consider, modify, process for adoption and implement potential changes to its Code of Ordinances pertaining to the impact of massage spas, massage parlors, and similar massage service type businesses within the City of Margate; and

**WHEREAS**, the City Commission finds that this Ordinance is necessary for the preservation of the public health, safety and welfare of the City's residents.

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

**SECTION 1:** It is deemed to be in the best interest of the health, safety, and welfare of the citizens of the City of Margate that a six month moratorium be imposed on all real property within the City of Margate pertaining to the approval of any new massage spa, massage parlor, or similar massage service

1 type business as described above, including Local  
2 Business Tax Receipts, Certificates of Occupancy, or any  
3 other development approval.

4 **SECTION 2:** All ordinances or parts of ordinances  
5 in conflict herewith are repealed to the extent of such  
6 conflict.

7 **SECTION 3:** If any section, sentence, clause, or  
8 phrase of this ordinance is held to be invalid or  
9 unconstitutional by a court of competent jurisdiction,  
10 then said holding shall in no way affect the validity of  
11 the remaining portions of this ordinance.

12 **SECTION 4:** This ordinance shall become effective  
13 immediately upon adoption at its second reading.

14 PASSED ON FIRST READING THIS 21<sup>st</sup> day of SEPTEMBER, 2016.

15 PASSED ON SECOND READING THIS 2<sup>nd</sup> day of NOVEMBER, 2016.

16 ATTEST:

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21 JOSEPH J. KAVANAGH  
22 CITY CLERK  
23

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21 JOYCE W. BRYAN  
22 HONORARY MAYOR  
23

24 RECORD OF VOTE - 1<sup>ST</sup> READING RECORD OF VOTE - 2<sup>ND</sup> READING

25  
26 Simone YES  
27 Peerman YES  
28 Talerico ABSENT  
29 Bryan YES  
30 Ruzzano YES  
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26 Simone  
27 Peerman  
28 Talerico  
29 Ruzzano  
30 Bryan