

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, PROVIDING FOR A SIX MONTH EXTENSION OF THE SIX MONTH MORATORIUM APPROVED BY ORDINANCE 2016-10 ON NOVEMBER 2, 2016 FOR THE APPROVAL OF ANY NEW MASSAGE SPAS, MASSAGE PARLORS, AND SIMILAR MASSAGE SERVICE TYPE OF 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.

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, on November 2, 2016, the City Commission passed Ordinance 2016-10, a moratorium on any new massage spas, massage parlors, and similar massage service type businesses within the City; and

WHEREAS, the City requires additional 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; 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

1 citizens of the City of Margate that a six month
2 extension on the existing six month moratorium be imposed
3 on all real property within the City of Margate
4 pertaining to the approval of any new massage spa,
5 massage parlor, or similar massage service type business
6 as described above, including Local Business Tax
7 Receipts, Certificates of Occupancy, or any other
8 development approval.

9 **SECTION 2:** All ordinances or parts of ordinances
10 in conflict herewith are repealed to the extent of such
11 conflict.

12 **SECTION 3:** If any section, sentence, clause, or
13 phrase of this Ordinance is held to be invalid or
14 unconstitutional by a court of competent jurisdiction,
15 then said holding shall in no way affect the validity of
16 the remaining portions of this Ordinance.

17 **SECTION 4:** This Ordinance shall become effective
18 immediately upon adoption at its second reading.

19 PASSED ON FIRST READING THIS 3RD day of MAY, 2017.

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21 PASSED ON SECOND READING THIS 17TH day of MAY, 2017.

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23 ATTEST:

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27 JOSEPH J. KAVANAGH
28 CITY CLERK

MAYOR TOMMY RUZZANO

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RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

Caggiano	<u>NO</u>	Caggiano	<u> </u>
Simone	<u>YES</u>	Simone	<u> </u>
Peerman	<u>YES</u>	Peerman	<u> </u>
Schwartz	<u>YES</u>	Schwartz	<u> </u>
Ruzzano	<u>NO</u>	Ruzzano	<u> </u>