Agenda Item #: 46

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: _ Department:	December 16, 2008	_ []	Consent Ordinance	[]	
Submitted By:	Public Safety Depa	ırtment			
Submitted For:	Public Safety Admir	<u>nistration</u>			
	<u>l. E)</u>	KECUTIV	E BRIEF		
ARTICLE V, DI CONCERNING W ENTERTAINMEN PROVIDING FOR ORDINANCES; P Summary: Sect entertainment es Department and en modifies the application of the provided that fees for work presented to incre \$25. The fees set About 1,000 appli	ISSIONERS OF PALM BE IVISION 1, SECTION VORK IDENTIFICATION (T ESTABLISHMENTS; P R SEVERABILITY; PROVII ROVIDING FOR CAPTION tion 17-153 of the Adult tablishments to apply for show proof that they are lication requirements, des cation form to verify that the identification cards be est asse the fees for a new wo in 1999 have not general lications are processed a identification card equipment.	EACH CO 17-153 CARDS PROVIDING DING FO NS; PRO Entertair or work at least signates he applicated brik id fronted enough	OUNTY, FLOF OF THE PA FOR INDIVIDING FOR REF OR INCLUSION VIDING FOR A ment Ordinar identification d	RIDA, ALM INTERIOR IN IN TAN EFFORMER OLD IN IN INTERIOR IN INTERIOR IN INTERIOR INT	ANCE OF THE BOARD OF AMENDING CHAPTER 17, BEACH COUNTY CODE PERFORMING IN ADULT OF LAWS IN CONFLICT; HE CODE OF LAWS AND FECTIVE DATE. quires performers in adult from the Public Safety. The revised ordinance Department responsible in the period of the period of the period of the program. The program which includes all ect costs is approximately
Beach County Conty	ablishments, in July 1999, ode ("Adult Entertainment the County to obtain work an adult entertainment es degree misdemeanor. O all not allow performers w	, the Boa t Code") identifica stablishm Operators vithout va	ard amended (to require po ation cards from ment without a , managers o alid work ident	Chapte erforme n the P work r owne ification	minors performing in adult r 17, Article V of the Palmers in adult entertainment Public Safety Department. identification card shall be ers of adult entertainment in cards. Violators may be and also be subject to civil
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Recommended by	y: Department Head	I Inla a	th		//25/08 Date
Approved By:	Assistant County Adi	Vella ministra	tor	//	/25/08 Date

FISCAL IMPACT ANALYSIS II.

A. Five Year Summary of Fiscal Impact

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B. Recommended Sources of Funds/Summary of Fiscal Impact:

It is estimated the revised fees will generate \$75,000 to recover the program costs, detailed as follows:

	Annual
Adult ID Program	Costs
Salary Costs - Clerk Typist	53,748
Supplies (1,000 id cards @ \$7 each)	7,000
ID Equipment (\$10,000 replaced every 3 years)	3,333
Annual Software License	1,500
Other Indirect Costs(Admin, Fiscal & IT Support)	9,419

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

Α.	OFMB I	Fiscal and/or	Contract Dev.	and Control	Comments.

On 12/16/08, Public Safety is requesting the Board to adopt a resolution

to establish revised fees.

B. Legal Sufficiency:

Assistant County Att

Other Department Review: C.

Department Director

This summary is not to be used as a basis for payment.

ORDINANCE NO. 08-

AN ORDINANCE OF THE BOARD OF COUNTY **COMMISSIONERS OF PALM** BEACH COUNTY, FLORIDA, AMENDING CHAPTER 17, ARTICLE V, DIVISION 1, SECTION 17-153 OF THE PALM BEACH COUNTY CODE CONCERNING IDENTIFICATION CARDS FOR INDIVIDUALS PERFORMING IN ADULT ENTERTAINMENT **ESTABLISHMENTS**; **PROVIDING** REPEAL **OF** LAWS IN CONFLICT: **PROVIDING FOR** SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 17, Article V, Division 1, Section 17-153 of the Palm Beach County Code sets forth provisions relating to the requirement of work identification cards for individuals performing in adult entertainment establishments; and

WHEREAS, the Board of County Commissioners wishes to amend Section 17-153 of the Palm Beach County Code to provide that application fees and duplicate card fees for the work identification cards will be established by Board resolution; and

WHEREAS, the Board of County Commissioners further wishes to amend Section 17-153 of the Palm Beach County Code to provide that the Public Safety Department shall be responsible for creation of the work identification card application form and to remove specific application form requirements from Section 17-153; and

WHEREAS, the Board of County Commissioners hereby exercises its authority to amend this Ordinance pursuant to Chapter 125, Florida Statutes, thereby amending Section 17-153 of the Palm Beach County Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part 1. Chapter 17, Article V, Division 1, Section 17-153, subsection (c), of the Palm Beach County Code is hereby amended as follows:

(c) Application for work identification card. An application for a-work identification card shall be obtained from and submitted to the <u>P</u>public Ssafety Delepartment. The applicant shall

by to the Ppublic Ssafety Ddepartment to enable said department to grant or deny the issuance of the work identification card. The Public Safety Department shall be responsible for the creation of an application form in which the applicant is to provide verification of their identity and age. An application for a work identification card shall be fully completed according to the instructions on the application form., which shall require the following information:

- (1) The applicant's name and any other names (including "stage" names) or aliases used by the applicant;
- (2) The applicant's date of birth;
- (3) The applicant's height and weight;
- (4) A photograph of the applicant, taken by the public safety department to be affixed to the work identification card;
- (5) The applicant's present residence address and telephone number;
- (6) The applicant's Social Security number; and
- (76) Proof that the applicant is at least eighteen (18) years old by submittal of two (2) of the following:
- a. Original birth certificate;
- b. Original passport or visawhich includes date of birth;
- c. Original driver's license;
- d. Original Florida ID card;
- e. Any other original photo ID which includes the applicant's social security number or date of birth.
- <u>Part 2.</u> Chapter 17, Article V, Division 1, Section 17-153, subsection (e), of the Palm Beach County Code is hereby amended as follows:
- (e) Fees. The applicant shall <u>pay</u> submit an <u>nonrefundable application</u> fee of twenty-five dollars (\$25.00) with each <u>new request application</u> for a work identification card. The applicant shall <u>also pay submit</u> a <u>nonrefundable duplicate</u> fee of five dollars (\$5.00) for each duplicate <u>copy</u> of an existing work identification card. <u>Both application and duplicate fees</u>

shall be established by the Board by resolution.

Part 3. Repeal of Laws in Conflict.

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Part 4. Severability.

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a Court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Part 5. Inclusion in the Code of Laws and Ordinances.

The provisions of this Ordinance shall become and be made a part of the Palm Beach County Code. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

Part 6. Captions.

The captions, section headings, and section designations used in this Ordinance are intended only for the convenience of users and shall have no effect on the interpretation of the provisions of this Ordinance.

Part 7. Effective Date.

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED	by the Board of County Commissioners of Palm		
Beach County, Florida, on this the	day of,		
2008.			
SHARON R. BOCK, CLERK AND COMPTROLLER	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS		
Ву:	By:		
Deputy Clerk	, Chair		
APPROVED AS TO FORM AND			
LEGAL SUFFICIENCY			
By: UCW			
County Attorney			

of		Filed with the Department of State on the	day
01	, 2008.		