



Legislation Text

File #: 2769-2015, Version: 1

The purpose of this legislation is to increase the scope of current convictions by which the License Section may deny an applicant's application for a registration to operate a massage or bath establishment. This legislation will amend section 540.05 (B) of the Columbus City Codes by adding Ohio Revised Code Sections 2905.32 Trafficking in Persons; 2925.02 Corrupting Another with Drugs and 2925.03 Trafficking in Drugs as additional reasons that one cannot operate a massage or bath establishment within the City of Columbus.

Human trafficking is a form of modern-day slavery where people profit from the control and exploitation of others. Victims are forced, defrauded, or coerced into trafficking. Even if victims initially offer consent, that consent is rendered meaningless by the actions of the traffickers to exploit them for labor, services, or commercial sex. The most common age in Ohio for children to become victims of trafficking is 13 years old, and the number of Ohio children who become victims of human trafficking each year could fill a large high school.

City Council has conducted a series of hearings on Human Trafficking. During the fact finding portion of the hearings evidence was presented regarding the correlation between the operation of some massage parlors and bathhouses and trafficking in persons. As a result, City Council puts forth this ordinance on order to continue to find solutions that will help keep our most vulnerable citizens safe and to work toward putting an end to this problem.

To amend existing section 540.05 of the Columbus City Codes to increase the scope of current convictions by which the License Section may deny an application to operate a massage or bath establishment within the City of Columbus.

WHEREAS, the purpose of this legislation is to increase the scope of current convictions by which the License Section may deny an applicant's request for a license for a massage or bath establishment, and;

WHEREAS, this legislation will amend section 540.05 (B) of the Columbus City Codes by adding Ohio Revised Code Sections 2905.32 Trafficking in Persons; 2925.02 Corrupting Another with Drugs and 2925.03 Trafficking in Drugs as additional reasons that one cannot operate a massage or bath establishment within the City of Columbus, and;

WHEREAS, human trafficking is a form of modern-day slavery where people profit from the control and exploitation of others. Victims are forced, defrauded, or coerced into trafficking. Even if victims initially offer consent, that consent is rendered meaningless by the actions of the traffickers to exploit them for labor, services, or commercial sex, and;

WHEREAS, City Council has conducted a series of hearings on Human Trafficking. During the fact finding portion of the hearings evidence was presented regarding the correlation between the operation of some massage parlors and bathhouses and trafficking in persons, and;

WHEREAS, as a result, City Council puts forth this ordinance on order to continue to find solutions that will help keep our most vulnerable citizens safe and to work toward putting an end to this problem, now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

Section 1: That Section 540.05 of the Columbus City Codes shall be amended to read as follows:

540.05 - Issuance of registration for massage or bath establishment.

(A) The Section of Licenses, pursuant to the terms of this chapter and Chapter 501 of the Columbus City Codes, shall issue the registration to an applicant to operate a massage or bath establishment at a specified location, unless the Section of Licenses finds:

(1) That the operation, as proposed by the applicant, if permitted, would not be in compliance with applicable laws, including, but not limited to, the building, health, planning, housing, zoning and fire codes of the city of Columbus, as well as the provisions of this chapter.

(2) That the application does not contain all the required information or the application contains a material misrepresentation;

(B) The Section of Licenses may refuse to register in accordance with this chapter any applicant, who has been convicted of any violation of Chapter 2907 and/or Sections 2905.32, 2925.02, or 2925.03 of the Ohio Revised Code or similar state or local law, or who has been convicted of any crime related to the operation of any massage or bath establishment in any jurisdiction.

(C) A massage or bath establishment certificate of registration issued pursuant to this chapter shall terminate at the expiration of one (1) year from the date of its issuance unless subject to suspension or revocation.

Section 2. That if any section, sentence, clause, or phrase contained in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this ordinance.

Section 3. That existing Section 540.05 of the Columbus City Codes is hereby repealed and replaced as provided herein.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.