

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, AMENDING SECTION 4-107 “MINOR; PROHIBITING SALE TO, EMPLOYMENT OR PERMITTING ON PREMISES”; CHAPTER 13, BUSINESS TAX RECEIPTS, AMENDING SECTION 13-104 “APPLICATION REQUIREMENTS FOR ADULT ENTERTAINMENT ESTABLISHMENTS”; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (COO-1126-00003, CITY OF PINELLAS PARK)

WHEREAS, effective January 1, 2025, Florida legislation prohibits persons under 21 years of age from working in adult use establishments; and

WHEREAS, the City of Pinellas Park desires to amend chapters of the Code of Ordinances in-lieu of recent statutory changes regarding adult entertainment establishments and the minimum age requirement for individuals working in such establishments; and

WHEREAS, the proposed amendment maintains the City’s longstanding regulatory approach and imposes no additional obligations upon the City’s landowners and residents, and is intended solely to bring the City’s minimum age requirements into conformity with revised state law; and

WHEREAS, the City Council for the City of Pinellas Park, Florida has reviewed and held public hearings on said proposed ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: That Section 4-107 of Chapter 14, of the Code of Ordinances of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 4-107. - Minor; prohibiting sale to, employment or permitting on premises.

- (A) No person of by himself or another, shall sell or cause to be sold, furnished or delivered to any minor (as defined by State law) any alcoholic beverage.
- (B) It shall be unlawful for any person, business establishment, or vendor licensed under the State Beverage Law to employ any person under eighteen (18) years of age. However, this Subsection shall not apply to:
 - 1. Professional Entertainers seventeen (17) years of age who are not in school.
 - 2. Minors employed in the entertainment industry, under certain circumstances.

- ~~23. Persons under the age of eighteen (18) years who are employed in drugstores, supermarkets, grocery stores, convenient stores, or automobile service stations which have obtained licenses to sell beer or beer and wine, when such sales are made for consumption off the premises~~ Persons under the age of eighteen (18) years who are employed in drugstores, grocery stores, department stores, florists, specialty gift shops, or automobile service stations which have obtained licenses to sell beer or beer and wine, when such sales are made for consumption off the premises.
- ~~34. Persons seventeen (17) years of age or over or any person furnishing evidence that he is a senior high school student with written permission of the principal of said Senior High School or that he is a Senior High School graduate, or any high school graduate~~ who is a graduate of or a senior in high school, employed by a bona fide food service establishment where alcoholic beverages are sold, provided such persons ~~to not~~ do not participate in the sale, preparation, or service of the beverages and that their duties are of such nature as to provide them with the training and knowledge as might lead to further advancement in food service establishments.
- ~~45. Persons under the age of eighteen (18) years employed as bellhops, elevator persons, and others in hotels or motels when such employees are engaged in work apart from the portion of the hotel or motel property where alcoholic beverages are offered for sale for consumption on the premises.~~
- ~~56. Persons under the age of eighteen (18) years employed in bowling alleys in which alcoholic beverages are sold or consumed, so long as such minors do not participate in the sale, preparation, or service of such beverages.~~
- ~~67. Persons under the age of eighteen (18) years employed by a bona fide dinner theater as defined in this paragraph, as long as their employment is limited to the services of an actor, actress, or musician. For purposes of this paragraph a dinner theater means a theater presenting consecutive productions playing no less than three (3) weeks each in conjunction with dinner service on a regular basis. In addition both events must occur in the same room, and the only advertised price of admission must include both the cost of the meal and the attendance at the performance, as long as their employment is limited to the services of an actor, actress, or musician.~~
8. Persons under the age of eighteen (18) years who are employed at a theme park, provided such persons do not participate in the sale, preparation, or service of alcoholic beverages.

However, a minor to whom these exceptions otherwise apply may not be employed if the employment, whether as a professional entertainer or otherwise, involves nudity, on the part of the minor and such nudity is intended as a form of adult entertainment.

SECTION 2: That Section 13-104 of Chapter 14, of the Code of Ordinances of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 13-104. - Application requirements for adult entertainment establishments.

- (A) *Applications.* Any person requiring a Business Tax Receipt for an adult entertainment establishment, as defined in Section 18-1502 of the City's Code of Ordinances, shall

make written application with the City. The City shall provide a form for application. The application(s) must be signed by the applicant, if an individual, or by duly authorized partners, if a partnership, or by duly authorized agent, if a club or corporation, verified by oath or affidavit, and shall contain the following information:

1. The name, age, date of birth, address, telephone number, social security number and driver's license number of the manager or agent who conducts the business and the applicant in the case of an individual; and in the case of a partnership, the persons entitled to share in the profits thereof; and in the case of a corporation for profit, or of a club, the date of incorporation, the objects for which it was organized, and the names and addresses of the officers and directors and any stockholder owning in the aggregate more than five (5) percent of the stock (if said stockholder is a corporation, then disclosure of the stockholders of that corporation as specified herein must be made) and any and all information which may be reasonably requested by the City in order to determine whether the applicant, manager and other individuals, persons, officers, directors, or shareholders named herein properly qualify under the terms of this Chapter.
 2. The character of business of the applicant; and in the case of a corporation, the purposes for which it was formed.
 3. The length of time that said applicant has been in business of that character; and in the case of a corporation, the date on which its charter was issued.
 4. The location and description of the premises or place of business which is to be operated under such Business Tax Receipt.
 5. A statement as to whether applicant has made similar application for another similar Business Tax Receipt on premises other than described in this application, and the disposition of such application.
 6. A statement as to whether the applicant has ever been convicted of a felony or is not qualified to receive a Business Tax Receipt by reason of any matter or thing contained in this Chapter or the Ordinances of this City or the laws of this State.
 7. A statement as to whether a previous license issued by any State, or subdivision thereof, or by the federal government, has been revoked, and the reason therefor.
 8. A statement, by oath or affidavit, that the applicant will not violate any of the laws of the State of Florida, or of the United States, or any Ordinance of the City in the conduct of his place of business.
- (B) *Restrictions on issuance.* No adult entertainment Business Tax Receipt shall be issued or transferred to:
1. A person who has been convicted of a felony under the laws of any state or of the United States.
 2. A person who has been convicted of being the keeper or is keeping a house of ill fame.
 3. A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.
 4. A person whose receipt issued under this Chapter has been revoked for cause.

5. A person who at the time of application for renewal of any Business Tax Receipt issued hereunder would not be eligible for such Business Tax Receipt upon a first application.
6. A partnership unless all of the members of such partnership shall be qualified to obtain a Business Tax Receipt.
7. A person whose place of business is conducted by a manager or agent unless said manager or agent possesses the same qualifications required of the Business Tax Receipt Recipient.
8. A person who does not own the premises for which a Business Tax Receipt is sought, or does not have a lease thereon for the full period for which the Business Tax Receipt is to be issued.
9. A person who is not a beneficial owner of the business to be operated by the Business Tax Receipt.
10. A person or an adult entertainment establishment, in general, who intends to employ, contract with, or otherwise permit any person under the age of twenty-one (21) years to work in any capacity at the establishment.

SECTION 3: All other provisions of Chapter 18 of the Code of the City of Pinellas Park not hereby amended shall remain in full force and effect.

SECTION 4: The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Pinellas Park, Florida, and the publisher of the Code of Ordinances may renumber, reclassify or otherwise insert this Ordinance in an appropriate place to accomplish such intention.

SECTION 5: If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

SECTION 6: This Ordinance shall be in full force and effect immediately after its passage and approval in the manner provided by law.

PUBLISHED THE _____, DAY OF _____, 2026.

FIRST READING THE _____, DAY OF _____, 2026.

PUBLIC HEARING THE _____, DAY OF _____, 2026.

PASSED THIS _____, DAY OF _____, 2026.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS _____, DAY OF _____, 2026.

Sandra L. Bradbury
MAYOR

ATTEST:

Jennifer R. Carfagno, MMC
CITY CLERK

Business Impact Estimate

This form must be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: **Ordinance 2026-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, AMENDING SECTION 4-107 "MINOR; PROHIBITING SALE TO, EMPLOYMENT OR PERMITTING ON PREMISES"; CHAPTER 13, BUSINESS TAX RECEIPTS, AMENDING SECTION 13-104 "APPLICATION REQUIREMENTS FOR ADULT ENTERTAINMENT ESTABLISHMENTS"; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (COO-1126-00003, CITY OF PINELLAS PARK)

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

If one or more boxes are checked below, this means the City is of the view that a business impact estimate is *not* required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in Florida Statutes § 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under Florida Statutes § 163.3220-163.3243;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;

¹ See Section 166.041(4)(c), Florida Statutes.

- c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare): The proposed ordinance updates the City’s adult entertainment establishment regulations to align with recent changes to Florida law. First, the ordinance incorporates updated state language regarding which minors are exempt from the “employment of a minor by a licensed alcohol vendor” provisions, while clarifying that these exceptions do not allow any minor to work in an adult entertainment establishment in any capacity. Second, the ordinance future updates the Business Tax Receipt (BTR) application requirements by clarifying a sworn statement, submitted by oath or affidavit, affirming that the applicant will comply with applicable Florida Statutes. Third, the ordinance clarifies that a BTR may not be issued to any person or establishment who intends to employ, contract with, or otherwise permit any person under the age of twenty-one (21) years to work in any capacity at the establishment.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

N/A

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

N/A

(c) An estimate of the City’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

N/A

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

N/A

4. Additional information the governing body deems useful (if any):

N/A