

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0296

Introduced by: Councilmember Burnett, President Young, Councilmembers Henry, Middleton,
Scott, Costello, Pinkett, Dorsey, Cohen, Stokes, Sneed, Reisinger, Clarke, Bullock, Schleifer
Introduced and read first time: October 15, 2018
Assigned to: Judiciary and Legislative Investigations Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: December 3, 2018

AN ORDINANCE CONCERNING

**Licensing and Regulation – National Human Trafficking Resource
Center Hotline Information Sign Posting**

FOR the purpose of requiring certain businesses to post a National Human Trafficking Resource
Center hotline information sign in designated areas; requiring certain reports; defining certain
terms; ~~and~~ establishing certain penalties; and establishing a special effective date.

BY repealing

Article 15 - Licensing and Regulation
Section(s) 1-26
Baltimore City Code
(Edition 2000)

BY adding

Article 15 - Licensing and Regulation
Section(s) 42-1 to ~~42-5~~ 42-8, to be under the new subtitle,
“Subtitle 42. Human Trafficking Notice Requirements”
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(2) and 41-14(1)
Baltimore City Code
(Edition 2000)

Recitals

WHEREAS, human trafficking is a form of modern slavery that occurs in every state,
including Maryland. The Maryland Human Trafficking Task Force is the State's primary

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

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1 organization that works to prevent trafficking, protect victims by providing them with the
2 services they need, prosecute traffickers, and partner with a variety of organizations to eradicate
3 the scourge of human trafficking from our communities.

4 **WHEREAS**, human trafficking is the exploitation of an individual for financial gain through
5 forced labor or commercial sex. Between 14,500 and 17,500 individuals are trafficked into the
6 United States each year. Nationally, an estimated 4,457 to 20,995 youth ages 13-17 are involved
7 in the U.S. sex industry. In Maryland, there were over 440 cases of child sex trafficking reported
8 to local Departments of Social Services between July 2013 and July 2018. These reports
9 involved over 375 alleged minor victims, the majority of whom were Maryland residents
10 between the ages of 14-17 years old.

11 **WHEREAS**, youth who identify as LGBTQ may be additionally vulnerable to trafficking due
12 to lack of social supports, familial rejection, or both. According to the National Center for
13 Missing and Exploited Children, 74% of the children trafficked came from the foster care or
14 social services system when they ran away and were lured into sex trafficking.

15 **WHEREAS**, in Maryland, of the cases reported to the National Human Trafficking Hotline in
16 2017, the top two venues for sex trafficking were hotels and motels as well as illicit massage and
17 spa businesses. Trafficked individuals have very few opportunities to be alone and away from
18 their traffickers. Those locations are generally, hotel bathrooms, corner stores and groceries,
19 lunch breaks from construction sites. Strategically locating trafficking hotlines in locations that
20 are accessible for the trafficked individual and away from their trafficker means that these
21 individuals have access to the national hotline and can make a call for help. This legislation
22 seeks to address this issue.

23 **NOW, THEREFORE,**

24 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
25 Laws of Baltimore City read as follows:

26 **Baltimore City Code**

27 **Article 15. Licencing and Regulation**

28 **Subtitle 1. Adult Entertainment Businesses**

29 ***Part 3. Standards of Operation***

30 **[§ 1-26. Human trafficking prevention signs to be posted.]**

31 **[(a) *In General.*]**

32 **[(1) The owner of an adult-entertainment business must post, in each restroom on the**
33 **premises of the adult-entertainment business, a sign that states the following:**

34 **“REPORT HUMAN TRAFFICKING:**

35 **National Human Trafficking Resource Center**

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1-888-373-7888

Call for help if you or someone you know:

- is being forced to have sex without consent
- has had an ID or documents taken away
- is being threatened by or is in debt to an employer
- wants to leave a job but cannot freely do so

TOLL-FREE ‡ 24/7 ‡ CONFIDENTIAL ‡ INTERPRETERS AVAILABLE

This sign is required by Baltimore City law.”

(2) The sign must:

(i) be at least 3 by 5 inches in size;

(ii) contain the text required under paragraph (1) of this subsection in English, Spanish, and any other languages required by the federal Voting Rights Act for voting materials in Baltimore City; and

(iii) draw attention to the phone number of the National Human Trafficking Resource Center Hotline by showing the phone number in bold type.

(3) The owner of an adult-entertainment business may meet the requirements of this subsection by using copies of the signs created and made available online by the Maryland Department of Labor, Licensing, and Regulation under Maryland Business Regulation Article § 15-207 if the signs are altered to indicate that they are required by Baltimore City law rather than State law.]

[(b) *Sign location.*]

[A sign required under this section must be posted:

(1) on the inside of each stall door in the restroom; or

(2) on the back of the door at the entrance to the restroom.]

SUBTITLE 42. HUMAN TRAFFICKING NOTICE REQUIREMENTS

§ 42-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *ADULT -ENTERTAINMENT BUSINESS.*

“ADULT-ENTERTAINMENT BUSINESS” HAS THE MEANING STATED IN § 1-1(C) {“ADULT-ENTERTAINMENT BUSINESS”} OF THIS ARTICLE.

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1 (C) *FOOD SERVICE FACILITY.*

2 “FOOD SERVICE FACILITY” HAS THE MEANING STATED IN THE HEALTH ARTICLE § 6-101(D)
3 {“FOOD SERVICE FACILITY”} OF THE CITY CODE.

4 (D) *HOTEL.*

5 “HOTEL” HAS THE MEANING STATED IN § 10-1(B) {“HOTEL”} OF THIS ARTICLE.

6 ~~(E) *LICENSED CONSTRUCTION CONTRACTING SERVICE.*~~

7 ~~(1) “LICENSED CONSTRUCTION CONTRACTING SERVICE” MEANS ANY LICENSED BUSINESS
8 OR INDIVIDUAL WHO RECRUITS, SOLICITS, SUPERVISES, AND OTHERWISE EMPLOYS
9 OTHERS FOR COMPENSATION FOR THE PURPOSE OF RESIDENTIAL OR COMMERCIAL
10 CONSTRUCTION.~~

11 ~~(2) “LICENSED CONSTRUCTION CONTRACTING SERVICE” DOES NOT INCLUDE ANY BUSINESS
12 OR INDIVIDUAL ENGAGED IN THE BUSINESS OF AGRICULTURAL PRODUCTION.~~

13 ~~(F) *MESSAGE ESTABLISHMENT.*~~

14 ~~“MESSAGE ESTABLISHMENT” HAS THE MEANING STATED IN § 11-1(C) {“MESSAGE
15 ESTABLISHMENT”} OF THIS ARTICLE.~~

16 (E) *MUST.*

17 “MUST” IS A MANDATORY TERM USED TO EXPRESS A REQUIREMENT OR TO IMPOSE A DUTY.

18 (F) *PERMIT HOLDER.*

19 “PERMIT HOLDER” MEANS ANY PERSON HOLDING A BUILDING PERMIT ISSUED BY THE
20 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER THE CITY BUILDING
21 CODE FOR CONSTRUCTION OR DEMOLITION.

22 (G) *PERSON.*

23 “PERSON” MEANS:

24 (1) AN INDIVIDUAL;

25 (2) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY
26 KIND; OR

27 (3) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR
28 REPRESENTATIVE OF ANY KIND.

29 (H) *SHALL.*

30 “SHALL” IS A MANDATORY TERM USED TO EXPRESS A REQUIREMENT OR TO IMPOSE A
31 DUTY.

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§ 42-2. HUMAN TRAFFICKING PREVENTION SIGNS TO BE POSTED.

(A) APPLICABILITY.

THE REQUIREMENTS SET FORTH IN OF THIS SECTION ARE APPLY ONLY APPLICABLE TO:

- (1) ADULT-ENTERTAINMENT BUSINESSES;
- (2) FOOD SERVICE FACILITIES;
- (3) HOTELS; AND
- ~~(4) LICENSED CONSTRUCTION CONTRACTING SERVICES PROVIDING SERVICES PURSUANT TO A PERMIT ISSUED BY THE BALTIMORE CITY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AND~~
- ~~(5) MASSAGE ESTABLISHMENTS.~~
- (4) PERMIT HOLDERS.

(B) IN GENERAL.

(1) THE OWNER OF ~~A~~ ANY BUSINESS AS PROVIDED DESCRIBED IN SUBSECTION (A) OF THIS SECTION MUST POST, ~~IN EACH RESTROOM ON THE PREMISES BUSINESS,~~ A SIGN THAT STATES THE FOLLOWING:

“REPORT HUMAN TRAFFICKING:

NATIONAL HUMAN TRAFFICKING RESOURCE CENTER

CALL 1-888-373-7888 OR TEXT “BEFREE” (233722)

CALL FOR HELP IF YOU OR SOMEONE YOU KNOW:

- IS BEING FORCED TO HAVE SEX WITHOUT CONSENT
- HAS HAD AN ID OR DOCUMENTS TAKEN AWAY
- IS BEING THREATENED BY OR IS IN DEBT TO AN EMPLOYER
- WANTS TO LEAVE A JOB BUT CANNOT FREELY DO SO

TOLL-FREE ‡ 24/7 ‡ CONFIDENTIAL ‡ INTERPRETERS AVAILABLE

THIS SIGN IS REQUIRED BY BALTIMORE CITY LAW”

(2) THE SIGN MUST:

- (I) BE AT LEAST ~~8.5 BY 11~~ 3 BY 5 INCHES IN SIZE;
- (II) CONTAIN THE TEXT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN ~~ENGLISH, SPANISH, AND ANY OTHER LANGUAGES REQUIRED BY THE FEDERAL VOTING RIGHTS ACT FOR VOTING MATERIALS IN BALTIMORE CITY~~ ENGLISH AND SPANISH; AND

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1 (III) DRAW ATTENTION TO THE PHONE NUMBER OF THE NATIONAL HUMAN
2 TRAFFICKING RESOURCE CENTER HOTLINE BY SHOWING THE PHONE NUMBER IN
3 BOLD TYPE.

4 (3) THE OWNER OF A BUSINESS AS PROVIDED IN SUBSECTION (A) OF THIS SECTION MAY
5 MEET THE REQUIREMENTS OF THIS SUBSECTION BY CREATING THEIR OWN SIGNS, USING
6 A FONT SIZE OF NOT LESS THAN 30 POINTS FOR THE HOTLINE NUMBERS AND A FONT
7 SIZE OF NOT LESS THAN 12 POINTS FOR THE BODY TEXT, OR USING COPIES OF THE SIGNS
8 CREATED AND MADE AVAILABLE ONLINE BY THE MARYLAND DEPARTMENT OF LABOR,
9 LICENSING, AND REGULATION UNDER MARYLAND BUSINESS REGULATION ARTICLE
10 § 15-207 IF THE SIGNS ARE ALTERED TO INDICATE THAT THEY ARE REQUIRED BY
11 BALTIMORE CITY LAW RATHER THAN STATE LAW.

12 (C) *SIGN LOCATION.*

13 ~~(1) EXCEPTED AS PROVIDED IN PARAGRAPH (2), A SIGN REQUIRED UNDER THIS SECTION~~
14 ~~MUST BE POSTED:~~

15 ~~(1) CONSPICUOUS PLACE IN CLEAR VIEW OF THE PUBLIC AND EMPLOYEES WHERE~~
16 ~~SIMILAR NOTICES ARE CUSTOMARILY POSTED; AND~~

17 ~~(2) ON THE BACK OF THE DOOR AT THE ENTRANCE TO EACH RESTROOM.~~

18 ~~(2) LICENSED CONSTRUCTION CONTRACTING SERVICES SHALL POST THE SIGN REQUIRED~~
19 ~~UNDER THIS SECTION WHERE ANY REQUIRED PERMITS ARE POSTED.~~

20 (1) ADULT-ENTERTAINMENT BUSINESSES AND FOOD SERVICE FACILITIES MUST POST A
21 SIGN REQUIRED UNDER THIS SECTION IN A CONSPICUOUS PLACE IN CLEAR VIEW OF THE
22 PUBLIC AND EMPLOYEES WHERE SIMILAR NOTICES ARE CUSTOMARILY POSTED AND ON
23 THE BACK OF THE DOOR AT THE ENTRANCE TO EACH RESTROOM.

24 (2) PERMIT HOLDERS MUST POST THE SIGN REQUIRED UNDER THIS SECTION IN A
25 CONSPICUOUS PLACE IN CLEAR VIEW OF THE PUBLIC.

26 (3) HOTELS MUST POST THE SIGN REQUIRED UNDER THIS SECTION ON THE BACK OF EACH
27 HOTEL ROOM ENTRY DOOR.

28 (D) *HOTELS TO CERTIFY.*

29 BEGINNING IN CALENDAR YEAR 2020, ANY PERSON WHO OWNS OR OPERATES A HOTEL
30 WITHIN THE CITY MUST ANNUALLY CERTIFY TO THE HOUSING COMMISSIONER, IN THE
31 FORM AND MANNER REQUIRED BY THE DEPARTMENT OF HOUSING AND COMMUNITY
32 DEVELOPMENT, NO LATER THAN DECEMBER 31 OF EACH YEAR, THAT THE HOTEL IS IN
33 COMPLIANCE WITH THIS SECTION.

34 ~~§ 42-3. ENFORCEMENT BY CITATION.~~

35 (A) *IN GENERAL.*

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1 ~~IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE,~~
2 ~~THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF:~~

3 ~~(1) AN ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40~~
4 ~~{“ENVIRONMENTAL CONTROL BOARD”}; OR~~

5 ~~(2) A CIVIL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {“CIVIL~~
6 ~~CITATIONS”}~~

7 ~~(B) PROCESS NOT EXCLUSIVE.~~

8 ~~THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING~~
9 ~~ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.~~

10 ~~(C) DUTY TO ENFORCE.~~

11 ~~ENFORCEMENT OF THIS SUBTITLE SHALL BE CONDUCTED BY:~~

12 ~~(1) THE BALTIMORE CITY BOARD OF LIQUOR LICENSE COMMISSIONERS, WITH REGARD~~
13 ~~TO ADULT ENTERTAINMENT BUSINESSES;~~

14 ~~(2) THE BALTIMORE CITY DEPARTMENT OF HEALTH, WITH REGARD TO FOOD SERVICE~~
15 ~~FACILITIES AND MASSAGE ESTABLISHMENTS; AND~~

16 ~~(3) THE BALTIMORE CITY DEPARTMENT OF HOUSING AND COMMUNITY~~
17 ~~DEVELOPMENT, WITH REGARD TO LICENSED CONSTRUCTION CONTRACTING~~
18 ~~SERVICES AND HOTELS.~~

19 ~~§ 42-4. PENALTIES.~~

20 ~~ANY PERSON WHO VIOLATES ANY PROVISIONS OF THIS SUBTITLE IS GUILTY OF A~~
21 ~~MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000-~~
22 ~~FOR EACH OFFENSE.~~

23 ~~§ 42-5. ANNUAL REPORT.~~

24 ~~(A) IN GENERAL.~~

25 ~~ON OR BEFORE JUNE 30 OF EACH YEAR, THE COMMISSIONER OF THE BALTIMORE CITY~~
26 ~~HEALTH DEPARTMENT AND THE COMMISSIONER OF THE BALTIMORE CITY DEPARTMENT~~
27 ~~OF HOUSING AND COMMUNITY DEVELOPMENT SHALL EACH PREPARE AND SUBMIT TO THE~~
28 ~~MAYOR AND THE CITY COUNCIL AN ANNUAL REPORT DETAILING COMPLIANCE WITH THIS~~
29 ~~SUBTITLE.~~

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1 ~~(B) CONTENTS~~

2 ~~THE REPORT SHALL INCLUDE THE FOLLOWING INFORMATION FOR THE PREVIOUS~~
3 ~~CALENDAR YEAR:~~

4 ~~(1) THE NUMBER OF INSPECTIONS CONDUCTED OF BUSINESSES REGULATED UNDER THIS~~
5 ~~SUBTITLE; AND~~

6 ~~(2) THE NUMBER OF CITATIONS ISSUED PURSUANT TO THIS SUBTITLE.~~

7 **§ 42-3. {RESERVED}**

8 **§ 42-4. DUTY TO ENFORCE.**

9 ENFORCEMENT OF THIS SUBTITLE SHALL BE CONDUCTED BY:

10 (I) THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY, WITH REGARD
11 TO ADULT-ENTERTAINMENT BUSINESSES;

12 (II) THE BALTIMORE CITY DEPARTMENT OF HEALTH, WITH REGARD TO FOOD SERVICE
13 FACILITIES; AND

14 (III) THE BALTIMORE CITY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT,
15 WITH REGARD TO HOTELS AND PERMIT HOLDERS.

16 **§ 42-5. ANNUAL REPORT.**

17 (A) IN GENERAL.

18 ON OR BEFORE JUNE 30 OF EACH YEAR, THE COMMISSIONER OF THE BALTIMORE CITY
19 HEALTH DEPARTMENT, THE COMMISSIONER OF THE BALTIMORE CITY DEPARTMENT OF
20 HOUSING AND COMMUNITY DEVELOPMENT, AND THE CHAIR OF THE BOARD OF LIQUOR
21 LICENSE COMMISSIONERS FOR BALTIMORE CITY SHALL EACH PREPARE AND SUBMIT TO
22 THE MAYOR AND THE CITY COUNCIL AN ANNUAL REPORT DETAILING COMPLIANCE WITH
23 THIS SUBTITLE.

24 (B) CONTENTS.

25 THE REPORT SHALL INCLUDE THE FOLLOWING INFORMATION FOR THE PREVIOUS
26 CALENDAR YEAR:

27 (1) THE NUMBER OF INSPECTIONS CONDUCTED OF BUSINESSES REGULATED UNDER THIS
28 SUBTITLE; AND

29 (2) THE NUMBER OF CITATIONS ISSUED PURSUANT TO THIS SUBTITLE.

30 **§ 42-6. {RESERVED}**

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§ 42-7. ENFORCEMENT BY CITATION.

(A) IN GENERAL.

IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE,
THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF:

(1) AN ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40
{"ENVIRONMENTAL CONTROL BOARD"}; OR

(2) A CIVIL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL
CITATIONS"}.

(B) PROCESS NOT EXCLUSIVE.

THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING
ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

§ 42-8. CRIMINAL PENALTIES.

ANY PERSON WHO VIOLATES ANY PROVISIONS OF THIS SUBTITLE IS GUILTY OF A
MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 FOR
EACH OFFENSE.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(2) Article 15. Licensing and Regulation

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SUBTITLE 42. HUMAN TRAFFICKING NOTICE REQUIREMENTS

1ST OFFENSE \$ 500

SUBSEQUENT OFFENSE \$1000

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies – Listing.

(1) Article 15. Licensing and Regulation

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