BILL NO. 3008 **ORDINANCE NO.** 2825

AN ORDINANCE PROHIBITING PROSTITUTION TO INCLUDE THE PATRONIZING OR PROMOTION OF PROSTITUTION

WHEREAS, the City Council of the City of Chesterfield seeks to protect the health and safety of its citizens; and

WHEREAS, the City of Chesterfield passes Ordinances that provide for the regulation of businesses and prohibit illegal businesses within the City; and

WHEREAS, the City Council determines that it is in the best interest of the public health and safety of the citizens of the City that engaging in prostitution, patronizing prostitution and promoting prostitution be prohibited within the City of Chesterfield;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1 It shall be unlawful to engage in Prostitution, Patronizing Prostitution, and/or Promoting Prostitution within the Chesterfield City Limits.

Section 2 **Prostitution**

A person commits the offense of prostitution of he/she engages or offers or agrees to engage in sexual conduct with another person in return for something of value to be received by the person or by a third person.

Section 3 **Patronizing Prostitution**

A person "patronizes prostitution" if:

(1) He/she gives something of value to another person as compensation for that person or a third person having engaged in sexual conduct with him/her or with another; or

(2) He/she gives or agrees to give something of value to another person on an understanding that in return therefor that person or a third person will engage in sexual conduct with him/her or with another; or

(3) He/she solicits or requests another person to engage in sexual conduct with him/her or with another, or to secure a third person to engage in sexual conduct with him/her or with another, in return for something of value.

Section 4 **Promoting Prostitution**

A person "promotes prostitution" if, acting other than as a prostitute or a patron of a prostitute, he/she knowingly:

(1) Causes or aids a person to commit or engage in prostitution; or

(2) Procures or solicits patrons for prostitution; or

(3) Provides persons or premises for prostitution purposes; or

(4) Operates or assists in the operation of a house of prostitution or a prostitution enterprise; or

(5) Accepts or receives or agrees to accept or receive something of value pursuant to an agreement or understanding with any person whereby he/she participates or is to participate in proceeds of prostitution activity; or

(6) Engages in any conduct designed to institute, aid or facilitate an act or enterprise of prostitution.

Section 5 **Definitions:**

(1) Sexual conduct occurs when there is Sexual Intercourse, Deviate Sexual Intercourse or Sexual contact.

(2) Sexual intercourse, which means any penetration, however slight, of the female sex organ by the male sex organ, whether or not an emission results; or

(3) Deviate sexual intercourse which means any sexual act involving the genitals of one (1) person and the mouth, tongue or anus of another person; or

(4) Sexual contact which means any touching, manual or otherwise, of the anus or genitals of one (1) person by another, done for the purpose of arousing or gratifying sexual desire of either party.

(5) Something of value means any money or property, or any token, object or article exchangeable for money or property.

Section 6 Violation of this section shall be a misdemeanor, punishable by a fine of not less than five dollars ($ 5.00) and not more than one thousand dollars ($1,000.00) or by imprisonment for a period not to exceed three (3) months or by both such fine and imprisonment.

Section 7 This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed and approved this 1st day of December, 2014.

Bob Nations
MAYOR

ATTEST:
Vickie Haas
CITY CLERK

State law reference – Similar provisions, RSMo 567.010, 567.020, 567.030, 567.07