

1 **BOARD BILL NO. 153 INTRODUCED BY PRESIDENT LEWIS E. REED,**
2 **ALDERMAN THOMAS ALBERT VILLA, ALDERMAN SAMUEL MOORE,**
3 **ALDERMAN LARRY ARNOWITZ, ALDERWOMAN CAROL HOWARD,**
4 **ALDERMAN ANTONIO FRENCH**

5 An ordinance pertaining to prostitution loitering; repealing Ordinance 57831, Section
6 827.280, codified as Section 17.16.270 of the Revised Code of the City of St. Louis
7 pertaining to demonstration on or near street; and enacting in lieu thereof a new
8 ordinance pertaining to prostitution loitering and containing a penalty, severability and
9 emergency clause.

10 **SECTION ONE.** Ordinance 57831, Section 827.280, codified as Section 17.16.270 of
11 the Revised Code of the City of St. Louis pertaining to demonstration on or near street is
12 hereby repealed.

13 **SECTION TWO. Definitions.** As used in this Section, the following words and/or
14 phrases shall have the meanings as set forth herein:

15 1. "Commit prostitution" means to engage in sexual conduct for money but does
16 not include sexual conduct engaged in as part of any stage performance, play or other
17 entertainment open to the public.

18 2. "Known prostitute or procurer" means a person who within one (1) year
19 previous to the date of arrest for violation of this section, has within the knowledge of the
20 arresting officer been convicted in St. Louis Municipal Court or a Missouri Circuit Court
21 of an offense involving prostitution.

22 3. "Public place" is an area generally visible to public view and includes streets,
23 sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles (whether
24 moving or not), and buildings open to the general public including those which serve
25 food or drink, or provide entertainment, and the doorways and entrances to buildings or
26 dwellings and the grounds enclosing them.

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1 **SECTION THREE.** A person is guilty of prostitution loitering if he or she remains in a
2 public place and intentionally solicits, induces, entices, or procures another to commit
3 prostitution.

4 **SECTION FOUR.** Among the circumstances which may be considered in determining
5 whether the actor intends such prohibited conduct are that he or she:

6 1. Repeatedly beckons to, stops or attempts to stop, or engages passersby in
7 conversation; or

8 2. Repeatedly stops or attempts to stop motor vehicle operators by hailing, waving
9 of arms or any other bodily gesture; or

10 3. Circles an area in a motor vehicle and repeatedly beckons to, contacts, or
11 attempts to stop pedestrians; or

12 4. Is a known prostitute or procurer; or

13 5. Inquires whether a potential patron, procurer or prostitute is a police officer,
14 searches for articles that would identify a police officer, or requests the touching or
15 exposing of genitals or female breasts to prove that the person is not a police officer.

16 **SECTION FIVE. Penalty Clause.**

17 1. No person or entity shall violate any of the provisions of this Ordinance.

18 2. Any person, firm or corporation convicted of violating any provision of this Ordinance
19 shall be assessed a fine of up to five hundred dollars (\$500.00.) A fine assessed against
20 the Lender may not be passed on to the Homeowner.

21 **SECTION SIX. Severability Clause.**

22 The provisions of this ordinance shall be severable. In the event that any provision of this
23 ordinance is found by a court of competent jurisdiction to be unconstitutional, the
24 remaining provisions of this ordinance are valid unless the court finds the valid

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1 provisions of this ordinance are so essentially and inseparably connected with, and so
2 dependent upon, the void provision that it cannot be presumed that the Board of
3 Aldermen would have enacted the valid provisions without the void ones or unless the
4 Court finds that the valid provisions, standing alone, are incomplete and incapable of
5 being executed in accordance with the legislative intent.

6 **SECTION SEVEN. Emergency Clause.**

7 This being an ordinance for the preservation of public peace, health, and safety, it is
8 hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of
9 Article IV of the Charter of the City of St. Louis and therefore shall become effective
10 immediately upon its passage and approval by the mayor.

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