

ORDINANCE NUMBER: 80-28

INTRODUCED BY: COMMISSIONER WALDRON

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, PROHIBITING LOITERING FOR PURPOSES OF PROSTITUTION, PROVIDING PENALTIES AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY,

FLORIDA:

SECTION 1. It shall be unlawful for any person to loiter in or near any throughfare, street, highway, or place open to the public in a manner and under circumstances manifesting the purpose of inducing, enticing, soliciting or procuring another to commit an act of prostitution, lewdness or assignation.

SECTION 2. Among the circumstances which may be considered in determining whether this purpose is manifested are that such a person (1) is a known prostitute, pimp or sodomist; (2) repeatedly beckons to, stops or attempts to stop or engages passers-by in conversation; or (3) repeatedly stops or attempts to stop motor vehicle operators by hailing, waving of arms or any bodily gesture.

SECTION 3. No arrest shall be made for a violation of this subsection unless the arresting officer first affords such person an opportunity to explain his or her conduct, and no one shall be convicted of violating section 1. if it appears at trial that the explanation given was true and disclosed a lawful purpose.

SECTION 4. For the purposes of sections (1) and (2), the following words shall have the following meaning:

- a.) Prostitution shall mean the giving or receiving of the body for hire or the giving or receiving of the body for licentious sexual intercourse without hire.
- b.) Lewdness shall mean sodomy, cunnilingus, fellation, masturbation or anilingus.
- c.) Assignation shall mean the making of any appointment or engagement for prostitution or lewdness or any act to furtherance of such appointment or engagement.
- d.) Known prostitute, pimp, or sodomist shall mean any person who, within one year previous to the date of arrest for violation of this section, has within the knowledge of the arresting officer been convicted of violating any ordinance of the County or law of Florida or any state defining and punishing acts of soliciting, committing or offering or agreeing to commit prostitution, lewdness, or assignation.

SECTION 5. Violations of this ordinance shall be prosecuted in the same manner as misdemeanors are prosecuted. Any person, firm or corporation that violates any part or section of this ordinance shall, upon conviction, be punished by a fine not to exceed \$500.00 or by imprisonment in the county jail not to exceed 60 days, or both such fine and imprisonment.

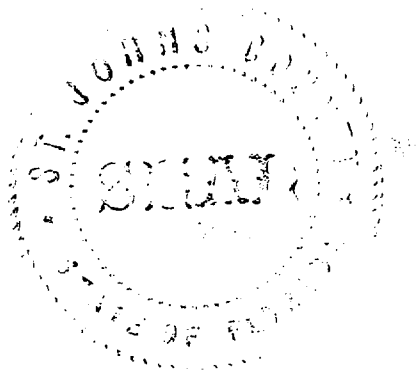
SECTION 6. This ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the Secretary of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida, that same has been filed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY,
FLORIDA this 10th day of June, 1980.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Chester Benet
Its Chairman

ATTEST: Marie Hudson
Deputy Clerk for
OLIVER LAWTON, CLERK



Adopted: regular meeting 6/10/80

Effective: 6/17/80

80-28

COPY OF ADVERTISEMENT

The St. Augustine Record
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____
Robert E. James _____ who on oath says that he is
Advertising Manager _____ of the St. Augustine Record, a
daily newspaper published at St. Augustine in St. Johns County, Florida;
that the attached copy of advertisement, being a _____
Notice of Public Hearing _____
_____ in the matter of _____
Prohibiting Loitering for Prostitution, _____
_____ in the _____ Court,
was published in said newspaper in the issues of _____
May 16, 1980.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me
this 16th day of May _____

A.D. 19 80
_____ *Hattie R. Lee*
Notary Public

Notary Public, State of Florida at Large
My Commission Expires Sept. 24, 1983
Bonded By American Fire & Casualty Company

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON JUNE 10, 1980, AT 2:00 O'CLOCK P.M., IN THE COUNTY COMMISSIONERS ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, PROHIBITING LOITERING FOR PURPOSES OF PROSTITUTION, PROVIDING PENALTIES AND PROVIDING AN EFFECTIVE DATE.
The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Courthouse, and may be examined by parties interested prior to said public hearing.
All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
BY: OLIVER LAWTON
Its Clerk
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