

Ordinance No. 00502

[City Council meeting minutes of October 5 2009](#)

ORDINANCE NO. 502

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 9.82 of the Lakewood Municipal Code relative to Prostitution and Sex Crimes.

WHEREAS, The Lakewood City Council recognizes that Prostitution is not a victimless crime and has negative and unhealthy impacts to the parties involved in the prostitution trade as well as negative consequences to the community; and

WHEREAS, police officers who must make prostitution arrests are subject to violent attacks and exposure to virulent and bacterial infections as a result of direct contact with prostitutes; and

WHEREAS, changes to the local ordinance will drastically reduce the chances of contamination and violent attacks;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That Section 9.82.085 of the Lakewood Municipal Code entitled, *Loitering for Prostitution Purposes* shall be amended to read as follows:

09.82.085 - Loitering for Prostitution Purposes

A. It shall be unlawful for any person to loiter in or near any thoroughfare or place open to the public in any manner and under circumstances manifesting the purpose of committing, or inducing, enticing, soliciting or procuring another to permit an act of prostitution. Among the circumstances which may be considered in determining whether such purpose is manifest shall be: That the person is a known prostitute or panderer, repeatedly beacons to, stops or attempts to stop, or engages passers by in conversation, or repeatedly stops or attempts to stop motor vehicle operators by hailing, waving of arms or any other bodily gesture.

B. Further, it shall be unlawful for any person to attempt to detect or identify a police officer, peace officer, or other law enforcement officer, during an investigation into prostitution or loitering for the purposes of prostitution, by any of the following means:

1. By exposing or offering to expose one?s breast or breasts, buttocks, sexual organs or private body parts.
2. By requesting, asking or encouraging another to touch or fondle one?s breast or breasts, buttocks, sexual organs or private body parts.
3. By touching or requesting to touch the breast, breasts, buttocks, sexual organs or private body parts of another.
4. By requesting, asking or encouraging another to expose or show the other?s breasts, buttocks, sexual organs or private body parts.

C. There is a rebuttable presumption of a violation of the provisions of this chapter where any person inquires, in any manner, as to whether another person is a peace officer, police officer or other law enforcement officer when such inquiry occurs in the course of a police investigation of potential violations of the provisions of this Chapter.

D. For the purposes of this section, a ?known prostitute or panderer? is a person who, within three (3) years 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 or law of any jurisdiction within the State of Washington defining and punishing acts of soliciting, committing, or offering or agreeing to commit prostitution.

Violation of this section shall constitute a misdemeanor punishable by a jail sentence of up to ninety (90) days, or a fine of up to \$1,000, or both such jail time and fine.
(Ord. 82 ? 1, 1996.)

Section 2. That all other sections of Chapter 9.82 shall remain unchanged.

Section 3. Severability. If any portion of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 5th day of October, 2009.

CITY OF LAKEWOOD

Douglas G. Richardson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney