
Sec. 38-158. Prostitution.

(A) It shall be unlawful for any person:

- (1) Knowingly to solicit, induce, entice, or otherwise engage another person for the purpose of obtaining an offer or an agreement for any act of prostitution. Evidence of such illegal conduct includes, but is not limited to, the following:

In the context of discussing sexual acts, money, or other things of value:

- a. Inquiring about whether a person is a police officer;
- b. Searching for articles that would identify a person as a police officer;
- c. Requesting a person to perform acts to prove that the person is not a police officer, including, but not limited to:
 - (i) The touching or exposure of genitals or female breasts; or
 - (ii) The consumption or use of alcohol, marijuana, or illegal controlled substances;
- (2) To arrange or offer to arrange a meeting of or to procure persons for the purpose of prostitution;
- (3) To direct another person to a place knowing such direction is for the purpose of prostitution;
- (4) Knowingly to arrange or offer to arrange a situation in which a person may practice prostitution;
- (5) To have or exercise or control the use of any facility, and:
 - a. Knowingly to grant or permit the use of such facility for the purpose of prostitution; or
 - b. Knowingly to permit the continued use of such facility for the purpose of prostitution, after becoming aware of facts or circumstances from which such person should reasonably know that such facility is being used for purposes of prostitution;
- (6) To perform, offer or agree to any act of prostitution;
- (7) To enter or remain in a house of prostitution with the intent to engage in an act of prostitution.

(B) Persons convicted of violating and persons pleading guilty or nolo contendere to violation of subsection (A) shall, in addition to any sentence of jail time, pay a fine of five hundred dollars (\$500.00) for the first offense; seven hundred fifty dollars (\$750.00) for the second offense within five (5) years; and nine hundred ninety-nine dollars (\$999.00) for the third and subsequent offenses. No part of the minimum fine may be suspended, however, the court may order a person convicted of violating subsection (A) to perform useful public service, and credit the dollar amount earned through such public service toward payment of the minimum fine owed. The person shall be paid at the standard hourly rate for such public service as established by the rules and regulations of the court. Useful public service shall be considered work which is beneficial to the public and which involves a minimum of public cost.

(C) The police shall immediately notify the manager of public health and environment of persons charged with violations of this section, and the manager may, pursuant to state law, order a medical examination pursuant to section 24-131 of the Revised Municipal Code.

(Code 1950, § 822.1; Ord. No. 984-94, § 4, 12-5-94; Ord. No. 1110-96, § 1, 12-16-96; Ord. No. 548-16, § 1, 8-22-16; Ord. No. 427-18, § 24, 6-11-18; Ord. No. 697-21, § 1, 7-19-21)

State law reference(s)—Prostitution, C.R.S. 1973, 18-7-201 et seq.