

ORDINANCE NO.: 2008-106

*Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina,  
Chapter 14, Offenses and Miscellaneous Provisions, Article VII Prostitution*

BE IT ORDAINED by the Mayor and Council this 7th day of January, 2009, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article VII, Prostitution, is amended to read as follows:

**ARTICLE VII. PROSTITUTION, INDECENCY AND LEWD ACTS**

**Sec. 14-211. Prohibited.**

It shall be unlawful for any person to engage in any form of prostitution, within the city.

**Sec. 14-212. Inviting or enticing persons for immoral purpose.**

(a) It shall be unlawful for any person to invite, entice or solicit any person upon any public place in the city to accompany, go with or follow him for the purpose of engaging in prostitution or any other lewd or lascivious act.

(b) For the purpose of this section, a "public place" shall mean an area generally visible to public view and includes streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles (whether moving or not), and those portions of buildings open to the general public, including those which serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.

**Sec. 14-213. Permitting use of room for prostitution.**

It shall be unlawful for any person owning or operating a hotel, roominghouse, lodginghouse, boardinghouse, dwelling or other house within the limits of the city to permit any room or portion thereof to be used for the purpose of prostitution or any other lewd or lascivious act. If it shall be established that prostitution or any other lewd or lascivious act has been practiced in such hotel, roominghouse, lodginghouse, boardinghouse, dwelling or other house and that the owner or keeper thereof has not used reasonable precautions to prevent such act, the owner or keeper thereof shall be deemed to have violated this article and shall be subject to the penalties prescribed.

**Sec. 14-214. Transporting person for immoral purpose.**

It shall be unlawful for any person or driver of any public conveyance, vehicle or common carrier of any kind whatsoever to transport, carry, convey or assist by aiding, abetting, encouraging, requesting or otherwise, in transporting, carrying, conveying or accompanying by any ways or means whatsoever any person from any point within the city limits to any other point within the city limits, or from any point within the city limits to any point outside of the city limits, or from any point outside of the city limits to any point within the incorporated limits of the city, for the purpose of prostitution or any lewd or lascivious act.

**Sec. 14-215. Giving information about or directing persons to places for purpose of prostitution.**

It shall be unlawful for any person in the city to give information about or direct any other person to any house or place for the purpose of prostitution or any other lewd or lascivious act, whether the communication be by word of mouth direct or by telephone or in writing.

**Sec. 14-216. Maintaining or frequenting house of prostitution or assignation.**

It shall be unlawful for any person to maintain, keep, live at or frequent any place within the city which is used for the purpose of prostitution or other lewd and lascivious acts, whether the place be a place where prostitutes live or a house of assignation.

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**Sec. 14-217. Renting premises for use as bawdy house.**

It shall be unlawful for any person to rent or let, whether himself or by agent, or whether he be principal or agent, any place within the limits of the city when he has reason to believe that the place is being rented or let for the purpose of maintaining therein a disorderly house or bawdy house, or to permit any property that he may own or have in charge as agent to be used for the purpose of maintaining therein a disorderly house or bawdy house.

**Sec. 14-218. Other prohibited acts in public places.**

- (a) No person shall appear in any public place and make an indecent exposure of his or her person.
- (b) It shall be unlawful for any person to knowingly or intentionally, in a public place, (1) to engage in sexual intercourse; (2) engage in deviate sexual conduct; (3) appear in a state of nudity in a lewd or lascivious manner; or (4) fondle the person's genitals or the genitals of another person.
- (c) For the purpose of this section, a "public place" shall mean an area generally visible to public view and includes streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles (whether moving or not), and those portions of buildings open to the general public including those which serve food or drink, or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.
- (d) Nothing in this section shall be interpreted to apply to a woman who breastfeeds her own child in a public place, on property of others, to the view of any person on a street or highway, or any other place where a woman and her child are authorized to be.
- (e) No provision in this section shall be interpreted to prohibit nudity or near nudity incidental to a theatrical performance or presentation in a theater or auditorium ordinarily used for theatrical performances or presentations. This exclusion shall not apply to any theatrical performance or presentation or any other event performed in an outdoor venue or which is open to the admission of minors under the age of sixteen years unless admission requires the minor under the age of sixteen years to be accompanied by a parent or legal guardian.

This ordinance is effective as of final reading.

Requested by:

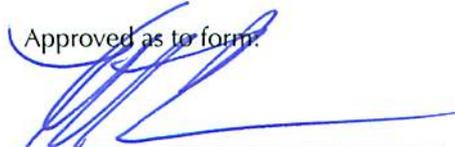
Allison Baker, Assistant City Manager

  
MAYOR

Approved by:

  
City Manager

Approved as to form:

  
City Attorney

ATTEST:

  
City Clerk

Introduced: 12/03/2008; 12/10/2008

Final Reading: 1/7/2009