

**AN ORDINANCE AMENDING CHAPTER 24 OF THE CITY OF DUNWOODY
CODE OF ORDINANCES BY REVISING REQUIREMENTS FOR THE VIOLATION
OF SOLICITATION**

WHEREAS, the City of Dunwoody (the "City") has heretofore adopted an ordinance for Offenses and Violations, as set forth in Chapter 24 of the Code of the City of Dunwoody (the "Code"); and

WHEREAS, Chapter 24, Section 24-3 (Prostitution and Related Offenses) currently requires that in order to violate the ordinance titled "Solicitation of an Illegal Sexual Act," one must be a pedestrian or located in a vehicle; and

WHEREAS, the State law only requires that the act be committed in "public" in order for a local government to prohibit said "idling and loitering for the purpose of committing an illicit sexual act"; and

WHEREAS, pursuant to the broad discretion allowed by State law, the City Council desires to amend said regulations to authorize said violation in public without further restrictions upon conduct.

THEREFORE, Mayor and City Council of the City of Dunwoody hereby ordain as follows:

Section 1: The City of Dunwoody Offenses and Violations ordinance, Chapter 24, Article I (In General) is hereby amended by revising Section 24-3 to read as follows:

ADDITIONS = UNDERLINED
DELETIONS =

Sec. 24-3. Prostitution and related offenses.

- (a) House of ill fame.
 - (1) A person having or exercising control over the use of any place or conveyance within the city which would offer seclusion or shelter for the practice of prostitution commits the offense of keeping a place of prostitution when such person knowingly grants or permits the use of such place for the purpose of prostitution.
 - (2) Those places or conveyances which have been adjudged to be places of prostitution, as provided in this chapter, may be abated as also provided in this chapter.

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2011-XX-XX

- (b) Solicitation for an illicit sexual act.
 - (1) It shall be unlawful for any person, while in any place open to the public to offer or consent to perform any illicit sexual act for money or any other thing of value. Furthermore, it shall be unlawful for any person, while in a place open to the public, to attempt to induce, entice, solicit, pander, purchase or procure another to commit any illicit sexual act for money or other things of value. An illicit sexual act is defined as one or more of the following:
 - a. Prostitution;
 - b. Sodomy for hire;
 - c. Masturbation for hire.
 - (2) For purposes of subsection (b)(1) of this section, the term "any person" shall include solicitors of illicit sexual acts or panderers who solicit, procure or purchase another to perform any illicit sexual act in exchange for money or other things of value, and who are commonly referred to as "johns" or "tricks."
- (c) Any person engaging in violation of this section shall be guilty of the offense of idling and loitering for the purposes of committing an illicit sexual act.

SO ORDAINED AND EFFECTIVE, this ____ day of _____, 2011.

Approved:

Ken Wright, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk
(Seal)

Brian Anderson, City Attorney