

ORDINANCE NO. 2019-____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, AMENDING SECTION 94-44 OF THE CITY CODE RELATED
TO UNLAWFUL PEEPING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO:

Section 1. That section 94-44 of the City Code of the City of Aurora, Colorado, is hereby added to read as follows:

Sec. 94-44. – Unlawful Peeping

- (a) It is unlawful for any person to look, peer, or peep in to any window, door, skylight, or other opening of any dwelling of another, in a situation where the person being observed has a reasonable expectation of privacy, without that person's consent, with the intent of spying on another or invading another's privacy, or going onto another's premises for that purpose.**
- (b) It shall be unlawful for any person to look, peer, or peep into any window, door, skylight, or other opening of any dressing room, curtain, locker room, rest room, shower stall, tanning booth, or any area containing bathing facilities in any commercial business, public facility, or private club, in a situation where the person being observed has a reasonable expectation of privacy, without that person's consent, with the intent of observing another person in the act of dressing or undressing or in a state of nudity.**
- (c) For the purposes of this section, a "state of nudity" means the appearance of a bare buttocks, anus, male genitals, female genitals, or female breast.**
- (d) This provision shall not apply to any act committed by a peace officer in the lawful discharge of his duties.**

Section 2. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Repealer. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Section 4. Publication. Pursuant to Section 5-5 of the City Charter, the second publication of this ordinance shall be by reference, utilizing the ordinance title. Copies of this ordinance are available at the office of the City Clerk.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 2019.

PASSED AND ORDERED PUBLISHED BY REFERENCE this _____ day of _____, 2019.

BOB LEGARE, Mayor

ATTEST:

STEPHEN J. RUGER, City Clerk

APPROVED AS TO FORM



NANCY RODGERS, Deputy City Attorney