

TITLE III COMMUNITY PROTECTION

CHAPTER 20 SEX OFFENDERS RESIDENCY

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3-20-1 DEFINITIONS. For the purpose of this ordinance the following shall be defined as shown herein:

1. "Sex Offender" - A person who has been convicted of a criminal offense against a minor, or an aggravated offense, sexually violent offense, or other relevant offense that involved a minor as set out in Chapter 692A of the Code of Iowa.

2. "Public Library" - A room or building owned by the City of Scranton or its agents where a collection of books, periodicals, musical scores and similar materials are kept for reading or reference.

3. "Public Park" - Any area of land owned by the City of Scranton, Greene County, the State of Iowa, or any other governmental entity set apart for the recreation of the public.

4. "Public Playground" - Any area of land owned by the City of Scranton, Greene County, the State of Iowa, or any other governmental entity used for outdoor games and recreation.

5. "Public Community Center" - A room or building owned by the City of Scranton, Greene County, the State of Iowa, or any other governmental entity used for gatherings and activities.

6. "Residence" - A place where the Sex Offender sleeps, which may include more than one location, and may be mobile or transitory.

3-20-2 RESIDENCY RESTRICTED. A Sex Offender shall not reside within two thousand (2,000) feet of the real property comprising a public park, public playground, public library or public community center. The distance shall be measured from the closest boundary line of the residence to the closest boundary line of the public park or public playground or the property on which the public library or public community center is located.

3-20-3 MUNICIPAL INFRACTION. A Sex Offender who resides within two thousand (2,000) feet of the real property comprising a public park, public playground, public library, or public community center commits a Municipal Infraction, subject to penalty as set out in Iowa Code Chapter 692A.7, and further subject to Iowa Code Chapter 364.3.

3-20-4 EXCEPTIONS. A Sex Offender residing within two thousand feet of the real property comprising a public park, public playground, public library, or public community center does not commit a violation of this Ordinance if any of the following apply:

1. The Sex Offender is required to serve at a jail, prison, juvenile facility, or other correctional institution or facility;
2. The Sex Offender is subject to an order of commitment under Chapter 229A of the Code of Iowa;
3. The Sex Offender has established a residence prior to 18th day of June, 2008, the effective date of this ordinance; or
4. The Sex Offender is a minor or a ward under guardianship.