

CHAPTER 48

SEX OFFENDER RESIDENCE PROHIBITION

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48.01 **PURPOSE.** The purpose of this Ordinance is to provide for the safety and well being of all citizens of the City of Guthrie Center, Iowa.

48.02 **DEFINITIONS.** For the purpose of this ordinance the following shall be defined herein:

- A. **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 Code of Iowa (2005).
- B. **"Public Library."** A Room or building owned or operated by the city of Guthrie Center, where a collection of books, periodicals, music and similar materials are kept for reading or reference.
- C. **"Public Park."** Any area of land owned or operated by the City of Guthrie Center, Guthrie County, State of Iowa, or any other governmental entity set apart for the recreation of the public.
- D. **"Public Playground."** Any area of land owned or operated by the City of Guthrie Center, Guthrie County, State of Iowa, or any other governmental entity used for outdoor games and recreation.
- E. **"Public Recreational Trail."** Any area of land owned or operated by the City of Guthrie Center, Guthrie County, State of Iowa, or any other governmental entity used for outdoor hiking, walking, running, biking, skating, rollerblading, or any other outdoor recreation.
- F. **"Public Hospital."** Any building owned or operated by the City of Guthrie Center, Guthrie County, State of Iowa, or any other governmental entity used to provide medical or surgical care to the sick and injured.

G. "Public Swimming Pool." Any facility owned or operated by the City of Guthrie Center, Guthrie County, State of Iowa, or any other governmental entity used for water recreation, sunbathing, swimming, diving or wading.

H. "Public Building or Facility." Any building or facility owned or operated by the City of Guthrie Center, Guthrie County, State of Iowa, or any other governmental entity used by the public to transact business at the local, county, state or federal level.

48.03 RESIDENCY RESTRICTED. A Sex Offender shall not reside within two thousand feet (2,000') of the real property comprising a public park, public playground, public library, public recreational trail, public hospital, public swimming pool, County Courthouse and any other public building or facility.

48.04 MUNICIPAL INFRACTION. A Sex Offender who resides within two thousand feet (2,000') of the real property comprising a public park, public playground, public library, public recreational trail, public hospital, public swimming pool, County Courthouse or any other public building or facility commits a Municipal Infraction, subject to penalty as set out in the Code of Ordinances.

48.05 EXCEPTIONS. A Sex Offender residing within two thousand feet of the real property comprising a public park, public playground, public library, public recreational trail, public hospital, public swimming pool, County Courthouse and any other public building or facility does not commit a violation of this Ordinance if any of the following apply:

- A. The Sex Offender is required to serve at a jail, prison, juvenile facility, or other correctional institution or facility.
- B. The Sex Offender is subject to an order of commitment under Chapter 229A of the Code of Iowa.
- C. The Sex Offender has established a residence prior to the effective date of this ordinance.
- D. The Sex Offender is a minor or a ward under guardianship.

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