

Waterboro Sex Offender Ordinance

Section 1: Purpose

Acknowledging that sex offenders who prey upon children are at a higher risk of re-offending, the Town of Waterboro has a compelling interest to protect the health, safety, and welfare of its children by restricting access to areas where concentration of children exists.

Section 2: Definitions

School – Any public or private elementary, middle or secondary school.

Section 3: Restrictions

Any person convicted of Class A, B or C sex offenses committed against persons who had not attained 14 years of age at the time of the offense shall not reside within 750 feet surrounding the real property comprising a school and shall not reside within 750 feet surrounding a property comprising a municipally owned property where children are the primary users.

Section 4: Exceptions

A sex offender residing within 750 feet surrounding the real property comprising a school or within 750 feet surrounding a property comprising a municipally owned property where children are the primary users and otherwise subject to the restrictions established by Section 3 of this Ordinance is not in violation if the residency was established prior to the date of passage and residency has been consistently maintained. A sex offender is not in violation of this ordinance if a school or municipally owned property where children are the primary users is established or built within or moved into the 750 feet restricted areas as long as the offender resided at this location prior to the date of passage of this Ordinance.

Section 5: Violation: injunctive relief and penalties

Any person who, after written notice from the Town about the requirements of this Ordinance, is in violation of the provisions of this ordinance shall be subject to an action brought by the Town in the District Court or the Superior Court to enforce the requirements of this Ordinance. The Town may seek injunctive relief to require compliance with the provisions of the Ordinance. The Town may also seek a penalty in the minimum amount of \$500, which may be imposed on a daily basis for each day that a violation continues after notice from the Town. In the event that the Town is the prevailing party in an action under this ordinance, it shall be entitled to an award of its reasonable attorney's fees, costs and any expert witness fees.

Section 6: Takes Effect

This ordinance shall take effect upon passage.

Adopted by referendum vote November 7, 2006

Amended October 20, 2009 at a regular Selectmen's Meeting