

**Town of Corinth
Sex Offender Ordinance
March 17, 2009**

1. GENERAL

1.1 Title

This Ordinance shall be known as and may be cited as the "Sex Offender Ordinance of the Town of Corinth, Maine ", and will be referred to herein as the "Ordinance".

1.2 Authority

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII, Part Second of the Maine Constitution, Title 30-A, Section 4352 and Title 38, Section 435 et. seq., of the Maine Revised Statutes Annotated.

2. PURPOSE

The Town of Corinth recognizes that sex offenders who prey upon children have a high rate of recidivism. The Town of Corinth has an obligation to protect the health, safety, and welfare of its children by prohibiting access by convicted sex offenders to areas where a concentration of children under the age of 16 years exists.

3. DEFINITIONS

The following definitions have the literal meaning as they pertain to this ordinance only:

1. **Registered Sex Offender** – An individual convicted of a crime against a person under the age of 16 years and as a result, is required to register for life pursuant to Title 34-A MRSA, Chapter 15.
2. **School/Daycare** – Any public or private educational facility that provides services to 25 or more students under the age of 16 years or any licensed daycare facility that is clearly marked with at least one sign.
3. **Premises** – Shall mean the building structure, and any accessory buildings attached to or detached from the primary structure, playground area, playing field, or courts.
4. **Public Area** – Any area included but not limited to buildings, property, recreation areas and roads which are owned, leased or otherwise operated by a public entity.
5. **Radius** – Distance shall be measured from the property line of the school or daycare center, as defined above, closest to a registered sex offender's residence.
6. **Child Safety Zone** – Public parks, private and public schools, public library, amusement arcades, video arcades, indoor and outdoor amusement centers, amusement parks, public or commercial and semi-private swimming pools, child care facility, child care institution, public or private youth soccer or baseball field, crisis center or shelter, skate park or rink, public or private youth center, scouting facilities and Offices for Child Protective Services, and school or public bus stops.
7. **Loiter** – Means standing, sitting idly, whether or not the person is in a vehicle or remaining in or around an area.

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4. Restrictions

Any person who is a registered sex offender, as defined above:

4.1 Shall not reside within a 3,000-foot radius of the property line of a school, daycare center, or public area as defined above;

4.2 shall not enter upon the premises of a school, daycare center, or public area, as are defined above, unless specifically authorized by the School Superintendent, daycare center owner, or Town Manager or Selectpersons, respectively; and

4.3 shall not loiter within five hundred feet (500') of a Child Safety Zone. The distance of five hundred feet (500') from a child safety zone shall be measured on a straight line from the closest boundary of the Child Safety Zone.

5. Exceptions

A registered sex offender residing within a 3,000-foot radius of a school, daycare, or public area as defined above, is not in violation if the residency was established prior to the date of adoption of this ordinance and the registered sex offender's residency has been continuously maintained.

A registered sex offender is not in violation of this ordinance if a school, daycare, or public area, as defined above, is located or expanded to within a 3,000-foot radius of their residence after the adoption of this ordinance, and the registered sex offender's residency has been continuously maintained.

6. Violation; injunctive relief and penalties

Any person who, 30 days after written notice from the Town of Corinth, is in violation of Section 4.1 of this Ordinance shall be subject to an action brought by the Town of Corinth in the District Court or the Superior Court to enforce the requirements of this Ordinance. Any person who, after verbal notice from a law enforcement officer is in violation of Section 4.2 of this Ordinance shall be subject to an action brought by the Town of Corinth in the District Court or Superior Court to enforce the requirements of this Ordinance. The Town of Corinth may seek injunctive relief to require compliance with the provisions of the Ordinance.

The Town of Corinth may also seek any penalty as may be provided for in the Town of Corinth Fee Schedule. In the event that the Town of Corinth is the prevailing party in any action under this Ordinance, it shall be entitled to an award of its reasonable attorney's fees, court costs and the costs of any expert witness fees incurred by the Town of Corinth.

7. Effective Date

The effective date of this Ordinance and any subsequent amendments shall be the date of adoption at a Town Meeting. A copy of this Ordinance, certified by the Town Clerk, shall be on file at the Town Office.

8. CHANGE CONTROL

03/17/09 Ordinance adopted at Annual Town Meeting March 17, 2009 via passage of Article 63.