

## ORDINANCE NO: 45.25

**AN ORDINANCE PROHIBITING SEX OFFENDERS FROM RESIDING WITHIN TWO THOUSAND FEET OF A PUBLIC PARK, PUBLIC PLAYGROUND OR PUBLIC LIBRARY.**

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**Section 1. Purpose.** The purpose of this Ordinance is to provide for the safety and well being of all citizens of Rowan, Wright County, Iowa.

**Section 2. Definitions:** For the purpose of this ordinance, the following shall be defined as shown 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 if the Code of Iowa.
- B. "Public Library." A room or building owned by the City of Rowan, Wright County, Iowa. Where a collection of books, periodicals, musical scores and similar material are kept for reading or reference.
- C. "Public Park." Any area of land owned by the City of Rowan, Wright County, Iowa or any other governmental entity set apart for the recreation of the public.
- D. "Public Playground." Any area of land owned by the City of Rowan, Wright County, Iowa, or any other governmental entity used for outdoor games and recreation.

**Section 3. Residency Restrictions.** A Sex Offender shall not reside within two thousand feet (2,000') of the real property comprising a public park, a public playground, or a public library.

**Section 4. Municipal Infraction.** A Sex Offender who resides within two thousand feet (2,000') of the real property comprising a public park, a public playground or a public library commit's a Municipal Infraction, subject to a penalty as set out in chapter 3 of the Rowan Code of Ordinance.

**Section 5. Exceptions.** A Sex offender residing within two thousand feet of the real property comprising a public park, a public playground, or a public library does not commit a violation of this Ordinance if any of the following apply:

- A. The Sex Offender is required to serve a sentence imposed by a Court of Competent Jurisdiction at a jail, prison, juvenile facility, or other correctional institution of 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 conservatorship.

**Section 6. Repealer Clause.** Any Ordinance provision, or part thereof, which differs or is inconsistent with this Ordinance is hereby repealed to the extent of said difference or inconsistency.

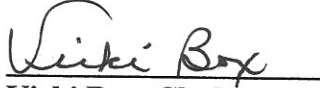
**Section 7 Severability.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a Court of Competent Jurisdiction, such adjudication shall not affect the validity of the Ordinance as a whole, or any section provision or part thereof not adjudged invalid or unconstitutional.

**Section 8. Effective Date.** This Ordinance shall be in effect from and after its final passage, approval, posting and publications as required by law.

Dated this 21<sup>st</sup> Day of November, 2005

  
Thomas Groom Mayor

ATTEST:

  
Vicki Box, Clerk

