



August 6, 2020

TO: Public Safety Committee

FROM: City Attorney's Office

RE: Sex Offender Ordinance Revision

The attached ordinance revision has two components. First, it expands the penalties provision to allow the City to seek any penalty or remedy available under law. It also modifies the “Findings and Intent” section to conform with previous revisions to the substance of the ordinance undertaken in 2018 and 2019.

This second component is important as it removes language that courts have found to be problematic when reviewing sex offender residency ordinances. The stricken language asserted facts not supported by the scientific community and courts have ruled that sex offender residency restrictions based upon unsupported facts cannot be upheld. Secondly, the stricken language declared the City’s legislative goal as restricting the housing available to those convicted of crimes against children. However, all language restricting available housing was previously struck from the ordinance as unenforceable.

This ordinance revision does not modify the substance of the ordinance as set forth in subsections (2)-(5) nor does it modify the appeals process set forth in subsection (6).

The City Attorney’s Office and Police Department jointly ask that this ordinance amendment be adopted.

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