

**County of Washington
City of St. Mary's Point
Resolution No. 2017-10-1**

**RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF SEXUAL OFFENDERS AND SEXUAL
PREDATORS ORDINANCE**

Councilmember Williams offered the following Resolution, Seconded by Mayor Roettger, and moved its adoption:

WHEREAS, the City of St. Mary's Point is a political subdivision, organized and existing under the laws of the State of Minnesota; and

WHEREAS, City has enacted Ordinance No. 2017-10-01 enacting Chapter 1507 of the City Zoning Code – Sexual Offenders and Sexual Predators; and

WHEREAS, the new ordinance is lengthy and the Council finds that publication of the title and a summary of the ordinance will clearly inform the public of the intent and effect of this ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF ST. MARY'S POINT, MINNESOTA, AND AS FOLLOWS:

1. The Council hereby approves the following summary of Ordinance 2017-10-01 for purposes of legal publication in the City's official newspaper:

NOTICE IS HEREBY GIVEN that on October 3, 2017, the City Council of the City of St. Mary's Point adopted Ordinance No. 2017-10-01, entitled "Ordinance Enacting Code Chapter 1507 – Sexual Offenders and Sexual Predators."

NOTICE IS FURTHER GIVEN that said ordinance creates areas around locations where children and vulnerable individuals regularly congregate wherein certain predatory offenders are prohibited from establishing a primary or secondary address. Chapter 1507 is summarized as follows:

- a. **The purpose of the ordinance is to protect the public safety, health and general welfare of the residents of St. Mary's Point by prohibiting predatory offenders from establishing a primary or secondary address in certain areas within the City.**
- b. **The ordinance defines "predatory offender" as any person who is required to register as a predatory offender under Minn. Stat. § 243.166, or has been convicted of a designated sexual offense, regardless of whether adjudication has been withheld, in which the victim of the offense was less than sixteen (16) years of age, or has been categorized as a Level III sex offender under Minnesota Statute § 244.052 or successor statute.**

- c. **The ordinance provides that it is unlawful for any predatory offender to establish a permanent residence or temporary residence: (a) within 2,000 feet of any public or private school, licensed child care facility, bird sanctuary, ice arena, public beach, including Sunset Beach, park, or playground; (b) and within 1,000 feet of any designated public school bus stop, place of worship which provides regular educational programs (i.e. Sunday school), or other places where children are known to congregate, or State Licensed Residential Care Facilities or Registered Housing with Services Establishments.**
- d. **A person who violates the ordinance shall be punished by a fine not exceeding \$1,000.00 or by confinement for a term not exceeding 90 days, or by both such fine and confinement. Each day a person maintains a residence in violation of this ordinance constitutes a separate violation.**
- e. **The ordinance provides exceptions if (a) the person established a permanent residence or temporary residence and reported and registered such residence prior to August 31, 2017; (b) the person was a minor when he/she committed the offense and was not convicted as an adult; (c) the person is a minor; or (d) the school or licensed day care provider within 2,000 feet of the person's permanent residence was opened after the person established a permanent or temporary residence and reported and registered such residence; and € the residence is also the primary residence of the person's parents, grandparents, siblings, spouse, or children.**
- f. **The Ordinance further provides that it is unlawful for property owners to let or rent any place, structure, or part thereof, trailer or other conveyance, with the knowledge that it will be used as a permanent or temporary residence by any person prohibited from establishing such residence pursuant to Chapter 1507.**

The foregoing summary is provided pursuant to statutes in lieu of publishing the entire ordinance. A full copy of ordinance is available for inspection during regular office hours at the office of the City Clerk at the City Hall, and will also be provided via mail or e-mail upon written request.

Adopted by the City Council on this 3rd day of October, 2017 by the following vote:

Freesmeier: Aye
 G. Williams: Aye
 Olfelt-Nelson: Aye
 Anderson: Aye
 Roettger: Aye

Attested:

Cindie J Reiter, City Clerk