

TOWN COUNCIL
TOWN OF FALMOUTH, MAINE

AN ORDINANCE TO RESTRICT THE PLACE OF RESIDENCE
OF CONVICTED SEX OFFENDERS

Be it ordained by the Town Council of the Town of Falmouth, Maine, in Town Council assembled, that the Falmouth Code is hereby amended by adding a section, to be numbered 10-3, which said section reads as follows:

Sec. 10-3. Restriction on Residence of Convicted Sex Offenders.

(a) *Authority.* This ordinance is enacted pursuant to 30-A M.R.S.A. § 3001 and 30-A M.R.S.A. § 3014.

(b) *Definitions.*

Convicted sex offender. A person convicted of any current or former Maine crime listed in former Title 17, sections 2922 to 2924 or Title 17-A, chapter 11 or 12; a conviction for an attempt or solicitation of those listed crimes; or any conviction for any former or current crime in any other jurisdiction in which the person engaged in substantially similar conduct to that of the earlier specified current or former Maine crimes.

(c) *Prohibition.* A convicted sex offender whose crime involved a victim who had not attained the age of 14 years at the time of the offense may not establish a residence within 750 feet of the real property line of a public or private elementary, middle or secondary school or within 750 feet of the real property line of municipally owned property where children are the primary users, including, without limitation, playgrounds and athletic fields. The prohibition of this section shall not apply to persons who, on the date of adoption of this ordinance, resided within the 750 foot restricted areas.

(d) *Penalties.* Any person who, after written notice from the Town, fails or refuses to comply with its requirements of this ordinance shall be subject to a minimum penalty of \$500.00 per day payable to the Town. In addition to monetary penalties, the Town may also seek injunctive relief from the courts. If the Town prevails in an action for violation of this ordinance, it shall be entitled to its reasonable attorneys fees and costs.