

ALLEN PARISH OCT 10 2013  
RECORDED  
COB B. 499  
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FILE 477,736

ORDINANCE NO. 6291

### **AN ORDINANCE GOVERNING REGISTRATION OF SEX OFFENDERS**

WHEREAS, Allen Parish Police Jury requires the supervision of sex offenders residing in the parish under the auspices of state law R.S. 15:542 et seq, and

WHEREAS, Allen Parish Sheriff's Office is entrusted with the enforcement of the sex offender registration,

NOW THEREFORE BE IT RESOLVED, that the Allen Parish police Jury adopt and enact the following ordinance for the registration of convicted sex offenders residing within the parish.

#### **Section One: Registration:**

A. All persons convicted as sex offenders in the State of Louisiana, or another state, and residing in Allen Parish of a crime defined in La. R.S. 15:542, shall be required to register and provide notification in accordance with this ordinance.

B. All persons defined in subsection A. Of this ordinance who reside, work, or attend school within the boundaries of Allen Parish, shall within three (3) business days after conviction or adjudication, or adoption of this ordinance whichever is sooner register with the Allen Parish Sheriff's Office and municipality in which he resides, and provide all information required under R.S. 15:542 c. He shall also adequately explain the basis for his criminal conviction.

C. Knowingly providing false information shall constitute a failure to register under this section.

D. The offender shall pay onto the Allen Parish Sheriff's Department an initial registration fee of \$400.00, which is inclusive of the state mandated fee of \$60. The offender shall be assessed an annual renewal fee of \$100.00 for a Tier 1 conviction registration, \$100.00 for a Tier 2 supervision, and \$100.00 for a Tier 3 registration supervision.

**Section Two: Notification:**

Any person residing in Allen Parish who is required to provide sex offender and/or child predator notification under R.S. 15:542.1, shall in addition to the requirements set out therein, provide such notice to the Allen Parish Sheriff's Department and include such notice to the municipality in which he/she resides.

**Section Three: Failure To Register.**

A. Any person who fails to register, fails to renew and update registration, provide proof of residence or notification of change of address information, or provide community notification as required in the provisions of this chapter, and any person who knowingly provides false information to a law enforcement agency as provided herein this chapter, upon a first violation be subject to a civil penalty of not more than \$1,000 and upon subsequent violations, the offender shall be subject to a civil penalty not to exceed \$3,000.

B. An offender who registers, but fails to pay the annual registration fee, or renewal fees, in accordance with this chapter, shall be subject to a civil penalty of \$500 in addition to the fees owed.

**Section Four: Duration**

Any person required to register under this chapter and provide notification pursuant to the provisions shall comply with such time periods as are set forth in R.S. 15:544.

**Section Five: Special Conditions for Convicted Sex Offenders**

A. All persons required to register under the provisions of this chapter, where the victim is a minor child, shall be prohibited from:

1. Going in, on, or within 1,000 feet of the school property of any public or private elementary school or secondary school.
2. Going in, on or within 1,000 feet of a day care center, group home, residential home, or child care facility, a family child day care home, playground, public or private youth center, public swimming pool, or freestanding video arcade center.
3. Physically residing within 1,000 feet of any public or private elementary or secondary school, day care center, group home, residential home, or child care facility, a family child day care home, playground, public or private youth center, public swimming pool, or freestanding arcade facility.
4. Physically residing within 300 feet of any designated bus stop, measured from the nearest point of the registered offender's front property line's intersection with roadway,

excluding any designated school bus stop utilized by children whose parent of guardian is a registered offender. Any existing residences within 300 feet of a school bus stop when this ordinance is adopted shall be grandfathered as complaint. A letter from the Allen Parish Sheriff's Office shall be presumptive compliance with this provision if an offender changes address to a new location which, at that time, is not within 300 feet, of a designated school bus stop. The relocated address shall then be grandfathered as compliant concerning a future change of the designated school bus stop that places the existing residence within 300 feet of a designated school bus stop.

5. Communicating, either in written or oral form, with the victim or family member of the victim, unless the victim consents to such communication in writing.

#### **Section Six: Definitions**

Definitions of this chapter shall be adopted from Chapter 13, Article VI under Sex Offender Registration and Restrictions and made a part of this ordinance.

Passed this 7th day of October, 2013 in the regular monthly meeting in Oberlin, Louisiana, upon motion of Ruffin George, and seconded by Matt Fontenot, by a vote of 6 for, 0 against, and 0 abstaining. 1 absent.

  
CLERK

  
PRESIDENT

PART II - THE CODE

Chapter 13 - OFFENSES AND MISCELLANEOUS LAW ENFORCEMENT PROVISIONS

ARTICLE VI. SEX OFFENDER REGISTRATION AND RESTRICTIONS

*Child* means a person who has not reached the age of 13 years. The words "child" and children are used interchangeably in this section.

*Day care center* means any place or facility operated by any institution, society, agency, corporation, person or persons, or any other group for the purpose of providing care, supervision, and guidance of seven or more children, not including those related to the caregiver, unaccompanied by parent or guardian, on a regular basis for at least 12½ hours in a continuous seven-day week. A day care center that remains open for more than 12½ hours in a continuous seven-day week, and in which no individual child remains for more than 24 hours in one continuous stay shall be known as a full-time day care center.

*Family child day care home* means any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision, and/or guidance of seven, but not more than 12, children, who are not related to the operators and whose parents or guardians are not residents of the same facility.

*Group day care home* means any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purposes of providing care, supervision, and/or guidance of seven, but not more than 12, children, who are not related to the operators and whose parents or guardians are not residents of the same facility.

*Group home* means any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group which receives therein at least seven, but not more than 15, children who are not related to the operator and whose parents or guardians are not residents of the same facility for supervision, care, lodging, and maintenance, with or without transfer of custody.

*Residential home* means any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group to provide full-time care for more than 15 children who are not related to the operators and whose parents or guardians are not residents of the same facility, with or without transfer of custody. A residential home as defined in this subsection includes facilities known as children's homes, halfway houses, residential treatment centers, training schools, and facilities for the mentally retarded, emotionally disturbed, socially maladjusted, or otherwise mentally or physically handicapped.

- (c) The restrictions and prohibitions set forth in this subsection shall not be applicable when said restrictions and/or prohibitions are waived or excepted under the provisions of R.S. 15:538.
- (d) Any person who violates this subsection shall be guilty of a misdemeanor and subject to penalties of section 1-8 of this Code of Ordinances.

(Ord. No. 15739, § 1, 1-19-11; Ord. No. 16136, § 1(1), 12-21-11)