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**ORDINANCE
NUMBER 2015-07**

Instrument # 602488
OR BK 1358 Pages 515-15pg(s)
RECORDED 06/25/2015 at 10:05 AM
Danny J. Shipp, Levy County Clerk, Florida
DEPUTY CLERK MB

AN ORDINANCE OF LEVY COUNTY, FLORIDA, TO BE
KNOWN AS SEXUAL OFFENDER/PREDATOR
RESTRICTIONS ORDINANCE; PROVIDING FOR
LEGISLATIVE FINDINGS AND INTENT; PROVIDING
DEFINITIONS; PROHIBITING INDIVIDUALS WHO HAVE
COMMITTED CERTAIN CRIMES FROM BEING PRESENT,
LOITERING OR PROWLING WITHIN 300 FEET OF
SPECIFIED LOCATIONS THAT ARE PRIMARILY DESIGNED
FOR USE BY, OR ARE PRIMARILY USED BY CHILDREN,
OR ARE LOCATIONS WHERE CHILDREN CONGREGATE;
PROVIDING RESIDENCY RESTRICTIONS FOR
INDIVIDUALS WHO HAVE COMMITTED SEXUALLY
RELATED CRIMES AND EXCEPTIONS; PROVIDING FOR
APPLICABILITY TO PROPERTY OWNERS AND MANAGERS
AND OTHERS IN CONTROL OF RESIDENTIAL PROPERTY;
PROVIDING FOR LOCAL LAW ENFORCEMENT AND CODE
ENFORCEMENT OPTIONS; PROVIDING FOR CONFLICTS;
PROVIDING FOR PENALTIES; PROVIDING FOR SEPARATE
VIOLATIONS; PROVIDING FOR OTHER REMEDIES;
PROVIDING FOR SEVERABILITY; PROVIDING AN
EFFECTIVE DATE.

RECITALS

WHEREAS, the Levy County Board of County Commissioners ("Board") and the
Sheriff of Levy County, Florida, are concerned about the numerous occurrences in the
State of Florida and the United States where sexual offenders, sexually violent predators
and sexual predators have been released from custody and repeat the unlawful acts for
which they had been sentenced originally; and

WHEREAS, the State of Florida has recognized the importance of regulating sexual
offenders, sexually violent predators and sexual predators by enacting laws governing the
conduct of such individuals including the Jessica Lunsford Act, the Jimmy Ryce Sexually
Violent Predator Act, and section 775.215, Fla. Stat., titled as "Residency Restrictions for
Persons Convicted of Certain Sex Offenses," which laws Levy County strongly supports;
and

WHEREAS, in order to assist interested citizens in educating themselves about the

possible presence of certain sexual offenders, sexually violent predators and sexual predators in their local community, and by such education further the citizens' awareness and safety, the Florida Department of Law Enforcement maintains and provides access to a database containing public record information on offenders classified as sexual offenders, sexually violent predators and sexual predators under Florida law because of a confiscation for a sex-related crime and/or a specified crime against children; and

WHEREAS, numerous studies in the field of sex crimes, as cited on the Sex Offender Management Myths and Facts information page of the New York State Division of Criminal Justice Services website (current as of April 2014), indicate that sex crimes are vastly underreported, including sex crimes against children; and

WHEREAS, a study of the Center for Sex Offender Management, a project of the United States Department of Justice, noted that:

. . . although sex offenders account for only a small percentage of the total offender population, probably no other group of offenders evokes as much fear in citizens and concern among policymakers and practitioners. In an effort to protect the public from the threats posed by known sex offenders and to ensure that the most effective management practices possible are in place, communities across the country are working hard to assess and plan improvements in their current approaches to sex offender management; and

WHEREAS, one author has written that "there is overwhelming evidence that indicates that our current system of punishing or treating sexual offenders is failing us" and a publication of the American Medical Association ("AMA") states that "child sexual abuse has been endemic for generations, but recognition of the prevalence and the potential devastating psychological effects have only recently received attention" and that "recent studies suggest that approximately 20% of children will be sexually abused in some way before they reach adulthood, with this figure cumulating at a rate of about 1% each year"; and

WHEREAS, the Florida Department of Law Enforcement has noted that "the theme of the 1997 National Institute of Justice (NIJ) Conference on Criminal Justice Research and Evaluation, *Crime and Place*, reflects an emerging trend among criminal justice researchers and practitioners to shift the focus of crime prevention and suppression efforts from people (potential offenders) to places"; and

WHEREAS, the Colorado Bureau of Investigation has assembled the following

relevant statistics:

- (1) In 2001, there were approximately 386,000 registered sex offenders in the United States.
- (2) Approximately 95% of sex offenders in the United States are under correctional supervision in the community.
- (3) At least half of convicted child molesters report that they also have sexually assaulted an adult.
- (4) Over 80% of convicted adult rapists report that they have molested children.
- (5) Approximately one-third of sex offenders report assaulting both males and females. Research shows that most convicted sex offenders have committed many, many assaults before they are caught.
- (6) Most sex offenders report that they have committed multiple types of sexual assault (sexual assault crimes include exhibitionism, voyeurism, oral sex, vaginal penetration, attempted penetration, fondling and incest).
- (7) Over two-thirds of offenders who reported committing incest also said that they assaulted victims outside the family.
- (8) Studies of victims have found that less than 16% of sex crimes are reported to law enforcement.
- (9) Young victims who know or are related to the perpetrator are least likely to report the crime to authorities.
- (10) Most offenders commit multiple crimes against multiple types of victims with whom they have varying types of relationships (adults, children, male, female, known, and unknown). This behavior is known as "crossover."
- (11) Sex offenders rarely commit just one type of offense. Many offenders have NO official criminal record or sex crime history of any kind.
- (12) There is no such thing as a "typical" sex offender; however, all tend to be manipulative, deceptive, and secretive. Sex offenders come from all backgrounds, ages, income levels, and professions.
- (13) Sex offenders usually do not commit their crimes impulsively. They usually carefully plan their crimes; and

WHEREAS, Levy County is a family oriented county which highly values its children and all of its citizens, and it is a place where families with young children find highly desirable; and

WHEREAS, the Board desires to afford the citizens of Levy County protection from sexual offenders, sexually violent predators and sexual predators, to the maximum extent allowed by controlling law, in order to advance public health, safety, welfare, and to the benefit of the citizens of Levy County; and

WHEREAS, in order to afford maximum protection to our children from sexual predators, the Board finds it necessary to establish child safety zones encircling permanent

127 and transient facilities; and

128
129 WHEREAS, the Board has determined that in order to provide the greatest
130 protection possible for children posed by individuals who pose significant danger to them,
131 regulations are necessary to prevent any neighborhood from becoming saturated with
132 sexual offenders, sexually violent predators or sexual predators, or any combination of
133 them; and

134
135 WHEREAS, in order to avoid saturation of neighborhoods and protect the safety of
136 citizens within neighborhoods, it is necessary to regulate and restrict the number of sexual
137 predators, sexually violent predators or sexual offenders, or any combination of them, from
138 residing at the same location; and

139
140 WHEREAS, in order to reduce the potential risk of harm to children of the
141 community by limiting the opportunity for sexual offenders, sexually violent predators and
142 sexual predators to be in contact or within routine view of unsuspecting children in
143 locations where children may congregate and in places where children reside, it is
144 necessary to establish distance requirements between residences of sexual predators,
145 sexually violent predators or sexual offenders and certain other structures or uses, and to
146 adopt additional regulations limiting exposure and contact between such offenders and
147 predators and children; and

148
149 WHEREAS, the Board may act in accordance with the provisions of Article II,
150 Section 7 of the Constitution of the State of Florida, and the home rule power of Levy
151 County, as contained in Chapter 125, Fla. Stat., which enables the Board to conduct
152 county government, perform county functions, render county services, and exercise any
153 power for county purposes except as otherwise provided by law;

154
155 BE IT ORDAINED, by the Board of County Commissioners of Levy County, Florida:

156 Section 1. Title.

157 This ordinance shall be known and may be cited as the Sexual Offender/Predator
158 Restrictions Ordinance.

159
160 Section 2. Legislative Findings and Intent.

161
162 (a) The findings set forth in the recitals to this ordinance are hereby adopted as
163 additional legislative findings.

(b) The Board of County Commissioners of Levy County, Florida, hereby finds and determines that sexual predatory individuals present an extreme threat to the public safety. Predatory individuals are extremely likely to use physical violence and repeat their offenses, and most commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of predatory individuals' victimization to society at large, while incalculable, clearly exorbitant and a drain on the resources of society.

(c) It is the intent of this ordinance to serve the County's interest to promote, protect and improve the health, safety, and welfare of the citizens of Levy County by regulating areas where predatory individuals may congregate, reside, and frequent.

(d) It is the intent of this ordinance to reduce the potential risk of harm to children of the community by limiting the opportunity for predatory individuals to be in contact with unsuspecting children in locations that are primarily designed for use by children, are primarily used by children, are customary gathering places for children, or are where children reside whether permanently or temporarily. This ordinance is not intended to interfere with a predatory individual's ability to participate in his or her own children's activities occurring at school and at other recreational type facilities, and is also not intended to interfere with a predatory individual's ability to attend church or conduct business with the government.

(e) It is the intent of this ordinance to reduce the potential risk of harm to children of the community by distancing predatory individuals from children in safety zones established pursuant to this ordinance. It is also the intent of this ordinance to reduce the potential dangers associated with saturation of a community by multiple predatory individuals living near families and vulnerable individuals by establishing residency restrictions that limit the number of sexual predatory individuals who may reside in residences, including single-family homes, apartment complexes, condominiums, mobile home parks and other multi-family units, and restrictions that limit the number of predatory individuals who reside at the same address.

Section 3. Definitions.

The following terms shall have the meanings ascribed to them as follows for the purposes of this ordinance, unless the context clearly indicates a different meaning:

Business or transient facilities shall mean those facilities and the locations of such facilities that include, but are not limited to day care centers or children's facilities, video

198 arcades, transient carnivals, transient zoos, or other similar type places where children
199 congregate.

200 *Child, children, or minor* shall mean an individual or individuals whose chronological
201 age is less than 18 years.

202 *Condominium, condominium parcel and condominium property* shall have the same
203 meaning as in section 718.103, Fla. Stat., as it may be amended or replaced.

204 *Day care center* shall mean any child care arrangement which is either required to
205 be licensed by, or which is exempt from licensure in accordance with State or local law,
206 including but not limited to, any family child care home, large family child care home, child
207 care facility, school age child care center, specialized child care facility for the care of
208 mildly-ill children, after school programs and child care facilities of a church or parochial
209 school.

210 *Dwelling/multi-family* shall mean a structure containing two or more dwelling units
211 attached to each other by walls, garages, carports, utility rooms, breezeways, etc. or
212 conventional dwelling units, whether attached or detached from each other, which share a
213 single deeded lot. Each dwelling unit of the multi-family structures may be located on one
214 deeded lot or may be on separately deeded lots. Multi-family includes such structures as
215 duplexes, triplexes, quadraplexes, townhouses and apartments as well as congregated
216 living facilities, life care treatment facilities and professional residential facilities.

217 *Dwelling/single-family* shall mean a structure containing a single dwelling unit,
218 detached from other dwelling units by horizontal or vertical space with no connection
219 provided by walls, garages, carports, utility rooms, breezeways, etc., and located on a
220 deeded lot with no other non-temporary dwelling units occupying the same lot.

221 *Loitering and/or prowling* shall have the same meaning as in section 856.021, Fla.
222 Stat., as it may be amended or replaced.

223 *Manufactured home/mobile home* shall mean a structure designed for and limited to
224 single family and duplex usage meeting the Federal Mobile Home Construction and Safety
225 Standards, promulgated to the Department of Housing and Urban Development.

226 *Manufactured home park* shall mean a parcel (or contiguous parcels) of land divided
227 into two or more manufactured home or mobile home lots for rent or sale.

228 *Mobile home park* shall mean a single zoning lot occupied by five or more mobile
229 homes.

230 *Park* shall mean and include all public and private property specifically designated
231 as being utilized for park and recreational purposes, including public beaches, regardless
232 of ownership.

233 *Permanent residence* means a place where a sexual offender/designated predator
234 abides, lodges, or resides for a period of five (5) or more consecutive days.

235 *Permanent or stationary facilities* shall mean those facilities and the locations of
236 such facilities that include, but are not limited to, any public or private schools, public
237 libraries, public or private playgrounds and/or play facilities, YMCA and YWCA facilities,
238 Boys and Girls Club's facilities, youth camp grounds, parks, youth sports facilities, skate
239 parks, public zoos, public swimming pools, and other facilities designed primarily for use by
240 children, and other similar places where children regularly congregate.

241 *Predatory individual* shall mean a sexual offender as defined in section 943.0435,
242 Fla. Stat., as it may be amended or replaced, a sexually violent predator as defined in
243 section 394.912, Fla. Stat., as it may be amended or replaced, or a sexual predator, as
244 defined in section 775.21(4), Fla. Stat., as it may be amended or replaced.

245 *Responsible party* shall mean the property owner and/or the property owner's
246 authorized agent.

247 *Safety Zone* shall mean on or within 300 feet of the specified location.

248 *School* shall mean any public or private school as defined in sections 1000.04(1)
249 and 1002.01, Fla. Stat., as the same may be amended or replaced, excluding facilities
250 dedicated exclusively to the education of adults.

251 *Temporary residence* means a place where a sexual offender/designated predator
252 abides, lodges, or resides for a period of five (5) or more days in the aggregate during any
253 calendar year and which is not the person's permanent address or, for a person whose
254 permanent residence is not in this state, a place where the person is employed, practices
255 vocation, or is enrolled as a student for any period of time in this state.

256 Section 4. Prohibited presence, loitering or prowling at certain locations.

257 (a) It is prohibited for a predatory individual to be on or within a safety zone for
258 the following specified locations or to loiter or prowl upon locations adjacent to a safety
259 zone:

260 (1) Permanent facilities during such times the permanent facility is
261 being used by children or during such times when children congregate at the
262 permanent facility except while in the process of dropping off or picking up
263 his or her own child or a friend or relative's child (with permission of the
264 child's parent or legal guardian) from one of these permanent facilities or
265 locations, or while attending an activity with his or her own child or a friend or
266 relative's child (with permission of the child's parent or legal guardian) at one

267 of these permanent facilities or locations, or when attending an adults-only
268 function at one of these permanent facilities or locations, or, if the facility is a
269 school, while on the school grounds for a school-related activity with the
270 permission of the school.

271 (2) For the purposes of determining the minimum distance
272 separation requirement, distance shall be measured by following a straight
273 line from the outer property line of the permanent facility.

274 (3) This prohibition does not apply to single trips while traveling
275 past a location specified in this section while en route to another destination.

276 (4) This prohibition does not apply to traveling to or from or
277 attendance at religious services.

278 (5) This prohibition does not apply to traveling to or from or being
279 at a government building for the purpose of conducting official business.

280 (6) This prohibition does not apply to the predatory individual's
281 place of residence when regulated by state law or by this ordinance.

282 (7) This prohibition does not apply to a predatory individual that is
283 at a permanent facility when the facility is a voting or voter registration
284 location and the predatory individual is present for the purposes of voting or
285 registering during the hours designated for voting or registration process; this
286 exception shall only apply to the time required for the predatory individual to
287 complete the voting or registration process.

288 (b) It is prohibited for a predatory individual to be on or within a safety zone for
289 the following specified locations or to loiter or prowl upon locations adjacent to a safety
290 zone:

291 (1) Business or transient facilities that include day care centers and
292 similar facilities, except while the predatory individual is in the process of
293 dropping off or picking up his or her own child or a friend or relative's child
294 (with permission of the child's parent or legal guardian) from the facility, or
295 while attending an activity at the facility with his or her own child or a friend or
296 relative's child (with permission of the child's parent or legal guardian), or
297 while on the facility grounds for a facility-related activity or transaction with
298 the permission of the facility and provided the activity or transaction is
299 completed expeditiously and without delay of any kind.

300 (2) Business or transient facilities which include but are not limited
301 to video arcades, transient carnivals, transient zoos, or other similar places

where children congregate. This prohibited location includes the parking areas designated for use in connection with the business or transient facilities.

(3) For the purposes of determining the minimum distance separation requirement, distance shall be measured by following a straight line from the outer property line of the business or transient facility.

(4) This prohibition does not apply to single trips while traveling past a location specified in this section while en route to another destination.

(5) This prohibition does not apply to traveling to or from or attendance at religious services.

(6) This prohibition does not apply to traveling to or from or being at a government building for the purpose of conducting official business.

(7) This prohibition does not apply to the predatory individual's place of residence when regulated by state law or this ordinance.

(8) This prohibition does not apply to a predatory individual that is at a business or transient facility when the facility is a voting or voter registration location and the predatory individual is present for the purposes of voting or registering during the hours designated for voting or registration process; this exception shall only apply to the time required to complete the voting or registration process.

(c) For all activities involving the dropping off or picking up of a child or children, attending an activity involving a child or children, or traveling, attending services, or conducting official business, all as authorized above, the predatory individual may not remain or loiter any longer than is reasonably necessary to accomplish the task.

Section 5. Assistance of workers encouraged.

School officials, park workers, library staff, YMCA and YWCA staff, Boys and Girls Club staff, day care operators, video arcade, amusement park and zoo workers, and all others working at permanent or business facilities, or any other facilities primarily designed for use by, or primarily used by children are encouraged to collaborate with and facilitate law enforcement in its efforts to protect children from predatory individuals.

333 Section 6. Residency restrictions and exceptions.

334 (a) It is prohibited and unlawful for any predatory individual, or any person who
335 has been convicted of an equivalent offense in another state that, if convicted in Florida,
336 would be a predatory individual, regardless of whether adjudication has been withheld
337 either in Florida or in such other state, when the victim of the offense for which the
338 conviction resulted was under eighteen (18) years of age at the time the offense was
339 committed, to establish a permanent residence or a temporary residence located within the
340 unincorporated area of Levy County when such residence is located at or within two
341 thousand five hundred (2,500) feet of any school, day care center, park, playground, or
342 public library, or when such residence is located at or within one thousand (1,000) feet of a
343 church.

344 (b) For the purposes of determining the minimum distance separation
345 requirements in this section, distance shall be measured by following a straight line from
346 the outer property line of the permanent residence or temporary residence to the nearest
347 outer property line of the school, day care center, park, playground, public library, or
348 church.

349 (c) A predatory individual residing at or within two thousand five hundred (2,500)
350 feet of any school, day care center, park, playground, or public library, or at or within one
351 thousand (1,000) feet of a church does not commit a violation of this ordinance if any of the
352 following apply:

353 (1) The predatory individual established the permanent residence
354 or temporary residence and reported and registered the residence pursuant
355 to Section 775.21, Fla. Stat. the Florida Sexual Predators Act, Section
356 943.0435, Fla. Stat., registration of sexual offenders, or Section 944.607,
357 Fla. Stat., Notification of Department of Law Enforcement of information on
358 sexual offenders, or any other similar Florida state law requiring reporting or
359 registration of the residence of a predatory individual, prior to the effective
360 date of this ordinance.

361 (2) The predatory individual was a minor when he/she committed
362 the offense and was not convicted as an adult.

363 (3) The predatory individual is a minor.

364 (4) The school, day care center, park, playground, public library, or
365 church was opened after the predatory individual established the permanent
366 residence or temporary residence and reported and registered the residence
367 pursuant to Section 775.21, Fla. Stat. the Florida Sexual Predators Act,
368 Section 943.0435, Fla. Stat., registration of sexual offenders, or Section

944.607, Fla. Stat., Notification of Department of Law Enforcement of information on sexual offenders, or any other similar Florida state law requiring reporting or registration of the residence of a predatory individual.

(d) It is prohibited for any more than two predatory individuals to establish a temporary or permanent residence at the same address, unless one or both of such predatory individuals are related by blood, marriage or adoption to any additional predatory individual(s) at the same address. Therefore, it is prohibited for a predatory individual to establish a temporary or permanent residence at an address that is also the temporary or permanent residence of at least two other predatory individuals who are not related by blood, marriage or adoption, unless the predatory individual seeking to establish such temporary or permanent residence is related by blood, marriage or adoption to one of the other two unrelated predatory individuals.

(e) It is prohibited for a predatory individual to establish a temporary or permanent residence in a multi-family dwelling, manufactured or mobile home in a mobile home park, or unit in a condominium in which another predatory individual has established a temporary or permanent residence, unless the number of predatory individuals residing in such multi-family dwelling, mobile home park, or condominium does not exceed ten percent of the number of individual dwelling units, except as follows:

(1) A predatory individual will not be considered in violation of this section if residing in a dwelling that would otherwise constitute a violation of this section, provided that predatory individual was residing in such dwelling and was classified as a sexual offender, sexually violent predator or sexual predator under state law prior to the effective date of this ordinance. In the event such predatory individual relocates to a different dwelling, the residence restrictions contained in this subsection shall apply.

(2) Any predatory individual who resides in a state licensed residential treatment facility that provides services, including but not limited to diagnostic evaluation, behavioral counseling, medical care, psychiatric care, psychological, and social service care.

(3) A predatory individual who is an unemancipated minor and who resides with a parent or guardian.

401 Section 7. Property owners, rental agents, real estate agents, apartment complex
402 managers, condominium associations, mobile/manufactured home park managers and
403 other responsible parties.

404 It shall be a violation of this ordinance for any property owner, trustee, rental agent,
405 real estate agent, apartment complex manager, condominium association,
406 mobile/manufactured home park manager or any other person responsible for the letting of
407 any property subject to the limitations of Section 6 of this ordinance, whether for
408 compensation or not, to have an unlawful number of predatory individuals domiciled on any
409 property controlled directly or indirectly by that person.

410 Section 8. Property owners encouraged to assist law enforcement officers in protecting
411 children.

412 Property owners are encouraged to collaborate and facilitate with law enforcement
413 in the efforts of protecting children. Property owners should make a diligent effort to check
414 the Florida Department of Law Enforcement's website to determine if a person has been
415 designated as a sexual offender, sexually violent predator or sexual predator pursuant to
416 law before leasing/renting property.

417 Section 9. Applicability.

418 The provisions of this ordinance shall be applicable in the unincorporated areas of
419 Levy County.

420 Section 10. Application of ordinance/existing contracts.

421 The provisions of this ordinance shall not be applied to persons residing at a
422 prohibited location on the effective date of this ordinance such that the application would
423 impair valid, existing and bona fide contract rights; provided, however, that the provisions of
424 this ordinance shall apply upon termination of any leasehold relationship arising from a
425 landlord tenant relationship or the expiration of a lease. When a person who is the subject
426 of this ordinance changes residences, this ordinance shall fully apply to such person.

427 Section 11. Conflicts.

428 All ordinances or parts of ordinances in conflict with any of the provisions of this
429 ordinance are hereby repealed.

430 Section 12. Penalties.

431 (a) The County may pursue any enforcement action or legal remedy available
432 under controlling State law and any legal remedy available to the County to include, but not
433 be limited to, prosecution as a misdemeanor with a fine not exceeding \$500.00, or by
434 imprisonment for a term not exceeding 60 days, or by both fine and imprisonment.

435 (b) Each day of continued violation or noncompliance shall constitute a separate
436 offense.

437 (c) Nothing herein contained shall prevent the County from taking such other
438 lawful action in law and equity as may be necessary to remedy any violation or refusal to
439 comply with this ordinance or the safeguards which may be effectuated pursuant to the
440 ordinance, including but not limited to:

441 (1) Injunctive and/or declaratory relief in a court of competent
442 jurisdiction.

443 (2) Any action to recover any and all damages that may result from
444 a violation of this ordinance.

445 (3) Any other action or enforcement method allowable by law.

446 Section 13. Other remedies.

447 The Board of County Commissioners of Levy County may adopt such resolutions as
448 are necessary to effectively administer this ordinance.

449 Section 14. Preemption.

450 In the event any State or federal law is enacted that is more restrictive in nature as
451 to where a predatory individual may physically be located, those portions of this ordinance
452 which conflict with the State or federal law will cease to be in effect.

453 Section 15. Severability.

454 If any subsection, sentence, clause, phrase, or portion of these sections is for any
455 reason held invalid or unconstitutional by any court of competent jurisdiction, such portion
456 shall be deemed a separate, distinct, and independent provision and such holding shall not
457 affect the validity of the remainder of this ordinance.

459 Section 16. Codification.

460 The provisions of this ordinance shall be codified in the Levy County Code of Laws and
461 Ordinances ("the Code") into a new Article V. in Chapter 58 of such Code, to be entitled
462 "Restrictions for Sexual Offenders, Sexually Violent Predators, and Sexual Predators," to
463 read in its entirety as provided herein, and article and section numbers shall be assigned to
464 effect such codification.

465 Section 17. Effective Date.

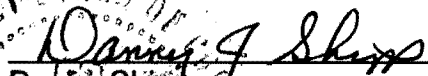
466 This ordinance shall take effective upon its filing in the Office of the Secretary of the State,
467 State of Florida.

468
469 PASSED AND DULY ADOPTED this 23rd day of June, 2015.

470
471 BOARD OF COUNTY COMMISSIONERS
472 OF LEVY COUNTY, FLORIDA
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477 John Weeks, Chair
478

479 ATTEST:
480 Danny Shipp, Clerk of the
481 Circuit Court and Ex-Officio
482 Clerk to the Board of County
483 Commissioners
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486 Danny Shipp
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495 APPROVED AS TO FORM AND
496 LEGAL SUFFICIENCY:
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Anne Bast Brown, County Attorney

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LR2006-040
5/21/15

LEVY COUNTY JOURNAL

PUBLISHED WEEKLY

BRONSON, LEVY COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF LEVY:

Before the undersigned authority personally appeared Linda Cooper, who on oath says she is General Manager of the LEVY COUNTY JOURNAL, a newspaper published at Bronson, Levy County, Florida; that the attached copy of advertisement,

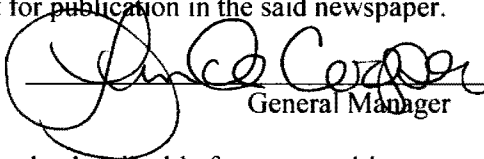
being a Notice of Enactment of Ordinance 2015-07 by the Board of County Commissioners of Levy County, Florida

in the matter of providing for sexual offender/predator restrictions, prohibiting individuals who have committed certain crimes from being present, loitering or prowling within 300 feet of specified locations where children congregate; providing residency restrictions for individuals who have committed sexually related crimes; providing applicability to property owners and managers

on June 23, 2015 at 6 PM in the Board of County Commissioners Meeting Room in Levy County Courthouse for enactment

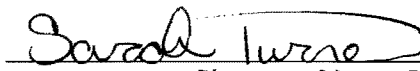
was published in the said newspaper in the issues of:
June 11, 2015
as well as being posted on FloridaPublicNotices.com

Affiant further says that the said LEVY COUNTY JOURNAL is a newspaper published at Bronson, in said Levy County, Florida, and that the said newspaper has heretofore been continuously published in said Levy County, Florida, each week and has been entered as second class mail matter at the post office in Bronson, in said Levy County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


General Manager

Sworn to and subscribed before me, and is personally known to me, appeared Linda Cooper, who did take an oath, this

11 day of June, A.D., 2015.


Signature, Notary Public

My commission expires: (SEAL)



NOTICE OF ENACTMENT OF ORDINANCE 2015-07 BY THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA.

NOTICE IS HEREBY GIVEN that the proposed Ordinance known as Sexual Offender/Predator Restrictions Ordinance prohibiting individuals who have committed certain crimes from being present, loitering or prowling or residing within certain distances of specified locations primarily designed

for use or primarily used by children or where children congregate, and providing for local law enforcement and code enforcement options, will be considered for enactment by the Levy County Board of County Commissioners, at a public hearing on Tuesday, June 23, 2015 at 6:00 p.m., or as soon thereafter as the same may be heard, in the Board of County Commissioners' Meeting Room, Levy County Courthouse, 355 South Court Street, Bronson, Florida. Copies of said Ordinance may be inspected by any member of the public at the Office of the Board of County Commissioners located at 355 S. Court Street, Bronson, Florida, during regular business hours or contact by phone at (352) 488-5217. On the date, time and place first above-mentioned, all interested persons may appear and be heard with respect to the proposed Ordinance.

AN ORDINANCE OF LEVY COUNTY, FLORIDA, TO BE KNOWN AS SEXUAL OFFENDER/PREDATOR RESTRICTIONS ORDINANCE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING DEFINITIONS; PROHIBITING INDIVIDUALS WHO HAVE COMMITTED CERTAIN CRIMES FROM BEING PRESENT, LOITERING OR PROWLING WITHIN 300 FEET OF SPECIFIED LOCATIONS THAT ARE PRIMARILY DESIGNED FOR USE BY, OR ARE PRIMARILY USED BY CHILDREN, OR ARE LOCATIONS WHERE CHILDREN CONGREGATE; PROVIDING RESIDENCY RESTRICTIONS FOR INDIVIDUALS WHO HAVE COMMITTED SEXUALLY RELATED CRIMES AND EXCEPTIONS; PROVIDING FOR APPLICABILITY TO PROPERTY OWNERS AND MANAGERS AND OTHERS IN CONTROL OF RESIDENTIAL PROPERTY; PROVIDING FOR LOCAL LAW ENFORCEMENT AND CODE ENFORCEMENT OPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR PENALTIES; PROVIDING FOR SEPARATE VIOLATIONS; PROVIDING FOR OTHER REMEDIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

All persons are advised that, if they decide to appeal any decisions made at this public hearing, they will need a record the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring reasonable accommodations to participate in this meeting should contact the County Commissioners' Administrative Office at (352) 488-5218.

John Meeks, Chairman
Levy Co. Board of County
Commissioners

Pub. June 11, 2015.