

ORDINANCE NO. 1616 OF 2005**AN ORDINANCE OF
THE GALLOWAY TOWNSHIP MUNICIPAL CODE
AUTHORIZING SEX OFFENDER RESIDENCY PROHIBITION**

WHEREAS, the Township of Galloway is aware of an incident that occurred in the Township of Hamilton, which led to the adoption of Megan's Law, which law requires individuals convicted of sexual offenses to register with the authorities; and

WHEREAS, there are presently no State laws which concern or touch upon the prohibition of convicted sex offenders from residing or living near areas where children regularly meet and congregate; and

WHEREAS, the Township believes that it is in its residents' best interests to adopt additional regulations regarding convicted sex offenders, so as to protect the health, safety and welfare of the children of the municipality;

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council for the Township of Galloway, County of Atlantic and State of New Jersey, that this be added to the Code of Ordinances, Galloway Township include the following:

Section 1. Sex offender residency prohibition: 2,500 feet

- (a) No person over the age of 18 who has been convicted of a violation of any crime against minor as listed in N.J.S.A.2C:7-2, and who as a result of said conviction is required to register with the proper authorities pursuant to N.J.S.A. 2C:7-1 et seq. Registration and Notification of Release of Certain Offenders shall not be permitted to reside or live within 2,500 feet of any school, park, playground or day care center in the Township.
- (b) A person who resides or lives within 2,500 feet of any school, park, playground or day care center in the Township shall have (60) days from receipt of written notice of the prohibition set forth herein to move. Failure to move to a location, which is in compliance with this section within that time period, shall constitute a violation of this section.
- (c) This section shall not apply to a person who has established a residence prior to July 12, 2005.
- (d) Any violation of this section shall be punishable by one or more of the penalties contained in section 1-3, including: a fine of not less than \$1,250.00, nor more than \$5,000.00; imprisonment for a term not exceeding 6 months; a period of community service not exceeding 90 days.

Any Ordinance of Ordinances in conflict with the provisions of this Ordinance is repealed to the extent of such conflict.

This Ordinance shall become effective immediately upon final adoption and publication thereof according to law.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of the Township Council of the Township of Galloway, County of Atlantic and State of New Jersey, held on July 12, 2005, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Complex located at 300 E. Jimmie Leeds Road, Galloway, New Jersey 08201, on July 26, 2005, at 7:30 p.m. or as soon thereafter as the matter may be reached.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF GALLOWAY



Karen A. Bacon, Township Clerk

ORDINANCE NO. 14 – 2005
AN ORDINANCE OF THE TOWNSHIP OF BUENA VISTA AUTHORIZING SEX
OFFENDER RESIDENCY PROHIBITION

WHEREAS, the Township of Buena Vista is aware through numerous media articles of sexual offences against children which led to the adoption of "Megan's Law" by the State Legislature, that requires individuals convicted of sexual offences to register with the authorities; and

WHEREAS, there are presently no State laws which prohibit convicted sex offenders from residing or living near areas where children reside, meet and congregate; and

WHEREAS, the township believes that it is in its resident's best interest to adopt additional regulations regarding convicted sex offenders in order to protect the health, safety and welfare of the children of the Township;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Buena Vista, County of Atlantic, State of New Jersey, that the Municipal Code of the Township be amended to include the following:

Section 1: Sex offender's residency prohibition -- 2500 ft.

A. No person over the age of 18 who has been convicted of a violation of any crime against a minor as listed in N.J.S.A. 2C:702 and who has a result of sick conviction is required to register with the proper authorities pursuant to N.J.S.A. 2C:7-1 et seq., Registration and Notification of Release of Certain Offenders, shall not be permitted to reside or live within 2500 ft. of any school, park, playground or daycare center in the Township.

B. A person who resides or lives within 2500 ft. of any school, park, playground or daycare center in the Township shall have sixty (60) days from receipt of written notice of the prohibition set forth herein to move. Failure to move to a location which is in compliance with this section within the proscribed time shall constitute a violation of this section.

C. This section shall not apply to a person who has established a residency prior to September 12, 2005, the date of the adoption of this ordinance.

D. Any violation of this section shall be punishable by one or all of the following penalties: (1) a fine of not less than \$1000 nor more than \$5,000; (2) imprisonment for a term not exceeding six (6) months; (3) community service not exceeding ninety (90) days.

Section 2: Repealer

All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

TABLED
8/22/05
102

Section 3: Severability

If any section, sentence or any part of this ordinance is unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the ordinance, but shall be confined in its effect to the section, sentence or other part of this ordinance directly involved in the controversy in which judgment shall have been rendered.

Section 4: Effective Date

This ordinance shall take effect immediately after final passage and publication according to law.

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF BUENA VISTA

BY: _____
CHUCK CHIARELLO, MAYOR

Passed on first reading on: August 22, 2005
Passed on second reading on:

Attest:

LaVERNE F. GUNTER, TOWNSHIP CLERK

TABLED
2 of 2