

Chapter 7.65 Residency Restrictions on Registered Sex Offenders

§ 7.65.005 Definitions.

For the purposes of this chapter, the words and phrases set forth in this section shall mean:

- A. Child or Children: Any person(s) under the age of 18.
- B. Child Care Center: Any State of California, Department of Social Services, licensed facility that provides non-medical care to children in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on a less than twenty-four hour basis, family day care home, infant center, preschool, extended day care facility, school-age child care center, foster family day care home, day care home or day nursery.
- C. Dwelling: Any single family residence, dwelling unit, duplex, triplex, multiple dwelling, multiple-family dwelling, apartment, rooming house, second unit, residential condominium, residential board and care home, rest home, convalescent home, nursing home, home for the aged, guest home, assisted care facility, group home, bed and breakfast facility, hotel, motel, trailer park, trailer court, public camp or mobile home park.
- D. Park: Any park, playground, public swimming pool, athletic field, nature trail, off-road bicycle trail, basketball or tennis court, skateboard park, recreational facility, or area open to the public use for recreational, cultural, and community service activities which is under the control, operation or management of a city, county or any other public agency.
- E. Registered Sex Offender: Any person required to register with the chief of police of the city in which he or she is residing, or the sheriff of the county if he or she is residing in an unincorporated area or city that has no police department, pursuant to the Sex Offender Registration Act (Penal Code §§ 290 to 290.023, inclusive).
- F. Residency: Establishing, with the intent to remain, occupancy in a Dwelling.
- G. Residential Exclusion Zone: The protected area wherein registered sex offenders may not establish temporary or permanent residence.

H. Sex Offender: Any person for whom registration is required pursuant to California Penal Code § 290, regardless of whether that person is on parole or probation.

I. Temporary Residency: Occupying a Dwelling for a period of 30 days or less.

J. School: Any public, parochial, private school or educational institution serving any or all of the grades of pre-kindergarten through grade 12, including but not limited to, an elementary, junior high, four-year, senior high, opportunity, continuation, regional occupational center, evening, charter or technical school.

§ 7.65.010 Residency Restriction.

It is unlawful for any Registered Sex Offender to establish his or her Residency or Temporary Residency within 2,000 feet of a School, Park, Child Care Center or public library. The distances specified in this Section shall be measured in a straight line, without regard for intervening structures and the boundaries of the City, from the nearest property line of the property upon which the Dwelling is located to the nearest property line of the School, Park, Child Care Center or public library. Further, any parcels partially included within the Residential Exclusion Zone shall be considered to be wholly included within said Residential Exclusion Zone.

§ 7.65.015 Residency with Other Registered Sex Offenders.

It is unlawful for any Registered Sex Offender to establish Residency or Temporary Residency in a Dwelling already occupied by a Registered Sex Offender, unless the Registered Sex Offenders are legally related by blood, marriage or adoption. It is unlawful for any person to allow any Registered Sex Offender to establish Residency or Temporary Residency in a Dwelling already occupied by a Registered Sex Offender, unless the Registered Sex Offenders are legally related by blood, marriage or adoption.

§ 7.65.020 Penalties.

Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, the penalty shall be a fine of not more than \$1,000.00 or imprisonment in jail for a period of not more than six months or by both such fine and imprisonment.

§ 7.65.025 State Law.

Nothing in this Chapter is intended to supersede or replace any provision of State law regarding residency restrictions or registration requirements for registered sex offenders.

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