

TOWNSHIP OF FLORENCE

ORDINANCE NO. 2006-01

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING
THE CODE OF THE TOWNSHIP OF FLORENCE TO ADD A NEW
CHAPTER 71 ENTITLED “SEX OFFENDER-FREE ZONE”**

WHEREAS, there is community concern regarding the need to further secure the safety of children from convicted sex offenders; and

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Florence, County of Burlington and State of New Jersey as follows:

Section 1. The Florence Township Code is amended by adding Chapter 71 to read as follows:

Chapter 71

SEX OFFENDER-FREE ZONE

§ 71-1 Findings. The Township Council finds that:

- a. There is community concern regarding the need to secure the safety of children from convicted sex offenders; and
- b. There are presently are no State laws in the State of New Jersey which prohibit convicted sex offenders from residing or living or loitering near areas where children regularly meet and congregate; and
- c. Because there is no uniform statewide standard prohibiting convicted sex offenders from residing or living or loitering near areas where children regularly meet and congregate, municipalities are addressing the issue through the enactment of ordinances providing those restrictions; and
- c. The Township Council finds that, in order to protect the welfare of children, it is necessary to restrict places within the Township of Florence where convicted sex offenders may reside, live or loiter; and

§ 71-2 Definitions

- a. “Convicted Sex Offender” means a person who is required to register as a sex offender under the provisions of *N.J.S.A. 2C:7-2*.
- b. “Residence” means the place where a convicted sex offender sleeps, which may

include more than one location, and may be mobile or transitory.

§ 71-3 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 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 be permitted to reside or live within 2,500 feet of any school; library; municipal building; public park, tot lot, active or passive recreation area or open space; playground; child care center or church, or property designated for such use in the Township Master Plan.
- b. A convicted sex offender who resides or lives within 2,500 feet of any school; library; municipal building; public park, tot lot, active or passive recreation area or open space; playground; child care center or church, or property designated for such use in the Township Master Plan 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 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 enactment of this ordinance.

§ 71-4 Prohibition of Sex Offender in Parks Frequented by Children.

- a. No convicted sex offender shall be present in or on any park, tot-lot or playground, which has been designated by Council as a park, tot-lot or playground, frequented by children.
- b. No convicted sex offender shall be permitted to knowingly loiter on a public way within three hundred (300) feet from a park, tot-lot or playground, which has been designated by the Council as a park, tot-lot or playground frequented by children
- c. If a police officer reasonably believes that a convicted sex offender is in a park or playground which has been designated by the Council as a park or playground frequented by children, the officer shall require the convicted sex offender to provide his or her name and address to determine if he or she is on the New Jersey Sex Offender Registry.

§ 71-4 Penalty. The penalty for any violation of this chapter shall be in accord with the provisions of § 1-10 of the Florence Township Code.

Section 2. If a court of competent jurisdiction shall declare any section, paragraph, subsection, clause or provision of this Ordinance invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 3. All ordinances or parts of ordinances of the Township of Florence heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect immediately upon adoption. Notice of adoption shall be published as provided by law.

TOWNSHIP OF FLORENCE

NOTICE OF PENDING ORDINANCE

Ordinance No. 2006-01

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THE CODE OF THE TOWNSHIP OF FLORENCE TO ADD A NEW
CHAPTER 71 ENTITLED "SEX OFFENDER-FREE ZONE"**

Take Notice that the Ordinance identified above which amends the Florence Township Code to add a new Chapter 71 establishing Sex Offender-Free Zones within which registered sex offenders will be prohibited from residing or loitering. Specifically, registered sex offenders will be prohibited from residing or living within 2,500 feet of any school; library; municipal building; public park, tot lot, active or passive recreation area or open space; playground; child care center or church, or property designated for such use in the Township Master Plan and from being present in or on any park, tot-lot or playground which has been designated by Council as a park, tot-lot or playground frequented by children or from loitering on a public way within three hundred (300) feet from a park, tot-lot or playground, which has been designated by the Council as a park, tot-lot or playground frequented by children. The Ordinance has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, held on January 18, 2006. It will be considered for final passage after public hearing to be held on February 1, 2006, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Joy M. Weiler, RMC, CMC
Township Clerk