

**VILLAGE OF TOBACCOVILLE
ORDINANCE REGARDING PROHIBITION OF SEX OFFENDERS IN
PUBLIC PARKS AND RECREATIONAL FACILITIES**

**ARTICLE I
TITLE**

An ordinance of the Council of the VILLAGE of TOBACCOVILLE, NORTH CAROLINA (the "Village"), entitled, "Ordinance Regarding Prohibition of Sex Offenders in Public Parks and Recreational Facilities."

**ARTICLE II
PURPOSE**

The purpose of this ordinance is to promote the general welfare and safety of the residents and visitors of the Village of Tobaccoville.

**ARTICLE III
DEFINITIONS**

- 1) Registered Sex Offender – An individual who is registered by any state or federal agency as a sex offender and whose name is published or required to be published on any state or federal registered sex offender listing, including, but not limited to the sex offender registry established in Article 27A of North Carolina General Statute Chapter 14.**
- 2) Public Park – Any publicly owned, leased, operated or maintained land which is designated as a park by the Village, including any adjacent public parking area as well as the driveway, entrance way, or pedestrian walkways within or immediately adjacent to the park.**
- 3) Recreational Facility – Any publicly owned, leased, operated or maintained property that is designated as a recreation facility by the Village, including any adjacent public parking area as well as the driveways and entranceways.**
- 4) Official Meeting – A meeting that is required to be open to the public by the Open Meetings Law, G.S. Chapter 143, Article 33C.**

**ARTICLE IV
PROHIBITION**

No Registered Sex Offender shall enter into or upon any Public Park or Recreation Facility owned, operated or maintained by the Village of Tobaccoville except for as stated in Article V.

**ARTICLE V
LIMITED EXCEPTIONS**

- 1) Official Meetings – a Registered Sex Offender who has the right to be present at an Official Meeting shall have the limited privilege of entering on or into a Public Park or Recreational Facility for such time and to the portion of the Public Park or Recreational Facility as is necessary to attend said meeting or function, but any form of loitering or lingering before or after such meeting or function shall be a violation of Article IV.**
- 2) Polling Place – When a Recreational Facility or Public Park is used as a polling place for an election, a Registered Sex Offender may enter the portion of the Recreational Facility or Public Park for such time as is necessary for the limited purpose of voting if he/she qualifies to do so at the polling place.**

**ARTICLE VI
PENALTIES**

Violation of Article IV shall be punishable by a fine of \$500.00 and/or incarceration for up to 30 days. Each entry into a Public Park or Recreation Facility, regardless of the time period between such entries, shall constitute a separate offence under this Ordinance.

The Village Administrator shall be charged with posting this regulation at the main entrance of each Public Park within thirty (30) days of the passage of this Ordinance.

APPROVED and ADOPTED by Council of the VILLAGE OF TOBACCOVILLE on June 2, 2011.