

Chapter 18

SEX OFFENDER RESIDENCY RESTRICTIONS

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§ 18-1. Findings and purpose.

The Town of Waldoboro promotes and strives to create a safe environment for its citizens to live and raise families and considers the promotion of the safety and welfare of children to be paramount importance;

- (a) Notwithstanding the fact that certain persons convicted of sex offenses or sexually violent offenses are required to register pursuant to Title 34-A, M.R.S.A., Chapter 15, in order to protect the public from potentially dangerous registrants and offenders by enhancing access to information concerning those registrants and offenders, the Town finds that further protective measures are necessary and warranted to safeguard places where children congregate; and
- (b) The purpose of this chapter is to provide such further protective measures while balancing the interests and residential needs of sex offenders.

§ 18-2. Authority.

This chapter is adopted in accordance with the provisions of Maine State Law Title 34-A, M.R.S.A., Chapter 15.

§ 18-3. Applicability.

This chapter applies to persons convicted of Class A, B or C sex offenses committed against persons who had not attained 14 years of age at the time of offense, regardless of whether the offense was committed in the State of Maine or another jurisdiction. A person to whom this chapter applies is referred to as a "sex offender."

§ 18-4. Restricted areas.

- (a) No sex offender shall reside within 2500 feet of the property line of any public or private elementary, middle or secondary school.
 - (b) No sex offender shall reside within 2500 feet of any publicly owned property where children are the primary users. Without limiting the application of this subsection, any public park containing
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playground equipment or municipal athletic field shall be deemed to be municipally owned property where children are concentrated onto a portion or a larger parcel. The boundary of the property shall be deemed to be 100 feet from the nearest piece of equipment or area used by children or the property line, whichever distance is less.

§ 18-5. First offense.

For a first offense only of this restriction, a sex offender shall have 25 days following the date of mailing or service as required by § 18-7 below to move from the residence to a residence not within the areas restricted by the provisions of this chapter and by so moving avoid the fines and penalties imposed by § 18-7 below.

§ 18-6. Exemption.

Any sex offender actually residing within a restricted area on the effective date of this chapter is not subject to the restrictions contained in § 18-4 while that person continues to reside in that dwelling. Upon moving from such dwelling, the sex offender shall comply with the restrictions contained in § 18-4.

§ 18-7. Violations and penalties.

Any sex offender who, after written notice sent by regular mail or delivered by the Town about the requirements of this chapter, remains in violation of this chapter for more than 25 days shall be subject to an action brought by the Town in district court to enforce the requirements of this chapter.

- (a) The minimum penalty for a violation of this chapter is \$500 per violation. Each day shall be considered a separate violation;
- (b) If the municipality is the prevailing party, the municipality must be awarded reasonable attorneys' fees, expert witness fees and costs, unless the court finds that special circumstances make the award of these fees and costs unjust; and
- (c) The Town shall seek injunctive relief to require compliance with this chapter.

§ 18-8. When effective.

This chapter shall take effect upon approval at a Town Meeting, to be held June 10, 2025.

Approved June 10, 2025, at Annual Town Meeting.



John Blodgett, Chair



Michael Thayer, Vice-Chair



Rebecca Stephens

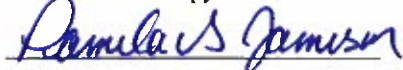


Abden Simmons



Reuben Mahar

Attest: A true copy as certified to me by the Municipal Officers of Waldoboro, Maine on June 27, 2025.



Pamela Jameson, Town Clerk

Town Seal