

ORDINANCE # 325

AN ORDINANCE OF MILESBERG BOROUGH, CENTRE COUNTY, PENNSYLVANIA AMENDING ORDINANCE #322 ESTABLISHING SEX OFFENDER RESIDENCY RESTRICTIONS AND PENALTIES FOR VIOLATIONS.

WHEREAS, Milesburg Borough duly enacted and ordained Ordinance No. 322 establishing sex offender residency restrictions and penalties for violations;

WHEREAS, the Borough Council deems it necessary and appropriate to amend the Ordinance so as to clarify the Ordinance and amend the distances set forth in Ordinance No. 322;

NOW THEREFORE, be it hereby ORDAINED and ENACTED as follows:

1. Section One entitled "Definitions" of Ordinance No. 322 shall be amended so that the definition of "community center" shall be as follows:

COMMUNITY CENTER: A building, including but not limited to schools and churches, and the related facilities of such building, which is used for educational, social, religious, cultural, and/or recreational activities.

2. Section Two of Ordinance No. 322, Subparagraph A, shall be amended to read in its entirety as follows:

It shall be unlawful for any sex offender to establish a permanent or temporary residence within five hundred (500) feet of any school, child care facility, community center, public park, or recreational facility.

3. Section Three of Ordinance No. 322 shall be amended to read in its entirety as follows:

Any sex offender who resides on a permanent or temporary basis within five hundred (500) feet of any school, child-care facility, community center, public park or recreational facility shall, within forty-five (45) days of receipt of written notice from Milesburg Borough or its designee or the Code Enforcement Officer of the sex offender's non-compliance with this Ordinance, move from said location to a new location, but said new location may not be within five hundred (500) feet of any school, child-care facility, community center, public park or recreational facility within the Borough. Each day beyond the forty-five (45) days that the sex offender continues to reside within five hundred (500) feet of a school, child-care facility, community center, public park or recreational facility shall constitute a separate violation. Furthermore, each day that a sex offender shall move from one location in the Borough to another that is within five hundred (500) feet of any school, child-care facility, community center, public park or recreational facility shall constitute a separate violation.


4. Each and every provision of Ordinance No. 322 which is not amended herein shall be and remains in full force and effect.

ADOPTED AND ENACTED by the Council of Milesburg Borough, effective this

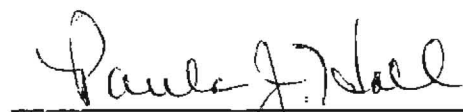
13th day of April, 2009.

BOROUGH OF MILESBURG:


Paul J. Bartley, President


Phyllis Y. Jodon, Mayor

ATTEST:


Paula J. Hall, Secretary-Treasurer