

## CHAPTER 98: CHILD SAFETY ZONES

### Section

98.01	Title
98.02	Authority
98.03	Purpose
98.04	Definitions
98.05	Entrance into a Recreation Facility Child Safety Zones by Registered Sex Offenders
98.06	Penalties
98.07	Notice of Property Designation as a Recreational Facility Child Safety Zones Required
98.08	Special Limited Permit of Exemption Allowed
98.09	Conflict with Other Ordinances
98.10	Severability
98.11	Effective Date

### **§ 98.01 TITLE**

This chapter shall be known and may be cited as the "Child Safety Zone Ordinance of Haywood County, North Carolina."

### **§ 98.02 AUTHORITY**

This chapter is established by the Haywood County Board of Commissioners pursuant to the authority and powers granted in Article 6 of Chapter 153A of the North Carolina General Statutes.

### **§ 98.03 PURPOSE**

The purpose of the regulations in this chapter is to restrict only registered sex offenders from entering certain lands or facilities that may be designated as a Recreation Facility Child Safety Zones by the Haywood County Board of Commissioners in accordance with this chapter.

It is the intent of this chapter to promote the general welfare and safety of Haywood County's citizens by preserving the peaceful enjoyment of Haywood County Parks and Recreational Facilities by the children and citizens of the county, and by other persons.

### **§ 98.04 DEFINITIONS**

For the purpose of this chapter, the following words and terms used herein are defined as follows:

**REGISTERED SEX OFFENDER.** An individual who is registered in any state or federal agency as a sex offender and whose name is published on any state or federal registered sex offender listing, including, but not limited to, the sex offender registry established in Article 27A of Chapter 14 of the North Carolina General Statutes.

RECREATION FACILITY CHILD SAFETY ZONE. Any publicly owned land or facility which is designated by the Haywood County Board of County Commissioners as a Recreation Facility Child Safety Zone. In making such designation the Haywood County Board of County Commissioners shall issue a finding that the land or facility is frequented by children of less than eighteen (18) years of age for recreational or athletic purposes and that said land or facility lacks adequate adult supervision to protect the welfare and safety of children from registered sex offenders.

#### **§ 98.05 ENTRANCE INTO A RECREATION FACILITY CHILD SAFETY ZONE BY REGISTERED SEX OFFENDERS**

It shall be unlawful for any Registered Sex Offender to knowingly enter into or on the premises of any publicly owned land or facility designated by the Haywood County Board of County Commissioners as a Recreational Facility Child Safety Zone, except as authorized by the Sheriff pursuant to Section 98.08.

#### **§ 98.06 PENALTIES**

Any person who violates this ordinance shall be subject to a fine of not less than \$500 per offense and/or 30 days in jail. Each and every separate entry into a Recreation Facility Child Safety Zone, regardless of the time period involved, shall constitute a separate offense under this Ordinance.

#### **§ 98.07 NOTICE OF PROPERTY DESIGNATION AS A RECREATIONAL FACILITY CHILD SAFETY ZONE REQUIRED**

Any property designated by the Haywood County Board of County Commissioners as a Recreational Facility Child Safety Zone shall, within sixty (60) days of such designation, have erected in a conspicuous place within that zone, signage informing the public of the regulations contained in this Ordinance.

#### **§ 98.08 SPECIAL LIMITED PERMIT OF EXEMPTION ALLOWED**

The Sheriff of Haywood County, or his designee, shall have authority to grant special limited exemption to individuals that are Registered Sex Offenders to be temporarily exempted from the prohibitions contained in this Ordinance. Such temporary exemption shall set out, in writing, the period of time and the particular circumstances under which the exemption exists. Any person granted such exemption shall have in his/her possession at all times while on the premises of Recreation Facility Child Safety Zone such written permission from the Sheriff of Haywood County.

#### **§ 98.09 Conflict with Other Ordinances**

Should the regulations of this Chapter conflict with the requirements of another ordinance, the more restrictive standard shall govern.

**§ 98.10 Severability**

Should any section or provision in this Chapter be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Chapter as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional, which shall remain in full force and effect.