

CITY OF DOVER ORDINANCE #2019-02

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 70 - Offenses and Miscellaneous Provisions, Section 70-7 - Registered Sexual Offenders of the Dover Code be amended to read as follows:

Sec. 70-7. - Registered sexual offenders.

- (a) *Registration required.* Sex offenders, as defined under the provisions of 11 Del. C., c. 41, § 4120A, shall register their places of residence and employment as required under the provisions of 11 Del. C., c. 41, § 4120.
- (b) *Prohibited activities for sexual offenders.*
 - (1) It is unlawful for any sexual offender to participate in a holiday event or practice involving children under 18 years of age, such as distributing candy or other items to children on Valentine's Day, Halloween, Christmas, or any other holiday or event. Participation is to be defined as attendance at, or taking part of, or cooperation with an event.
 - (2) It is unlawful for any sexual offender to wear costumes for the primary purpose of entertaining, attracting, or encouraging interaction with children.
 - (3) Any person designated a sexual offender shall be required on October thirty-first of each year or any other day upon which Halloween is celebrated to:
 - a. Avoid all Halloween related contact with children;
 - b. Post a sign at his/her residence stating, "No candy or treats at this residence." Such signs shall be in letters at least two inches high and shall be legible from the street or road adjacent to the residence;
 - c. Except for lighting provided on a year round basis by a sexual offender or the owner or manager of a multi-family residential unit for the purpose of security or walkway or hallway illumination, all outside residential lighting shall be off during the evening hours after 5:00 p.m., and no exterior holiday decorations shall be exhibited on the sexual offender's residence or on the property upon which the residence is located.
 - (4) Holiday events or practices in which the sexual offender is the parent or guardian of the child or children involved, and where no non-familial children are present, are exempt from this section.
- (f) *Penalties.* Any person who violates this section shall be fined in accordance with Appendix F-Fees and Fines, section 70-7. Every day that a violation occurs shall constitute a separate offense.

(Ord. No. 2012-08, 4-9-2012; Ord. No. 2013-08, 7-8-2013)

ADOPTED: FEBRUARY 25, 2019

SYNOPSIS

The amendment will bring the Dover Code into compliance with recently adopted State legislation.
(SPONSORS: HARE AND MCDOWELL)

Actions History

02/11/2019 - Final Reading - City Council

01/28/2019 - First Reading - City Council

01/14/2019 - Introduction - Council Committee of the Whole/Legislative, Finance, and Administration Committee