

ORDINANCE NO. 1092-06

AN ORDINANCE OF THE CITY OF BALCH SPRINGS, TEXAS, AMENDING CHAPTER 54 OF THE CITY CODE, "OFFENSES AND MISCELLANEOUS PROVISIONS", TO ADD ARTICLE VI, "SEX OFFENDER RESIDENCY RESTRICTIONS", SECTIONS 54-216—54-230, MAKING IT UNLAWFUL FOR CERTAIN SEX OFFENDERS TO RESIDE WITHIN 1,000 FEET OF A PLAYGROUND, SCHOOL, VIDEO ARCADE FACILITY, YOUTH CENTER OR PUBLIC SWIMMING POOL; PROVIDING THAT A CULPABLE MENTAL STATE IS NOT REQUIRED FOR COMMITTING AN OFFENSE UNDER ARTICLE VI, CHAPTER 54 OF THE BALCH SPRINGS CITY CODE; PROVIDING FOR AFFIRMATIVE DEFENSES; PROVIDING FOR PETITION AND HEARING ON EXEMPTION FROM REQUIREMENTS OF THIS ORDINANCE; MAKING IT UNLAWFUL TO LEASE OR RENT TO CERTAIN SEX OFFENDERS A PLACE, RESIDENCE, STRUCTURE, DWELLING, MANUFACTURED DWELLING, MOBILE HOME, CAMPING TRAILER OR OTHER CONVEYANCE WITHIN 1,000 FEET OF A PLAYGROUND, SCHOOL, VIDEO ARCADE FACILITY, YOUTH CENTER OR PUBLIC SWIMMING POOL; PROVIDING FOR A CRIMINAL FINE NOT TO EXCEED \$500.00 AND A CIVIL PENALTY NOT TO EXCEED \$100 PER OFFENSE AND INJUNCTIVE RELIEF; AND A SAVINGS CLAUSE, REPEALER, SEVERABILITY CLAUSE, CONFLICTING PROVISIONS, EFFECTIVE DATE AND OPEN MEETING.

DULY PASSED by the City Council of the City of Balch Springs, Texas, this the 26th day of June, 2006.

Approved:

Wayne Middleton, Mayor

Attest:

Cindy Gross

City Secretary