

## CHAPTER 42

# SEX OFFENDERS

42.01 Purpose  
42.02 Definitions

42.03 Residency Restriction  
42.04 Exceptions

**42.01 PURPOSE.** The purpose of this ordinance is to provide for the safety and well being of all citizens of Cascade, Iowa by prohibiting sex offenders and sexual predators from residing within 2,000-feet of a public park, public playground, public library, school, school bus stop or licensed child care facility.

**42.02 DEFINITIONS.** For the purpose of this ordinance the following shall be defined as shown herein:

1. “Sex Offender” means a person who has been convicted of a criminal offense against a minor, or an aggravated offense, sexually violent offense, or other relevant offense that involved a minor as set out in Chapter 692A of the Code of Iowa.
2. “Public Library” means a public building owned or rented by the City of Cascade or any other governmental entity where a collection of books, periodicals, musical scores and similar materials are kept for reading or reference by the public.
3. “Public Park” means any area of land owned or rented by the City of Cascade, Dubuque and/or Jones County, State of Iowa, or any other governmental entity set apart for the recreation of the public or for public use.
4. “Public Playground” means any area of land owned or rented by City of Cascade, Dubuque and/or Jones County, State of Iowa, or any other governmental entity used for outdoor games and recreation.
5. “School Bus Stop” means a site designated and approved by the local school board for the purpose of loading and unloading of school children.
6. “School” means a site designated by the Western Dubuque County School District used for elementary school, middle school, or high school.
7. “Child Care Facility” means a site that provides child day care with registered day care providers, including but not limited to a child care facility as defined by Iowa Code Section 237A.1(5).

**42.03 RESIDENCY RESTRICTED.** A sex offender shall not reside within 2,000-feet of the real property comprising a public park public playground, public library, school, school bus stop, or licensed child care facility.

**42.04 EXCEPTIONS.** A sex offender residing within 2,000-feet of the real property comprising a public park, public playground, public library, school, school bus stop, or child care facility does not commit a violation of this Ordinance if any of the following apply:

1. The sex offender is required to serve at a jail, prison, juvenile facility or other correctional institution or facility.
2. The sex offender is subject to an order of commitment under Chapter 229A of the Code of Iowa.
3. The sex offender has established a residence prior to the effective date of this, or a public park, public playground, public library, school, school bus stop, or childcare facility is newly located after a sex offender has established a residence.
2. The sex offender is a minor or a ward under guardianship.