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AGENDA ITEM SUMMARY

MEETING DATE: March 17, 2025

AGENDA ITEM NO.: 7

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

An Ordinance of the City of Weston, Florida, amending the Code of Ordinances of the City, creating Section 52.48, "Sexual Violator Prohibition In Public Parks;" and providing for an effective date.

Second and Final Reading

SUMMARY EXPLANATION & BACKGROUND:

The City Commission desires to afford the residents of the City protection from sexual violators, to the maximum extent allowed by controlling law, in order to advance public health, safety, welfare and to benefit the residents of the City.

REQUESTED ACTION: Approval

EXHIBITS (LIST): Ordinance

PREPARED BY:

Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:

Not Applicable

RECOMMENDED FOR CONSIDERATION BY:

Donald P. Decker, City Manager
Jamie Alan Cole, City Attorney

FUNDING SOURCE:

Not Applicable

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N		
					Approved as presented	
Commissioner Andrade					Approved as amended	
Vice Mayor Mead					Approved with conditions	
Commissioner Molina-Macfie					Continued to	
Commissioner Jaffe					Deferred to	
Mayor Brown					To deny	

**CITY OF WESTON, FLORIDA
ORDINANCE NO. 2025-__**

AN ORDINANCE OF THE CITY OF WESTON, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY, CREATING SECTION 52.48, "SEXUAL VIOLATOR PROHIBITION IN PUBLIC PARKS;" AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, First, the City Commission is concerned about the numerous occurrences in the State of Florida and in the United States, where sexual violators have been released from custody and repeat the unlawful acts for which they had originally been sentenced; and

WHEREAS, Second, the State of Florida has recognized the importance of regulating sexual violators and has enacted laws governing the conduct of such individuals including Section 775.215, Florida Statutes, "Residency restriction for persons convicted of certain sex offenses," to control the threat of child victimization; and

WHEREAS, Third, the Florida Department of Law Enforcement maintains and provides access to a database containing public record information on offenders classified as sexual offenders, and sexual predators under Florida law because of a conviction for a sex-related crime and/or a specified crime against children, which information is made available to interested citizens to help them educate themselves about the possible presence of such offenders and predators in their local communities; and

WHEREAS, Fourth, experts in the field of child sex crimes widely recognize that child sexual abuse is significantly underreported; and

WHEREAS, Fifth, the article, "No Easy Answers- Sex Offender Laws in the US," cites a 2000 study that looked at data from 12 states, persons under the age of 18 at the time of the crime accounted for two-thirds of all victims of sexual assault reported to law enforcement agencies; and recidivism rates of sexual offenders/predators within four to six years of release from prison was 13% for child molesters and 24% for rapists; and

WHEREAS, Sixth, the article, "Sex Offender Risk and Recidivism in Florida," reported of 499 offenders studied, 14% of their victims were under age 6; 40% of their victims were between the ages of 7-12; 40% of victims were aged 13-15; and 16% of their victims were aged 16 or older; and

WHEREAS, Seventh, the study showed that in Florida after five years, 5.2% of the sample of sexual violators had been re-arrested for a new sexual crime. After 10 years, 13.7% of the sample had been re-arrested for a new sexual crime; and

WHEREAS, Eighth, the Colorado Bureau of Investigation has assembled the following relevant statistics; and

- Research indicates that, nationally, approximately 5% to 20% of adult sex offenders reoffend sexually over time; and

Coding: underlined words are additions to existing text, ~~struck through~~ words are deletions from existing text, shaded text reflects changes made from First Reading.

- This re-offending rate is based on known information and is likely an underestimate due to underreporting; and
- Nationally, approximately 12% reoffend by committing violent, but non-sexual offenses; and
- The way sex offenders select victims is often more influenced by opportunity and access than by preference in victim type; and
- Existing research estimates that approximately 55% of reported online offenders (i.e., child sexual exploitation material offenders, also known as pornography offenders) have also committed unreported contact/hands-on offenses (based on offender self-report); and

WHEREAS, Ninth, the City of Weston is a family oriented City which highly values its children, and is a place that families with young children find highly desirable; and

WHEREAS, Tenth, the City Commission desires to afford the residents of the City protection from sexual violators, to the maximum extent allowed by controlling law, in order to advance public health, safety, welfare and to benefit the residents of the City; and

WHEREAS, Eleventh, the City Commission desires to ensure that children in the City are protected from sexual violators, to the maximum extent afforded by controlling law, in order to advance the public health, safety, and welfare and to benefit the residents of the City of Weston; and

WHEREAS, Twelfth, the purpose of this ordinance is to reduce the potential risk of harm to children in the City by limiting the opportunity for sexual violators to be in contact with children in locations where children may congregate; and

WHEREAS, Thirteenth, the City Commission may act in accordance with the provisions of Article II, Section 7 of the Constitution of the State of Florida, and the Home Rule Power of the City, which is contained in F.S. Ch. 125, which enables them to conduct City government, perform City functions, render City services, and may exercise any power for City purposes except as otherwise provided by law; and

WHEREAS, Fourteenth, because of the foregoing, the City enacted the sexual violator residency limitation on July 5, 2005 by Ordinance No. 2005-08, and the City Commission desires to further protect children by prohibiting sexual violators in City public parks, since parks are locations where children congregate; and

WHEREAS, Fifteenth, the City Commission desires to amend the City Code to create Section 52.48 to be entitled, "Sexual Violators Prohibited in Public Parks;" and

WHEREAS, Sixteenth, the City Commission finds that it is in the best interest of the City to adopt this Ordinance.

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1 **Section 6. Effective Date.**

2 This Ordinance shall become effective upon passage and adoption.

3 PASSED ON FIRST READING March 3, 2025.

4 PASSED AND ADOPTED ON SECOND READING _____.

5 CITY COMMISSION
6 CITY OF WESTON, FLORIDA

7 By _____
8 Margaret Brown, Mayor

9 ATTEST:

10 _____
11 Patricia A. Bates, MMC, City Clerk

12 Approved as to form and legality
13 for the use of and reliance by the
14 City of Weston only:

15 _____
16 Jamie Alan Cole, City Attorney

17 Roll Call:
18 Commissioner Andrade _____
19 Vice Mayor Mead _____
20 Commissioner Molina-Macfie _____
21 Commissioner Jaffe _____
22 Mayor Brown _____

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24 made from First Reading.