


CITY MANAGER'S OFFICE MEMORANDUM
#11-2024

DATE: April 8, 2024
TO: Honorable Mayor Meredith Leighty and City Council Members
FROM: Heather Geyer, City Manager 
SUBJECT: CB-2022 – Amending Prohibited Residency of Sex Offenders

PURPOSE

To consider CB-2022, an emergency ordinance amending Chapter 4, Article 3, of the Municipal Code, subsection (a) by increasing the location where registered sex offenders may reside relative to schools from 750 feet to 1,000 feet.

BACKGROUND

Under Section 4.11 of the City Charter, City Council finds and determines that because of the public safety risk associated with the proposed location of the Mental Health Transitional Living facility at 11255 and 11275 Grant Drive in Northglenn and its close proximity to Stukey Elementary School, that such ordinance is necessary to be adopted as an emergency ordinance to cause the provisions of the ordinance to take effect immediately, and prior to any Registered Sex Offenders being housed at 11255 and 11275 Grant Drive. The distance of the proposed State facility is 851.90 feet from Stukey Elementary School.

The State of Colorado enacted the Colorado Sex Offender Registration Act effective July 1, 2002. The act mandates that individuals convicted of an unlawful sexual offense as defined in the act register with the local law enforcement agency in each jurisdiction in which they reside. Local law enforcement agencies must accept the registration unless that location or residence violates a State law or local ordinance.

In 2022, City Council adopted Ordinance No. 1833, adding a new article to Chapter 4 of the Municipal Code, Prohibited Residency of Sex Offenders, which established distance requirements for permanent or temporary residency within the City for an individual who has been found to be a sexually violent predator pursuant to C.R.S. 18-3-414.5, or any person required to register under the Colorado Sex Offender Registration Act, C.R.S. 16-22-101, et seq., who has been: (i) convicted of a felony for an offense requiring registration, (ii) has multiple convictions for offenses requiring registration, or whose offense(s) requiring registration involved multiple victims.

The current restrictions prohibit an individual who has been convicted under the above statutes from establishing a permanent or temporary residence within:

- 750 feet of any school;
- 500 feet of any park, playground, licensed daycare center, recreation center or swimming pool (other than pools located at private, single-family residences); and
- Any property located adjacent to a designated public or private school bus stop.

CB-2022 will increase the distance requirement for schools from 750 feet to 1,000 feet. Under Section 4-3-4 of the Municipal Code, someone who currently lives more than 750 feet but less than 1,000 feet from a school will not be required to move because residency was established before the distance limitations were amended. However, no one has yet moved into to 11255 and 11275 Grant Drive in Northglenn, so subject to being preempted by the State, the distance limitation would otherwise apply because the emergency ordinance if adopted would be effective

immediately on April 8.

BUDGET/TIME IMPLICATIONS

This ordinance has no budget impacts.

STAFF RECOMMENDATION

Staff recommends approval of CB-2022 on first and final reading.

STAFF REFERENCE

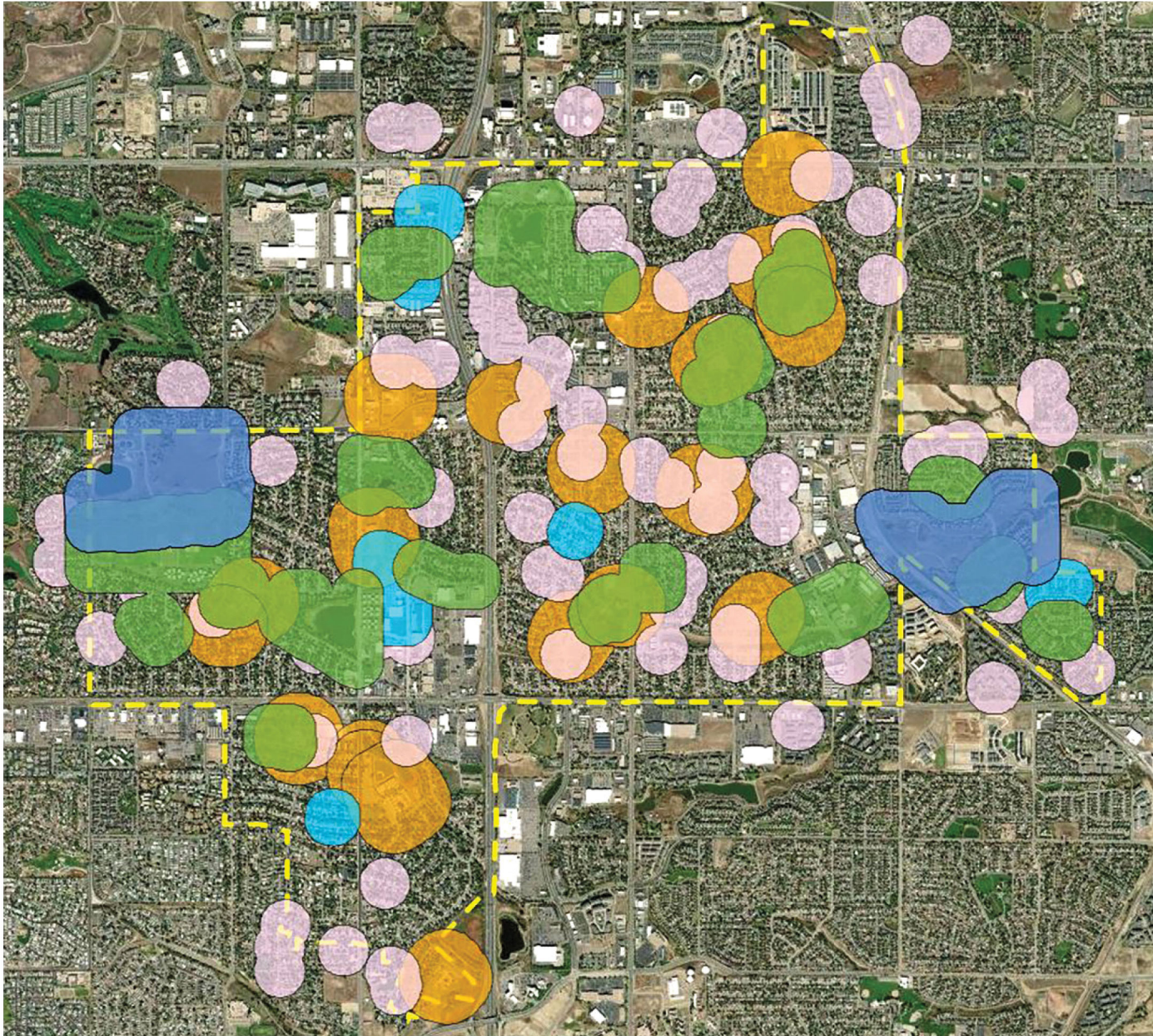
If Council Members have any questions, please contact Heather Geyer, City Manager, at hgeyer@northglenn.org or 303.450.8706.

ATTACHMENTS

1. Current 750-foot distance restriction map
2. Proposed 1,000-foot distance restriction map

CB-2022 – Amending Prohibited Residency of Sex Offenders

ATTACHMENT 1



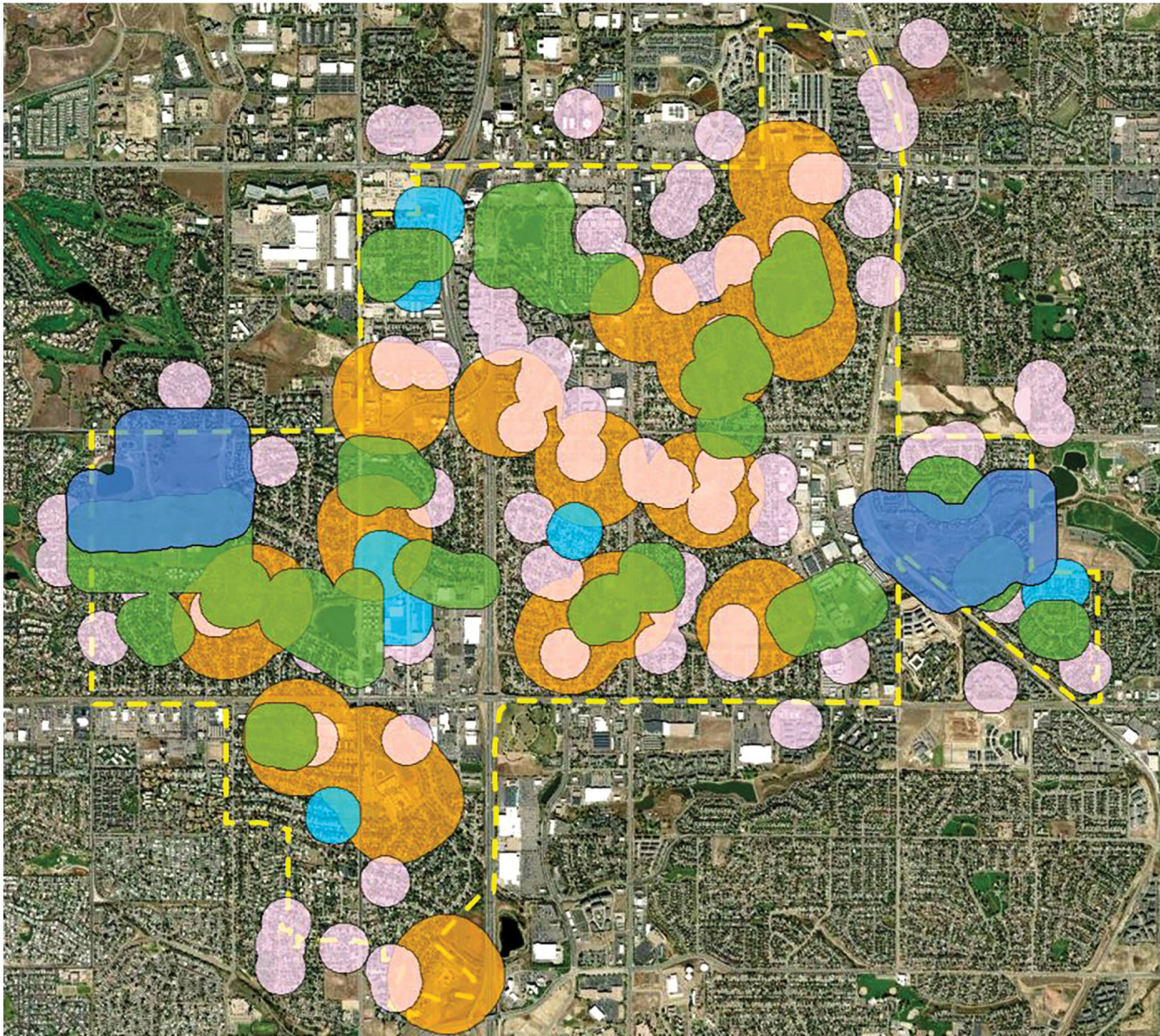
Current City of Northglenn Sex Offender Residency Restrictions *750-Foot School Buffer*

- Schools
- Parks
- Daycares
- School Bus Stops
- Open Spaces
- Northglenn Border







Schools have a 750-foot buffer, while the others have a 500-foot buffer.



ATTACHMENT 2



**City of Northglenn
Sex Offender
Residency Restrictions
*1,000-Foot School Buffer***

-  Schools
-  Parks
-  Daycares
-  School Bus Stops
-  Open Spaces
-  Northglenn Border

Schools have a 1,000-foot buffer, while the others have a 500-foot buffer.



SPONSORED BY: MAYOR LEIGHTY

COUNCIL MEMBER'S BILL

ORDINANCE NO.

No. CB-2022
Series of 2024

Series of 2024

A BILL FOR AN EMERGENCY ORDINANCE AMENDING SECTION 4-3-3, SUBSECTION (a) OF THE NORTHGLENN MUNICIPAL CODE REGARDING THE DISTANCE LIMITATIONS FROM SCHOOLS APPLICABLE TO RESIDENCY BY REGISTERED SEX OFFENDERS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Legislative Findings. The City Council hereby finds and determines as follows:

A. It is in the best interests of the health, safety and welfare of the residents, visitors and school children of the City of Northglenn that the City expand the distance limitations set forth in Section 4-3-3 of the Northglenn Municipal Code applicable to residency of Registered Sex Offenders and the distance where they may reside relative to schools from 750 feet to 1,000 feet from any such school.

B. Specifically, the City Council previously found and determined as follows in Section 4-3-1 of the Northglenn Municipal Code:

“(a) The City Council hereby finds that sexual predators and the specified sex offenders who use physical violence or who prey on children present an extreme threat to the public safety. Sexual predators and the specified sex offenders have a high rate of recidivism, making the cost of sex offender victimization to society at large extremely high. Removing such offenders from regular proximity to places where children are located and limiting the frequency of contact is likely to reduce the risk of an offense.

(b) This Article is intended to serve the City’s compelling interest to promote, protect and improve the public health, safety and welfare by creating areas, around locations where children regularly congregate in concentrated numbers, where sexual predators and specified sexual offenders are prohibited from establishing temporary or permanent residence.”

C. In furtherance of the City’s previous findings, and taking into account the City Council learning of the State of Colorado proposing to locate a Mental Health Transitional Living Facility at 11255 and 11275 Grant Drive in Northglenn and in close proximity to Stukey Elementary School, the City Council finds it necessary to expand the distance limitation from 750 feet to 1,000 feet in Article 3 of Chapter 4 of the Northglenn Municipal Code.

D. The City Council further finds and determines that because of the public safety risk associated with the proposed location of the Mental Health Transitional Living Facility at 11255 and 11275 Grant Drive in Northglenn and its close proximity to Stukey Elementary School, that such ordinance is necessary to be adopted as an emergency to cause the provisions of this ordinance to take effect immediately, and prior to any Registered Sex Offenders being housed at 11255 and 11275 Grant Drive in Northglenn.

Section 2. Section 4-3-3, subsection (a) of the Northglenn Municipal Code is amended to read as follows:

Section 4-3-3. Prohibitions.

(a) It shall be unlawful for any Registered Sex Offender to establish a permanent residence or temporary residence within ONE THOUSAND ~~seven hundred fifty~~ (750-1,000) feet of any school, and five hundred (500) feet of any park, playground, licensed day care center, recreation center or swimming pool (other than pools located at private, single-family residences), or any property located adjacent to any designated public or private school bus stop.

* * *

Section 3. The City Council finds and determines that this ordinance is necessary for the immediate preservation of public property, health, peace, or safety in that the existence of sex offenders residing together is an immediate public safety risk. Accordingly, pursuant to Section 4.11 of the Northglenn City Charter, **this ordinance shall take effect immediately upon enactment.**

PASSED ON FIRST AND FINAL READING this _____ day of _____, 2024.

SHANNON LUKEMAN-HIROMASA
Mayor Pro Tem

ATTEST:

JOHANNA SMALL, MMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney