

City of Dover

PROPOSED ORDINANCE #2025-04

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

3
4 That Chapter 70 – Offenses and Miscellaneous Provisions, Section 70-7. – Registered sexual
5 offenders, be amended by inserting the text indicated in bold, blue, and deleting the text indicated
6 in red strikeout as follows:

7
8 **Sec. 70-7. – Registered sexual offenders.**
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10 (a) *Registration required.* Sex offenders, as defined under the provisions of 11 Del. C., c.
11 41, § 4120A, shall register their places of residence and employment as required under
12 the provisions of 11 Del. C., c. 41, § 4120.

13 (1) **In the United States, sex offenders are legally required to provide accurate**
14 **personal identification information to law enforcement agencies. This mandate**
15 **is primarily governed by the Sex Offender Registration and Notification Act**
16 **(SORNA), which is Title I of the Adam Walsh Child Protection and Safety Act**
17 **of 2006. SORNA establishes comprehensive standards for sex offender**
18 **registration and notification across the nation.**

19 (2) **Identification Requirements:**

20 a. **Personal Information: Offenders must supply their name, date of birth,**
21 **Social Security number, and any aliases.**

22 b. **Residential Details: Current address and any places of residence must be**
23 **reported.**

24 c. **Employment and School Information: Details of current employment and**
25 **educational institutions attended are required.**

26 d. **Vehicle Information: Information about any vehicles owned or operated**
27 **by the offender must be provided.**

28 e. **Online Identifiers: Offenders are obligated to disclose all internet**
29 **identifiers, such as email addresses and usernames used on social media**
30 **platforms.**

31 f. **Physical Description: A current photograph and physical description are**
32 **necessary.**

33 (3) **Offenders are required to keep this information current by reporting any**
34 **changes within a specified timeframe, typically three business days.**
35 **Additionally, they must make periodic in-person appearances to verify and**
36 **update their registration details.**

37 (4) **Offenders are required to provide their true name and notify the council**
 38 **district with which they reside.**

39 (b) *Prohibited activities for sexual offenders.*

40 (1) It is unlawful for any sexual offender to participate in a holiday event or practice
 41 involving children under 18 years of age, such as distributing candy or other items
 42 to children on Valentine’s Day, Halloween, Christmas, or any other holiday event.
 43 Participation is to be defined as attendance at, or taking part ~~of~~ **in**, or cooperation
 44 with an event.

45 (2) It is unlawful for any sexual offender to wear costumes for the primary purpose of
 46 entertaining, attracting, or encouraging interaction with children.

47 (3) Any person designated a sexual offender shall be required on October thirty-first of
 48 each year or any other day upon which Halloween is celebrated to:

- 49 a. Avoid all Halloween-related contact with children;
- 50 b. Post a sign at his/her residence stating, “No candy or treats at this residence.”
 51 Such signs shall be in letters at least two inches high and shall be legible from
 52 the street or road adjacent to the residence;
- 53 c. Except for lighting provided on a year-round basis by a sexual offender or the
 54 owner or manager of a multi-family residential unit for the purpose of security
 55 or walkway or hallway illumination, all outside residential lighting shall be off
 56 during the evening hours after 5:00 p.m., and no exterior holiday decorations
 57 shall be exhibited on the sexual offender’s residence or on the property upon
 58 which the residence is located.

59 (4) Holiday events or practices in which the sexual offender is the parent or guardian
 60 of the child or children involved, and where no non-familial children are present,
 61 are exempt from this section.

62 ~~(c)~~ **(c)** *Penalties.* Any person who violates this section shall be fined in accordance with
 63 Appendix F – Fees and Fines, section 70-7. Every day that a violation occurs shall
 64 constitute a separate offense.

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 66 **BE IT FURTHER ORDAINED:**

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 68 That Appendix F -Fees and Fines, be amended by inserting the text indicated in bold, blue font
 69 and deleting the text indicated in red strikeout as follows:

70
 71 **Chapter 70. – Offenses and Miscellaneous Provisions**

Chapter 70. Offenses and Miscellaneous Provisions	Fees and Fines
Sec. 70-1. Combative fighting	
Subsec. (d)(1) Violations; penalties, fines	Not to exceed \$1,000.00. Separate fines may be issued to the promoter of such an event, participants in such an event, and the

	owner of the premises of such an event
Sec. 70-2. Weapons generally	
(e)(1) Penalties; fines	Not less than \$500.00, nor more than \$1,000.00
Sec. 70-7. Registered sexual offenders	
Subsec. (f) Penalties	\$500.00 for any offense; each day shall constitute a separate offense
Sec. 70-8. Disorderly premises	Not to exceed \$1,000.00 for any offense.
Sec. 70-10 Violations and penalties	
Each day that a nuisance violation continues may be considered a new violation. If not paid, fines may be subject to a lien on property of the owner.	
1 st offense	\$100.00 fine
2 nd offense	\$250.00
3 rd offense	\$500.00
All subsequent offenses	\$1,000.00

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ADOPTED: *

SYNOPSIS

This ordinance amends Chapter 70, Section 70-7 of the City of Dover Code to align with the Adam Walsh Child Protection and Safety Act. It requires registered sexual offenders to provide detailed personal, residential, employment, vehicle, and online information, updating any changes within three business days. The ordinance also strengthens restrictions on offenders' activities with minors, banning them from participating in certain holiday events, such as distributing candy on Halloween, Christmas, and Valentine’s Day, and prohibiting costumes that may attract children. Offenders must also follow specific Halloween rules, including avoiding contact with minors and posting a “No candy or treats” sign. Parents or guardians are exempt when attending private events with only their children.

(SPONSORS: Boggerty and Anderson)

Action History

02/11/2025 - Introduction – Council Committee of the Whole/ Legislative, Finance, and Administration Committee