

**TOWN OF CRANBERRY ISLES
SPECIAL TOWN MEETING WARRANT
December 3, 2024**

**State of Maine
County of Hancock, §**

To: A Constable of the Town of Cranberry Isles, in said County

Greetings:

In the name of the State of Maine you are hereby required to notify and warn the inhabitants of the Town of Cranberry Isles, qualified to vote in Town affairs, to meet at the Islesford Neighborhood House, Little Cranberry Island, in said town, on the 3rd day of December AD 2024 at 8:30 A.M. to act on the following articles, to wit:

Article:

1. To elect by ballot a Moderator to preside at said meeting.
2. To see if the voters of the Town of Cranberry Isles will approve the use of the Maine Municipal Association's recommended Maine Moderator's Manual "Rules of Procedures" for the conduct of this Town Meeting.
4. To see if the voters of the Town of Cranberry Isles will approve opening the floor of this Town Meeting to all non-registered persons for the purpose of discussion only on each of the following articles of this warrant.
5. Shall an ordinance entitled **Sex Offender Residency Restrictions** be enacted

Passage of this ordinance would approve an Ordinance Regarding Residency Restriction for Sex Offenders pursuant to M.R.S.A. Title 30A, Section 3014. A map of areas that are affected by this ordinance will be provided for reference.

6. To see if the voters of the Town of Cranberry Isles will vote to authorize the Cranberry Isles Selectboard to accept the Energy Transition Initiative Partnership Project (ETIPP) Grant in the amount of \$50,000.00 that has been awarded to the Cranberry Isles Community Solar Association, and to authorize the Cranberry Isles Selectboard and Town Treasurer to administer and expend the funds of said grant on behalf of the Cranberry Isles Community Solar Association

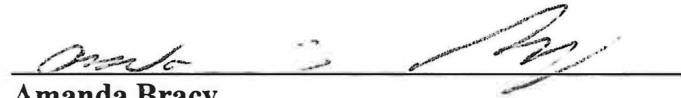
The ETIPP Grant has been awarded to the Cranberry Isles Community Solar Association by the U.S. Department of Energy to provide federal aid to remote communities for improving electrical infrastructure, energy costs and resiliency

during natural disasters and outages. Since the Cranberry Isles Community Solar Association does not have 501-c3 status it is asking the Town to receive said grant money on behalf of the recipient and administer and disburse grants funds for the project.

Given under our hand and Town seal this 13th day of November 2024.



Katelyn Damon, Select Board Chair



Amanda Bracy



January Bennett

Attest: I, Denise McCormick, Clerk of the Town of Cranberry Isles, Maine do hereby attest and certify this document to be a true copy of the December 3, 2024, Special Town Meeting Warrant to be placed before the voters of the Town of Cranberry Isles on December 3, 2024.



Denise McCormick

Sex Offender Residency Restriction
Ordinance Adopted at Town Meeting **Date**

ARTICLE I – TITLE

This Ordinance shall be known as the "Town of Cranberry Isles Sex Offender Residency Restriction Ordinance."

ARTICLE II - FINDINGS AND PURPOSE

The Town promotes and strives to create a safe environment for its citizens to live in and raise families and considers the promotion of the safety and welfare of children to be of paramount importance. The Town Recognizes that sex offenders who prey upon children may have a high rate of recidivism. Notwithstanding the fact that certain persons convicted of sex offenses or sexually violent offenses are required to register pursuant to the Title 34-A, Chapter 17: SEX OFFENDER REGISTRATION AND NOTIFICATION ACT OF 2013 as may be amended in the future, the Town finds that further protective measures are necessary and warranted to safeguard places where children congregate. The purpose of this ordinance is to provide such further protective measures while balancing the interests and residential needs of sex offenders.

ARTICLE III - AUTHORITY

This ordinance is adopted in accordance with the provisions of 30 - A M.R.S.A. § 3001 and 30-A M.R.S.A. § 3014, as may be amended in the future.

ARTICLE IV – DEFINITIONS

The following words, terms and phrases, when used in this ordinance, ascribed to them in this section, except where the context clearly shall have the meanings indicates a different meaning:

DESIGNATED SEX OFFENDERS - Persons convicted of Class A, B or C sex offenses committed against persons who had not attained 14 years of age at the time of the offense, regardless of whether the offense was committed in the State of Maine or another jurisdiction.

RESIDENCE - The temporary or permanent occupation or use of a place, including, but not limited to, a domicile, for the purpose of living, residing or dwelling. The residence shall be deemed to include all the land or property within the limits of the property parcel on which the residence is situated.

RESTRICTED PROPERTY - The real property consisting of the entire property parcel on which a public or private elementary, middle or secondary school is located or any safe zone as designated by the Town of Cranberry Isles in accordance with state law, 30-A MRSA, section 3253.

Also, the real property comprising a municipally owned or state-owned property that is leased to a nonprofit organization for purposes of a park, athletic field or recreational facility that is open to the public where children are the primary users.

No sex offender shall reside within 750 feet of the property line of any public or private elementary, middle or secondary school.

No sex offender shall reside within 750 feet of any publicly owned property where children are the primary users.

No sex offender shall reside within 750 feet surrounding the real property of a municipally owned or state-owned property that is leased to a nonprofit organization for purposes of a park, athletic field or recreational facility that is open to the public where children are the primary users.

No sex offender shall reside within 750 feet of a safe zone as designated by the Town of Cranberry Isles in accordance with state law, 30-A M.R.S.A., section 3253

Current "safe zones" that apply are: **Ashley Bryan School, Longfellow School & Library, Islesford Town Field, Little Cranberry Island Yacht Club, Islesford Boatworks, Cranberry Isles Ladies Aid & Ballfield, Cranberry Isles Historical Society, Islesford Neighborhood House Association and Library, & Hadlock Park.**

SETBACK - A seven-hundred-fifty-foot (750ft) buffer surrounding restricted property.

ARTICLE V - RESTRICTED PROPERTY MAP; RESTRICTIONS:

The Cranberry Isles Selectboard shall prepare and file with the Town Clerk an official map showing restricted property, as defined by this ordinance. The map is hereby incorporated herein and made a part of this ordinance.¹

The Town Selectboard, shall by July 1 of each year recommend updates to the map to reflect any changes in the restricted property and setbacks. The Town Selectboard may amend the restricted property official map by Town Selectboard order, and any amended official map shall be filed with the Town Clerk. In the event of any conflict between the map and text of this ordinance, the ordinance text shall control.

No designated sex offender shall reside within the setback of any restricted property. Licensed nursing homes or other licensed medical facilities are excluded from this ordinance so necessary medical care can be provided.

ARTICLE VI - EXCEPTIONS A designated sex offender maintaining a residence within the setback of a restricted property is not in violation of this ordinance if the residence was established and consistently maintained as a residence prior to the date of adoption of this ordinance. A designated sex offender is not in violation of this ordinance if the restricted property is created, moved or enlarged and such creation, movement or enlargement results in a designated sex offender residing within the setback of a restricted property, as long as the residence was in place and consistently maintained prior thereto.

¹ Said Map is on file in the Town Clerk's Office and found online at https://www.google.com/maps/d/u/0/edit?mid=1luO8jzYvt_HUTYlunvnhlMQaMmGcFhg&usp=sharing

ARTICLE VII - VIOLATIONS AND PENALTIES A designated sex offender who, 30 days after actual receipt of written notice sent by regular mail or hand delivered from the Town is in violation of this ordinance shall be subject to an action brought by the Town to enforce the requirements of this ordinance. The Town may file a legal action against the violator seeking any and all remedies to which it is entitled pursuant to state and local laws, including, without limitation, declaratory and injunctive relief. The Town also may seek a penalty in the minimum amount of \$500 per day. Each day of violation shall constitute a separate violation. In the event the Town is the prevailing party in any action under this ordinance, it shall be entitled to an award of its reasonable attorney's fees, court costs and the costs of any expert witness fees incurred by the Town. All civil penalties shall inure to the benefit of the Town of Cranberry Isles.

ARTICLE VII - SEVERABILITY If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

References:

Cranberry Isles Safe Zone Map:

https://www.google.com/maps/d/u/0/edit?mid=1uO8jzYvt_HUTYlunvwhlMQaMmGcFhg&usp=sharing

Ordinances Regarding Residency Restrictions for Sex Offenders Title 30 -A Subsection 3014

<https://legislature.maine.gov/statutes/30-a/title30-Asec3014.html>

Safe Zones Designated by a Municipality, Title 30-A subsection 3253:

<https://legislature.maine.gov/statutes/30-a/title30-asec3253.html>

Title 34-A, Chapter 17: SEX OFFENDER REGISTRATION AND NOTIFICATION ACT OF 2013

<https://legislature.maine.gov/legis/statutes/34-A/title34-Ach17sec0.html>

Title 17-A, §261. PROHIBITED CONTACT WITH A MINOR; SEX OFFENDER RESTRICTED ZONE

<https://legislature.maine.gov/statutes/17-a/title17-Asec261.pdf>

Town of Skowhegan, Sex Offender Residency Restriction Ordinance, Adopted at Town meeting June 11, 2018. <https://www.skowhegan.org/DocumentCenter/View/4104/Sex-Offender-Residency-Restriction-Ordinance>

City of Bangor [Ordinance § 215-13Sex offender residency restrictions](#). [Added 4-22-2013 by Ord. No. 13-114]