

Sec. 54-370. - Property owners prohibited from renting real property to certain sexual offenders and sexual predators; penalties.

- (a) It shall be a violation of this Code for a landlord or owner of residential property in the city to let or rent a residence to any person prohibited from establishing such permanent residence of temporary residence pursuant to sections 54-367 and 54-368 above, if such residence is located within 1,500 feet of any school, designated school bus stop, child care facility, park, playground, or community center, or other place where children congregate.
- (b) A property owner's failure to comply with provisions of this section shall constitute a violation of this section, and shall subject the property owner to the code enforcement provisions and procedures as provided in chapter 26 of this Code.
- (c) A landlord shall not be liable under the provisions of this section if they can demonstrate they made a good faith effort to ascertain whether the proposed tenant or any persons who will reside with the tenant are prohibited from establishing residence pursuant to sections 54-367 and 54-368. If the landlord receives an affidavit from the tenant that the people who reside with them are not on the list and the landlord checks the registration list based on the identifications of tenants and residents proposed to be living in the rental unit to confirm the persons are not on the list. Receipt of such affidavit and efforts of confirmation shall demonstrate that a landlord has exercised good faith in ascertaining whether they were renting to a sexual predator or sexual offender, even if it is ultimately determined that a sexual predator or sexual offender did reside in their rental unit.

(Ord. No. 4159-08, § 2, 7-28-2008)