

LOITERING ORDINANCE
TOWN OF _____, VERMONT

SECTION I: AUTHORITY

Under authority granted by 24 V.S.A. Chapter 61, the Town of _____ adopts this Loitering Ordinance. Pursuant to 24 V.S.A. §§ 2291(1), (5), and (14) the selectboard shall have the authority to regulate loitering in the Town of _____.

SECTION II: PURPOSE

The purpose of this ordinance is to protect, preserve and promote the health, safety, and welfare of the citizens of _____ through the regulation of loitering. The intent of this ordinance is to prohibit loitering that hinders or impedes the passage of pedestrians or vehicles upon any public or quasi-public sidewalk, street, curb, crosswalk, walkway area, mall or that portion of private property utilized for public use. The selectboard of the town of _____ hereby finds that such loitering is a public nuisance that endangers the health, safety, and welfare of the citizens of this town.

SECTION III: DEFINITIONS

For the purpose of this ordinance:

Loitering shall mean the act of standing or remaining idle in or upon any public or quasi-public sidewalk, street, curb, crosswalk, walkway area, mall or that portion of private property utilized for public use.

SECTION IV: PROHIBITED CONDUCT

It shall be unlawful for any persons, after first being warned by a law enforcement officer, or where a "no loitering" sign or signs have been posted, to loiter, sit or lie in or upon any public or quasi-public sidewalk, street, curb, crosswalk, walkway area, mall or that portion of private property utilized for public use, so as to hinder or impede the passage of pedestrians or vehicles.

SECTION V: ENFORCEMENT. This is a civil ordinance and shall be enforced by [the constable/police/selectboard/_____] in the Vermont Judicial Bureau in accordance with 24 V.S.A. §§ 1974a et seq.

SECTION VI. PENALTIES AND COSTS.

- | | |
|------------------------|---|
| A. First offense | Written warning |
| B. Second offense | \$_____ full penalty/\$_____ waiver penalty |
| C. Third offense | \$_____ full penalty/\$_____ waiver penalty |
| D. Subsequent offenses | \$_____ full penalty/\$_____ waiver penalty |

SECTION VII: OTHER LAWS. This ordinance is in addition to all other Ordinances of the Town of _____ and all applicable laws of the State of Vermont.

SECTION VIII: SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

SECTION IX: EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the _____ selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

DATE

SIGNATURES

Adoption History

1. Agenda item at regular selectboard meeting held on _____.
2. Read and approved at regular selectboard meeting on _____ and entered in the minutes of that meeting which were approved on _____.
3. Posted in public places on _____.
4. Notice of adoption published in the _____ newspaper on _____ with a notice of the right to petition.
5. Other actions [petitions, etc.]