

**TOWN OF WESTMORE, VERMONT
DISORDERLY CONDUCT ORDINANCE**

SECTION 1. AUTHORITY. This ordinance is adopted by the Selectboard of the Town of Westmore, Vermont under authority granted in 24 V.S.A. §§ 2291 (14), (15), and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. The purpose of this ordinance is to protect, preserve and promote the health, safety, and welfare of persons in the Town of Westmore through the reduction, control and prevention of disorderly conduct in public places.

SECTION 3. PROHIBITION. No person shall:

(a) disturb or break the peace by begging, behaving in a disorderly manner or using indecent, profane or insulting language or making indecent gestures in or on a public street or sidewalk, or in or about a public place of business, restaurant, store, hotel, or other public place to the annoyance or disturbance of another person; or

(b) obstruct vehicular traffic, pedestrian safety, or the free entrance or egress from any public or private property.

SECTION 4. ENFORCEMENT. The violation of this ordinance shall be a civil offense. All actions for violation of this ordinance shall be brought before the Vermont Judicial Bureau, unless the penalty for all continuing violations is greater than \$800.00 or injunctive relief is sought, in which case the action shall be brought in the Criminal Division of Superior Court. Any law enforcement officer may act as an issuing municipal official and issue and pursue a municipal complaint for violation of this ordinance before the Judicial Bureau.

SECTION 5. PENALTY AND WAIVER FEE. A civil penalty of not more than \$800.00 per violation may be imposed for violation of this ordinance. The waiver fee shall be \$50.00 for the first offense, \$250.00 for the second offense, and \$800.00 for each subsequent offense. Each day that a violation continues shall constitute a separate violation of this ordinance.

SECTION 6. OTHER LAWS. This ordinance is in addition to all other ordinances of the Town of Westmore and all applicable laws of the State of Vermont.

SECTION 7. 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 8. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Town of Westmore Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

DATE

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.]