



# **Town Of Montgomery**

P.O. Box 356

Montgomery Center, VT 05471

802-326-4719

<http://www.montgomeryvt.us>

## **ORDINANCE ON CAMPING OR OVERNIGHT PARKING ON MUNICIPAL PROPERTY**

### **SECTION I: AUTHORITY**

Under authority granted by 24 V.S.A. Chapter 61, the Town of Montgomery adopts this Camping or Overnight Parking Ordinance. Pursuant to 24 V.S.A. §§ 2291(1), (5), and (14) the Selectboard shall have the authority to regulate camping and parking in the Town of Montgomery.

### **SECTION II: PURPOSE**

The purpose of this ordinance is to protect, preserve and promote the health, safety, and welfare of the citizens and the municipal facilities of Montgomery through the prohibition of camping or overnight parking on Municipal property that damages Municipal property or hinders or impedes the use of, access to, or maintenance of, Municipal facilities. The Selectboard of the town of Montgomery hereby finds that such camping and parking is a public nuisance that endangers the health, safety, and welfare of the citizens of this town.

### **SECTION III: DEFINITIONS**

1. Municipal properties, including parking lots, include the:
  - Town Common (Village Green)
  - Community Garden
  - Riverwalk Park
  - Rec Center
  - Town Office
  - Town Hall
  - Public Safety Building
  - Town Garage
  - Town Forest
  - Municipal Water Treatment Plant, Reservoirs, and Pump Stations.
2. For the purpose of this ordinance parking shall mean to place or leave a vehicle in a certain place for a period of time.
3. For the purpose of this ordinance overnight shall mean between the hours of midnight and 6:00a.m.
4. For the purpose of this ordinance camping shall mean: living in, sleeping in, or lodging in, any temporary shelter to include tents, and vehicles.

**SECTION IV: PROHIBITED CONDUCT**

It shall be unlawful for any persons to:

- A. Park any vehicle overnight on any municipal property.
- B. Camp on any municipal property except as part of a Town approved program.

**SECTION V: ENFORCEMENT.** This is a civil ordinance and shall be enforced by any law enforcement officer, the constable, or any official duly appointed by the Selectboard, and in the Vermont Judicial Bureau in accordance with 24 V.S.A. §§1974a et seq. Vehicles parked in violation of these regulations may be towed by order of above officials at the expense of the owner.

**SECTION VI. PENALTIES AND COSTS.**

- A. First offense: Written warning
- B. Second offense \$50.00 full penalty/\$25.00 waiver penalty
- C. Third offense \$75.00 full penalty/\$50.00 waiver penalty
- D. Subsequent offenses \$100.00

**SECTION VII: OTHER LAWS.** This ordinance is in addition to all other Ordinances of the Town of Montgomery 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 Montgomery Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

**Date**

**Selectboard Signatures ( On recorded copy)**

**Kenneth Cota**

**Scott Perry**

**Wendy Howard**

**Carol McGregor**

**Susan Regan**

**Town Clerk Attestation**

**Renee Patterson**

### **Adoption History**

1. Agenda item at regular Selectboard meetings held on November 21, December 5, & December 19.
2. Read and approved at the Regular Selectboard meeting on January 2, 2012 and entered in the minutes of that meeting which were approved on January 16th.
3. Posted in at least five public places on January 3, 2012.
  - Town Office
  - Village Post Office
  - Center Post Office
  - TJ's Market
  - Public Safety Building/Library
  - Slyvester's Market
4. Notice of adoption published in the County Courier newspaper on January 5 & 12 with a notice of the right to petition.
5. Other actions [petitions, etc.] - none