

**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.]