

# TOWN OF HIGHGATE

## LOITERING ORDINANCE

Pursuant to the provisions of Title 24, Vermont Statutes Annotated, Sections 1971 and 2291 and such other general enactments as may be material hereto, it is hereby ordained by the Selectboard of the Town of Highgate that the following Loitering Ordinance is adopted as a civil ordinance for the Town of Highgate, Vermont.

### ARTICLE I DEFINITIONS

**Curfew Hours:** 10:00 p.m. until 6:00 a.m. every day of the week.

**Enforcement Officer:** Any authorized law enforcement officer, including the Town Constable, Vermont State Police and the Franklin County Sheriff or Deputy.

**Loiter:** To linger or stay around; especially, to fail to leave such premises when requested to do so by an enforcement officer.

### ARTICLE II SCOPE

The ordinance establishes special loitering regulations and curfew times on Town of Highgate property within the Town of Highgate, Vermont.

### ARTICLE III MUNICIPAL PROPERTY CURFEW

Section 1. A curfew preventing loitering is hereby established between the hours of 10:00 p.m. and 6:00 a.m. every day of the week on the following municipal property:

- A. Highgate Elementary School and Play Grounds, Gore Road.
- B. Highgate Recreation Arena and Playing Fields, Gore Road.
- C. Highgate Town Library, Main Street
- D. Highgate Village Park, VT Rte 78.
- E. Highgate Municipal Complex, VT Rte 78.
- F. Old Church Parking Lot, VT Rte 78
- G. Highgate Falls Park, VT Rte 207.
- H. Highgate Boat Launch, Shipyard Road.
- I. Municipal Cemeteries throughout Highgate.

STATE OF VERMONT  
FRANKLIN COUNTY, SS.  
I certify this to be a complete, exact and true copy of the original document, certified this July 16 day of July, 2013  
Wendi Dusablon  
Highgate  
Town Clerk  
Attest

# ARTICLE IV GENERAL PROVISIONS

## Section 1.

### Enforcement

This ordinance is adopted as a civil ordinance and will be enforced as such pursuant to the provisions of Title 24, Vermont Statutes Annotated, Sections 1974a and 1977.

### Separate Offenses

Each violation of a provision of this ordinance shall be deemed a separate offense. The provisions of this ordinance shall be cumulative to the fullest extent permitted by law with respect to all other statutes or ordinances now or hereafter adopted regardless of their order of passage or enactment.

### Severability

The provisions of this ordinance are declared to be severable and if any provision hereof be judged invalid, such judgment shall not affect the validity of any provision.

### Designation

This ordinance may be referred to as the Highgate Loitering Ordinance and in a prosecution here under a copy of such ordinance, certified by the Town Clerk, shall be prima facie evidence thereof. An allegation that the act constituting the offense charged is contrary to a specified provision of this ordinance shall be a sufficient reference hereto.

Adopted by the Town of Highgate Selectboard:

Richard J. Noël  
Richard J. Noël

Brian P. Rowell  
Brian P. Rowell

Witness: Gregory A. Empton

Date: July 17, 2013

Stephen Bushey  
Stephen Bushey

Date: July 17, 2013

STATE OF VERMONT  
FRANKLIN COUNTY, SS  
I certify this to be a complete, exact and true copy of the original document, certified this 16 day of July, 2013  
Wendi Dusablon  
Highgate Town Clerk Attest

**TOWN OF HIGHGATE**  
**LOITERING ORDINANCE**

**AMENDMENT I**

Article IV, Section 1 is hereby amended to include the following:

Penalties

	<u>Fine</u>	<u>Waiver Fee</u>
First offense	\$50	\$25
Second offense within 6 months	\$75	\$50
Third offense within 6 months of first offense	\$150	\$100

Adopted by the Town of Highgate Selectboard:

Richard J. Noël  
Richard J. Noël

Stephen Bushey  
Stephen Bushey

Brian P. Rowell  
Brian P. Rowell

Date: August 8, 2013

STATE OF VERMONT  
FRANKLIN COUNTY, SS  
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original document, certified this 16 day of  
July, 2013  
Wendi Dusablon  
Highgate Town Clerk  
Attest

TOWN OF HIGHGATE  
LOITERING ORDINANCE

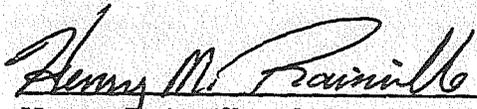
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May 17, 2013 04:00:00P  
WENDI DUSABLON  
TOWN CLERK  
HIGHGATE, VT

AMENDMENT II

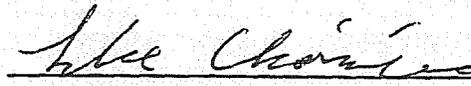
Article III Municipal Property Curfew is hereby amended to include the following:

J. Highgate Municipal Park and Ride is a facility used for carpooling. Loitering at the site is prohibited at any time of the day or night.

Adopted by the Town of Highgate Selectboard this 16<sup>TH</sup> day of MAY, 2013:

  
Henry Rainville, Chair

  
Jeff Towle, Vice Chair

  
Luke Choiniere

STATE OF VERMONT  
FRANKLIN COUNTY, SS  
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original document, certified this 16 day of  
July, 2013  
  
Highgate Town Clerk Attest

