

VILLAGE OF ENOSBURG FALLS

Section 1002 PEDDLERS & FESTIVALS ORDINANCE

The Board of Trustees of the Village of Enosburg Falls ordains and adopts this Peddlers and Festivals Ordinance per the provisions of: Title 23, Vermont Statutes Annotated, Sections 1007 and 1008 and; Title 24, Vermont Statutes Annotated, Sections 1971 and 2291.

SECTION I. PEDDLERS

The Trustees shall have the power to license peddlers, to sell, offer to sell, or barter any goods, wares, food or other merchandise within the village limits, upon application and payment by such peddler of a fee of \$50. No license shall be issued unless the applicant:

1. Provides all information requested by the Trustees as to the proposed operation.
2. Provides proof of liability insurance for personal injury and property damage, and agrees to indemnify and hold harmless the village from any liability arising from the operation to be conducted by the applicant.
3. Provides proof of any other required licensing from the Vermont Secretary of State, and in the case of food sellers, licensing from the Vermont State Health Department any license issued hereunder shall be valid for no longer than 60 days from the date of issuance, and such license shall not be valid during any special festivals, exhibits, or markets as defined in Section II of this ordinance.

The Trustees, shall have the power to revoke or cancel a permit immediately upon finding that the license is being violated or that there is an imminent danger to public health or safety. Upon agreement of such person or organization to the above conditions, the Trustees shall issue a Peddlers License for the conduct of such event.

A person who shall sell, offer to sell, or barter any goods, wares, food or other merchandise, within the village limits without the license herein required constitutes a violation of this ordinance.

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Section 1974a and Section 1977 et seq. A civil penalty of \$100.00 may be imposed for the initial violation of this civil ordinance. The penalty for the second offense within a six month period shall be \$150.00, and the penalty for subsequent offenses within a six month period shall be \$200.00. The waiver fee shall be set at \$50.00 for the first offense, \$75.00 for the second offense within a six month period, and \$100.00 for all subsequent offenses within a six month period. Each day that the violation continues will constitute a separate violation of this ordinance.

SECTION II. FESTIVALS

The Trustees shall have the power to contract with persons or organizations for the use of village property, or portions thereof, for special festivals, exhibits or markets upon arrangements and the payment of a fee not to exceed \$50. Any such agreement shall clearly specify the dates, times and locations of such special festival, exhibit or market.

No license issued under Section I of this ordinance shall be valid for the same location, time and date as any such festival, exhibit or market permitted hereunder.

An agreement by any person or organization with the Trustees for such events shall be conditioned upon agreement of said person or organization to clean and restore any village property to the same condition that it was in prior to the commencement of such event. Peddlers will indemnify and hold harmless the village from any liability arising from the operation of said event.

It is hereby declared the policy of the village that pursuant to this Section, the time running from 8 a.m. of the Thursday immediately proceeding the first Saturday in June of each year, through 8 p.m. on the Sunday immediately following shall be known as the Dairy Day Festival and no peddlers licenses issued under Section I of this ordinance shall be valid during said festival.

SECTION III. REPEAL OF PRIOR ORDINANCES

This Ordinance repeals any prior Peddlers & Festivals Ordinance regulation adopted by the Village of Enosburg Falls.

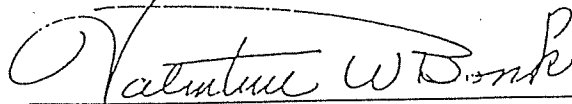
SECTION IV. CIVIL ORDINANCE

This ordinance is designated a civil ordinance pursuant to Title 24 V.S.A. Section 1971 (b). To the extent a penalty is not established in this ordinance for violations thereof, there is hereby established a penalty of \$500.00 (Five Hundred Dollars) for a violation of this ordinance. Civil Enforcement of this ordinance and actions for violations thereof shall be brought and maintained in the name of the Village by an enforcement officer for such purpose. All actions for enforcement of this civil ordinance shall be instituted and maintained in the manner provided in Title 24 V.S.A. 1974a-1981, as may be amended.

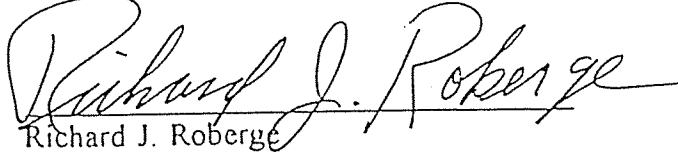
Dated at Enosburg Falls, Vermont, this 18th day of December, 1995



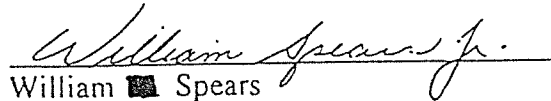
Richard Guilmette
Village Clerk



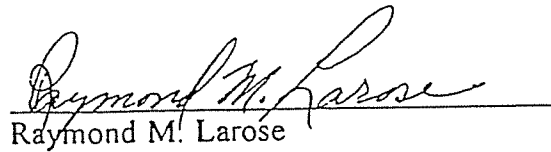
Valentine W. Bonk, Chairman



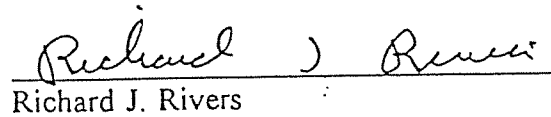
Richard J. Roberge



William Spears



Raymond M. Larose



Richard J. Rivers

VILLAGE OF ENOSBURG FALLS, VERMONT

NOTICE OF ORDINANCE ADOPTION

Notice is hereby given that at a regular meeting of the Board of Trustees of the Village of Enosburg Falls, Vermont, held on the 18th day of December, 1995, an ordinance was adopted requiring the licensing of Peddlers and Festivals. The ordinance will become effective on the 16th day of February, 1996 unless a petition seeking disapproval thereof is filed with the Village Clerk no more than forty-four (44) days from the above-stated date of adoption.

The purpose of the ordinance is to regulate peddlers and festivals on public and private property through the enactment, implementation and enforcement of the following provisions:

Section I. Peddlers
Section II. Festivals

Copies of the ordinance and further information relating to the same may be obtained by communication with Stephen B. McNeil, Village Manager, RR #4, Box 80, Enosburg Falls, VT 05450 (802-933-4443).