

VILLAGE OF ENOSBURG FALLS, VERMONT

Section 808

NOTICE OF ORDINANCE ADOPTION

Notice is hereby given at a regular meeting of the Board of Trustees of the Village of Enosburg Falls, Vermont, held on the 13th day of May, 2003, the Village Ordinance regulating Curfews and No Alcoholic Beverages allowed on Municipal Property. This Ordinance will become effective on the 7th day of July, 2003 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 Village Curfew and No Alcoholic Beverages on Municipal Property.

Section I. Definitions

Alcoholic Beverages: an alcoholic beverage shall be any malt beverage, spirits, spirituous liquor, or vinous beverage as defined in Title 7 VSA, §2.

Curfew Hours 10:00 p.m. until 6:00 a.m. everyday of the week

Enforcement Officer means a police officer.

Remain means to linger or stay around; or fail to leave such premises when requested to do so by an enforcement officer.

Section II. Village Curfew

The Village Curfew shall be between the hours of 10:00pm - 6:00am for the following Village Property:

- a. Lincoln Park
- b. Maple Park
- c. School Play Grounds and Playing Fields
- d. Village Office Parking Lot and Electric Sub-Station area.
- e. Highway Garage
- f. Cemeteries in Village

It shall be unlawful for any person to knowingly remain, in or upon the above public place in the Village between the hours of 10:00 p.m. and 6:00 a.m. on any day of the week.

Section III. Violators

The Violator(s) shall be fined up to \$100.00 and be required to appear in court with a parent or guardian.

It shall be unlawful for the parent or guardian having legal custody of a minor to knowingly allow or permit the minor to be in violation of the curfew imposed. Parents can be issued citations up to \$100.00 if they allow their children to violate the curfew ordinance.

Section IV. No Alcoholic Beverages on Municipal Property

a) **Restricted Areas:** The restricted areas within the Village of Enosburg Falls are defined as follows:

Any and all Village lands and premises, including but not limited to lawns, sidewalks, parking areas, streets, recreation areas, or any other portion of or area owned or controlled by the Village of Enosburg Falls such as Lincoln Park, Maple Park, School Play Grounds and Playing Fields, Village Office Parking Lot and Electric Sub-Station area, Highway Garage, Cemeteries in Village.

b) Open Containers: Any vessel or device from which an alcoholic beverage may be consumed, poured, or otherwise dispensed. An open container as defined herein, shall not include the container provided by a bottler, distiller, or manufacturer where the seal, sealing device, or closing device provided by such bottler, distiller, or manufacturer has not been broken or removed, provided that no other opening in such container is made by the consumer.

It shall be unlawful for any person to have in their possession, an open container of an alcoholic beverage within a restricted area.

Section V. Violators

Violation of any provision of Section IV of this ordinance shall be subject to a fine of not more than five-hundred (\$500.00) dollars. An enforcement officer shall be empowered to confiscate as evidence of a violation of this Chapter, any open container in possession of any person in a restricted area, which is reasonably believed to contain an alcoholic beverage.

Copies of the ordinances and further information relating to the ordinance may be obtained by communication with Gary Champy, Village Manager, 42 Village Drive, Enosburg Falls, VT 05450 (802-933-4443).

Dated at Enosburg Falls, Vermont, this 13th day of May, 2003.

Attested:

Natalie Guilmette

Natalie Guilmette
Village Clerk

Valentine W. Bonk

Valentine W. Bonk, Chairman

Richard J. Roberge

Richard J. Roberge

Richard J. Rivers

Richard J. Rivers

Walter H. Scott

Walter H. Scott

Harold C. Foote

Harold C. Foote

VILLAGE OF ENOSBURG FALLS, VT

AMENDMENT OF ORDINANCE

On this day July 25th, 2006 the Board of Trustees of the Village of Enosburg Falls, Vermont adopt an amendment to the ordinance regulating curfews and alcoholic beverages on municipal property.

AMENDMENTS ADOPTED

This ordinance will now include the following under Section II: Village Curfew

g. No Trespassing at any time on the bandstand at Lincoln Park without the expressed written consent of the Board of Trustees. This includes stairs, railings, or any part of the bandstand at Lincoln Park.

Dated at Enosburg Falls, Vermont this 26th day of July, 2006.

Attested:

Natalie Guilmette
Natalie Guilmette
Village Clerk

Raymond Larose
Raymond Larose, Chair

Richard Roberge
Richard Roberge

Gary Champy

Michael R Larose
Michael Larose

Michael Manahan
Michael Manahan

Section 808

VILLAGE OF ENOSBURG FALLS, VERMONT

NOTICE OF ORDINANCE AMENDMENT

Notice is hereby given that at a regular meeting of the Board of Trustees of the Village of Enosburg Falls, Vermont, held on the 10th day of February, 2015, Section 808, Subsection IV of the Village Ordinances, relating to Alcoholic Beverages on Municipal Property was amended as set out below. This Amended Ordinance will become effective on the 13th day of April, 2015, 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.

Section IV. No Alcoholic Beverages on Municipal Property

a) Restricted Areas: The restricted areas within the Village of Enosburg Falls are defined as follows:

Any and all Village lands and premises, including but not limited to lawns, sidewalks, parking areas, streets, recreation areas, or any other portion of or area owned or controlled by the Village of Enosburg Falls such as Lincoln Park, Maple Park, School Play Grounds and Playing Fields, Village Office Parking Lot and Electric Sub-Station area, Highway Garage, Cemeteries in Village.

b) Open Containers: Any vessel or device from which an alcoholic beverage may be consumed, poured, or otherwise dispensed. An open container as defined herein, shall not include the container provided by a bottler, distiller, or manufacturer where the seal, sealing device, or closing device provided by such bottler, distiller, or manufacturer has not been broken or removed, provided that no other opening in such container is made by the consumer.

Except as otherwise provided herein, it shall be unlawful for any person to have in their possession, an open container of an alcoholic beverage within a restricted area.

c) Special Rules for Lincoln Park: During the annual Harvest Festival, the Enosburg Business Association, or any other similar civic association or group responsible for organizing the Harvest Festival ("Applicant") may apply to the Village Trustees for a permit to organize an alcoholic beverage tasting event within the confines of Lincoln Park subject to the following rules:

i. Any such tasting event shall comply with the requirements of 7 V.S.A. §67.

ii. The Applicant shall submit an application for a permit on a form provided by the Village Manager's office. Such application shall contain: (a) the name, address, and phone number of each vendor scheduled to appear at the event; (b) the hour, date and estimated duration of the event; (c) the location within the park where the event will take place; (d) proposed arrangements to: insure the safety of the public and the vendors covered under the permit, prevent damage to public and private property; (e) a

copy of the application submitted to the Vermont Department of Liquor Control for the tasting event; and (f) a copy of the permit issued by the Department for the event. The application and supporting documents shall be filed with the Village Manager not less than 30 days prior to the commencement date of the Harvest Festival.

iii. Any permit issued by the Village Trustees may contain such conditions and/or restrictions the Trustees may deem necessary to protect public health and safety and to protect public property. Such conditions may include a requirement to have law enforcement personnel present for the duration of the event; have appropriate measures in place to monitor alcohol consumption; and have appropriate refuse receptacles and rest room facilities available on site.

iii. Any alcoholic beverages tasting event held pursuant to this Ordinance shall:

(1) Continue for no more than six hours, with no more than six beverages to be offered at a single event, and no more than two ounces of any single beverage and no more than a total of eight ounces of various vinous or malt beverages to be dispensed to a customer. No more than eight customers may be served at one time.

(2) Be conducted totally within a designated area that extends no further than 10 feet from the point of service and that is marked by a clearly visible sign that states that no one under the age of 21 may participate in the tasting.

iv The Applicant shall take all reasonable steps to ensure that the vendors comply with all applicable state laws, and shall notify the Village Manager or a member of the Village Trustees immediately in the event that any vendor is in violation of state law, the permit or this Ordinance. Upon receipt of any notice from the Applicant of a violation, or upon receipt of notice of any violations of state law or this Ordinance by a law enforcement officer or Village official or employee, the Village Manager or member of the Village Trustees may revoke the permit issued under this Ordinance effective immediately. Upon such revocation, the Applicant shall take such steps as shall be reasonably required, including the enlistment of assistance from law enforcement personnel, to cause all vendors to cease the serving of alcoholic beverages until further notice from the Village Manager or Village Trustee.

v. The EBA shall require each vendor to provide proof of dram shop liability insurance, which shall be submitted with the application to the Village Trustees. Copies of the ordinances and further information relating to the ordinance may be obtained in person at the Village Offices at 16 Village Drive, Enosburg Falls, VT 05450.

Dated at Enosburg Falls, Vermont, this 10th day of February, 2015.

Village of Enosburg Falls Board of Trustees:

Walter A. Scott

Walter Scott, Chair

Michael M. Manahan

Michael Manahan, Vice-Chair

Guy Breault

Guy Breault

Leonard V. Charron

Leonard Charron

William Spears Jr.

VILLAGE OF ENOSBURG FALLS, VT

NOTICE OF AMENDMENT OF ORDINANCE

On July 25, 2006, the Board of Trustees of the Village of Enosburg Falls, Vermont adopted an amendment to the ordinance regulating curfews and alcoholic beverages on municipal property. This notice is published pursuant to 24 V.S.A. § 1972 to inform the public of this amendment and of their right to petition for a vote to disapprove its adoption.

AMENDMENTS ADOPTED

This ordinance will now include the following under **Section II**:

Village Curfew

g. No trespassing at any time on the bandstand at Lincoln Park without the expressed written consent of the Board of Trustees. This includes stairs, railings, or any part of the bandstand at Lincoln Park.

FULL TEXT

The full text of this ordinance may be examined, and copies are available, at the Village Clerk's office at 42 Village Drive, Enosburg Falls, Vermont.

CITIZENS' RIGHT TO PETITION FOR VOTE

The voters of the Village of Enosburg Falls, Vermont have the right to petition for a vote at a special or annual Village meeting to disapprove the amendment to this ordinance. Unless a petition signed by 5% of the voters of the Village requesting such a vote is filed with the Village Clerk or Board of Trustees within forty-four (44) days following the date of the adoption of the amendment, it shall become effective on September 23, 2006, sixty (60) days from the date of its adoption.

PERSON TO CONTACT

Jonathan Elwell, Village Manager, has knowledge of the ordinance and is available to answer questions about it during normal business hours at 42 Village Drive, Enosburg Falls, VT 05450 (Telephone: (802) 933-4443).