

OFFENSES AND MISCELLANEOUS PROVISIONS
Re Disorderly Conduct Ordinance

That Chapter 21, Offenses & Miscellaneous Provisions, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding new Sec. 21-46 thereto to read as follows:

Sec. 21-46. Disorderly conduct.

It shall be unlawful for a person who, with the intent to cause public inconvenience, or annoyance or recklessly creating a risk thereof:

(a) Engages in fighting or in violent, tumultuous or threatening behavior; or

(b) Makes unreasonable noise; or

(c) In a public place uses abusive or obscene language; or

(d) Without lawful authority, disturbs any lawful assembly or meeting or persons; or

(e) Obstructs vehicular or pedestrian traffic

A violation of this section shall be a civil matter and enforced in accordance with the provisions of 24 V.S.A. section 1974a and section 1977 et seq. A civil penalty of not more than \$500.00 may be imposed for a violation of this civil ordinance. The fine may, at the discretion of the prosecuting official, be waived in whole or in part upon the successful completion of a restorative or reparative justice program through the Community Justice Program. The waiver fee for violations of this section shall be set at:

Waiver fine Civil Penalty:

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First Offense: The waiver penalty shall be Two Hundred Fifty Dollars (\$250.00).

Second Offense, within a six-month period: The waiver penalty shall be Three Hundred Dollars (\$300.00).

Third Offense or more, within a twelve-month period: The waiver penalty shall be Four Hundred Dollars (\$400.00).

Each time that the violation occurs will constitute a separate violation of this ordinance. Any law enforcement officer can enforce this section.

* Material underlined added.