

OFFENSES AND MISCELLANEOUS PROVISIONS
Re Unlawful Trespass 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. 21-45 thereto to read as follows:

Sec. 21-45. Unlawful trespass.

It shall be unlawful for a person who, without legal authority or the consent of the person in lawful possession, enters or remains on any land or in any place as to which notice against trespass is given by:

(a) Actual communication by the person in lawful possession or his agent or by a law enforcement officer acting on behalf of such person or his agent: or

(b) Signs or placards so designed and situated as to give reasonable notice.

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

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

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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.