

Article 0807-2B: **DISORDERLY CONDUCT**

AUTHORITY: 13 VSA, § 901 - 1063

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. § 1974a and § 1977 et seq.

Section I: Breach of Peace

- A. Whoever, with the intent to provoke a break of peace, or under circumstances such that a breach of peace may be occasioned thereby:
 - 1. Acts in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to others;
 - 2. Congregates or assembles on a public Highway as defined in Title 23, VSA 4 §13 or on a public sidewalk or on Village or Town property, and refuses to move on when ordered to do so by a police or law enforcement officer. A congregation constitutes three or more people;
 - a. Crowds, obstructs, or incommodes the free use on any such place, or;
 - b. Insults or makes insulting gestures or comments to persons passing by or within hearing
- B. Throws or causes to be thrown at any person, structure, animal, or motor vehicle, any; rock, bottle, egg, or any other object that could injure or damage any person, animal, structure, or motor vehicle.

Section II: Fireworks

- A. It shall be unlawful for any person, firm, co-partnership or corporation to offer for sale, expose for sale, sell at retail or wholesale, possess, use, or explode any fireworks, as defined in Title 20 VSA §3131, §3132 & §3133.

Section III: Seizure

- A. Any police or law enforcement officer may seize such articles held by a person in violation of either Section I or II of this article and hold the same to be properly disposed of.

Section IV:

Enforcement:

Any person who violates a provision of this civil ordinance shall be subject to a civil penalty of up to \$500 per violation. Morristown Police officers from the Morristown Police Department shall be authorized to act as issuing municipal officers to issue and pursue before the Traffic and Municipal Ordinance Bureau a municipal complaint.

Civil Penalty:

An issuing municipal official is authorized to recover civil penalties in violation of this ordinance. A civil penalty of up to \$100 may be imposed for the violation of this civil ordinance.

Waiver Fee:

An issuing municipal official is authorized to recover a waiver fee, in lieu of a civil penalty, for any person who declines to contest a municipal complaint. The waiver fee shall be set at \$50 for each offense.

Other Relief:

In addition to the enforcement procedures available before the Traffic and Municipal Ordinance Bureau, the Morristown Selectboard is authorized to commence civil action to obtain injunctive and other appropriate relief or to pursue any other remedy authorized by law.

The Morristown Breach of Peace Ordinance was adopted on June 19, 1995 at a duly warned Selectboard Meeting in the Municipal Conference Room in Morrisville. It was posted in the Morristown Town Clerk's Office, the Morristown Post Office, Morrisville Water & Light Department, Palmer's Inc. and the Price Chopper Supermarket. Notice of this ordinance was published in the News & Citizen, the official Town newspaper, the week of June 26, 1995. It will take effect on August 18, 1995 unless a petition signed by at least five percent of the voters of the Town of Morristown is filed with the Town Clerk by August 2, 1995 asking for a vote to disapprove the ordinance. If a petition is received, the Town of Morristown Selectboard will warn a special meeting and the voters may vote on that question.