

**PUBLIC TOWN BEACH ORDINANCE
TOWN OF FRANKLIN, VERMONT**

SECTION I: AUTHORITY

Under authority granted by 24 V.S.A. Chapter 59 & 61, the Town of Franklin adopts this Public Town Beach Ordinance. Pursuant to 24 V.S.A. §§ 2291 (12), (14), (18), the Selectboard shall have the authority to regulate use and functions of the public beach in the Town of Franklin.

SECTION II: PURPOSE

The purpose of this ordinance is to protect, preserve and promote the health, safety, and welfare of the citizens of Franklin through the regulation of the use of the public beach property. The intent of this ordinance is to prohibit unsafe actions of any person(s) which may harm themselves or others.

SECTION III: REQUIREMENTS

- No glass containers of any kind are permitted.
- No alcoholic beverages are permitted.
- Dogs must be under the control of owner at all times; as stated in current dog ordinance. Waste must be picked up and disposed of properly.
- All trash shall be removed by the persons who produced the trash.
- No overnight camping/tenting permitted.
- No fires/burning of any kind is permitted.

SECTION IV: ENFORCEMENT & PENALTIES

This is a civil ordinance and shall be enforced in the Vermont Judicial Bureau or in the **Franklin** County Superior Court, at the election of the legislative body, in accordance with 24 V.S.A. §§ 1974a et seq.

A written warning will be initially given to the offender of the ordinance. Upon a second violation a civil penalty of not more than \$500.00 per violation may be imposed for a violation of this ordinance. Each day a violation continues shall constitute a separate violation.

SECTION V: WAIVER FEE

An issuing Municipal Official shall have the authority to recover a waiver fee, in lieu of a civil penalty, in the amount of \$250.00.

SECTION VI: ENFORCEMENT OFFICIALS:

For purposes of enforcement in the Judicial Bureau, the Constable of the Town and/or any person(s) duly appointed by the Selectboard shall have the authority to act as Issuing Municipal Official(s) to issue and pursue before the Judicial Bureau a municipal complaint.

SECTION VII: SEVERABILITY

Each of the provisions of this ordinance is severable, and if any provision is held invalid for any reason, the remaining provisions shall not be affected but shall remain in full force and effect.

SECTION VIII: EFFECTIVE DATE

This ordinance shall become effective 60 days after its adoption by the Franklin Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

SECTION IV: INFORMATIONAL

- Use of the Town Beach is at own risk.

Peter Magrini
W. J. B.
Yvon Dondurand
[Signature]

6-12-2012
DATE

SIGNATURES

This ordinance was adopted on June 12, 2012. It will take effect on August 11, 2012, unless a petition signed by at least five percent of the voters of Town of Franklin is filed with the municipal clerk by July 26, 2012, asking for a vote to disapprove the ordinance. If a petition is received, the Franklin Selectboard will warn a special meeting and the voters may vote on that question. 24 V.S.A. § 1973.