

TOWN OF ARLINGTON
PUBLIC NUISNACE ORDINANCE
AUGUST 20,1973

This ordinance is adopted pursuant to 24 V.S.A 2291 (14) and (15) of the Vermont Statutes.

1. PUBLIC NUISANCE; IDLING OR LOITERING PROHIBITED.

It shall be unlawful as a prohibited public nuisance for any person to remain idle or loiter in front of or in the neighborhood of any store, shop, restaurant, service station or any other place of business without limitation or in or on the public streets, sidewalks, highways, roadways, bridges, alley ways, or any other public grounds, places or buildings without limitation. No person shall be found guilty or so remain idle if he established that he had a legitimate business or purpose in so doing.

2. PERMITTING MINORS TO IDLE OR LOITER.

It shall be unlawful as a prohibited public nuisance for the parent, guardian, or other adult person having the care or custody of any minor under the age of 18 to knowingly permit such minor to remain idle or loiter in violation of Paragraph 1 of this Article.

3. NOTIFICATION OF APPREHENSION OF MINORS

Whenever any minor under the age of 18 is arrested for violating paragraph 1 of this Article, the constable shall notify the parent, guardian or other person having custody of such minor of such arrest.

4. MINORS IDLING OR LOITERING AT NIGHTTIME PRESUMPTIONS

If it be established that any minor under the age of 18 remained idle or loitered in violation of Paragraph 1 of this Article between the hours of 9:00 pm and 6:00 am of the following day, then it shall be presumed, in the absence of proof to the contrary, that the parent, guardian, or other adult person having the care or custody of such minor knowingly permitted such minor to do so.

5. MINOR'S SUBSEQUENT VIOLATION; PRESUMPTIONS.

If it be established that the parent, guardian or other adult person having the care or custody of any minor under the age of 18 was duly notified pursuant to Paragraph 1 of this Article, then it shall be presumed in the absence of proof to the contrary, that such parent, guardian or adult person knowingly permitted each subsequent violation.

6. PENALTY

Any person who violates any provision of this Article, shall, upon conviction thereof, be punished by a fine not exceeding \$200.00, or by imprisonment for term not exceeding 90 days, or both.

If any provision of this Ordinance is held invalid or void said provision is hereby declared to be separate and entirely severable from this ordinance and all remaining provisions shall remain in full force and effect.

Any prior ordinances of the Town of Arlington which are inconsistent with the provisions of this ordinance are hereby repealed.

Dated at Arlington, Vermont this 20th day of August, 1973

Robert Lindsay, Chairman
Harry Pickering Sr., Clerk
Donald Keough

Selectmen, Town of Arlington