

**NOTICE OF AMENDMENTS TO THE
ESSEX JUNCTION MUNICIPAL CODE**

In accordance with V.S.A. Title 24, Sec. 1972, notice is hereby given to the residents and those interested in lands in the Village of Essex Junction that on May 14, 2018 the Trustees of the Village adopted the following amendments to the Municipal Code. (Text to be deleted is crossed out, new text is underlined.)

CHAPTER 9 - ENFORCEMENT

SECTION 902:

Any person who violates a provision of any Chapter of this Municipal Code that is designated a civil ordinance pursuant to Section 901 above shall be subject to a civil penalty of up to ~~\$800~~ \$500 per day for each day that such violation continues. Police Officers of the Town of Essex shall be authorized to act as Issuing Municipal Officials to issue and pursue before the ~~Traffic and Municipal Ordinance~~ Judicial Bureau a municipal complaint.

SECTION 904:

Unless an ordinance has more specific violation offense levels, an An Issuing Municipal Official is authorized to recover civil penalties in the following amount for each violation:

First offense - \$50

Third offense - \$200

Second offense - \$100

Fourth offense – subsequent offenses \$400

Offenses shall be counted on a calendar year basis.

SECTION 905:

In addition to the enforcement procedures available before the ~~Traffic and Municipal Ordinance~~ Judicial Bureau, the Village Municipal Manager is authorized to commence a civil action to obtain injunctive and other appropriate relief, or to pursue any other remedy authorized by law

CHAPTER 13 - REGULATION OF PUBLIC NUISANCE

SECTION 1302. OPEN BURNING:

Burning brush, leaves, trash or debris is not allowed in the Village of Essex Junction. Cooking or outdoor fireplaces are allowed with proper fuels to include charcoal, firewood, liquid propane (LP) or natural gas. In no circumstance shall an otherwise permissible fire be allowed that creates, in the discretion of the Village or its designate, a public nuisance. Fires must be attended at all times with an extinguishment resource within twenty (20) feet of the fire. Fires must be ten (10) feet away from a structure and

must be built where they will not escape. A person starting a fire is responsible for preventing its escape. This prohibition shall not include training exercises by the Essex Junction Fire Department. The Village Trustees, with the concurrence of the Essex Junction Fire Chief, may approve a burn permit for a community event provided that the Essex Junction Fire Department is present.

SECTION 1303. PENALTIES:

a. An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation of Section 1302 or waive if appropriate:

<u>First offense - \$0 (warning)</u>	<u>Third offense - \$500</u>
<u>Second offense - \$250</u>	<u>Fourth - and subsequent offenses - \$750</u>

Offenses shall be counted on a calendar year basis.

These ordinances shall become effective on the 13th day of July 2018 unless 5% of the qualified voters of the Village, by written petition filed with the Village Clerk no later than June 27, 2018, request that the voters of the Village disapprove the amendments at a duly warned annual meeting or special meeting.

Dated at Essex Junction, Vermont, the 14th day of May, 2018.

Susan McNamara-Hill, Village Clerk

Questions about this amendment may be addressed to the Municipal Manager, 2 Lincoln Street, Essex Junction, VT, or by calling 802-878-6944 or email admin@essexjunction.org.