Recreation Path Ordinance
Town of Stowe, VT

The Selectboard of the Town of Stowe hereby ordains:

Section I. Authority:

This ordinance is enacted pursuant to the authority granted the Town to promote the health, safety, welfare, and convenience contained in 24 VSA §2291 and Section 203 of the Town of Stowe Charter. This ordinance shall be a civil ordinance within the meaning of 24 V.S.A. Chapter 59.

Section II. General Provisions:

a. It is the purpose of this ordinance to regulate the use of the Recreation Path in order to protect the public health, safety and general welfare.
b. Visitors use the Recreation Path at their own risk. The Town is not responsible for theft, personal injury, property damage or other loss. Such losses, however, should be reported to the Town.
c. The term Recreation Path and parking areas as used herein shall mean property owned or controlled by the Town of Stowe that runs as depicted in Attachment A.

Section III. Conduct:

a. The following conduct and activities are prohibited on the Recreation Path:
    1. Any activity that involves motorized or mechanized equipment, except for the following: wheel chairs or other devices operated by mobility impaired individuals, maintenance or emergency management equipment operated or authorized by the Town, and snowmobiles as approved by the Selectboard for grooming and as part of their annual approval of places snowmobiles may operate on public highways and other property.
    2. Riding horses
    3. Refuse, rubbish, garbage or other trash of any nature, except in receptacles where provided.
    4. Camping.
    5. The discharge of any firearm or bow.
    6. Signs unless authorized by Zoning By-laws, the Selectboard or the Parks & Recreation Department.
    7. Soliciting unless approved by the Selectboard as part of a special events permit.
    8. Fires.
    9. Jumping off from the Recreation Path bridges or highway bridges along it.

b. Dogs
    1. Dogs must be secured to a competent and responsible attendant by a leash of no more than six feet (6') in length at all times.

    2. A dog owner shall be responsible for the immediate removal and proper disposal of his/her dog's feces. Proper disposal shall consist of placing the feces in a wrapper and using a trash receptacle.

c. No person shall disturb the peace or endanger the public safety.

d. Organized uses with 50 or less participants are permitted provided they do not interfere with the use and enjoyment of the Recreation Path by others. Any organized use anticipated to have

between 51 and 299 participants must be approved in advance by the Parks & Recreation Department. Any organized use with over 300 participants must obtain a special events permit from the Stowe Selectboard in accordance with the Stowe Special Events Ordinance. Except for maintenance and emergencies, no organized use of the Recreation Path shall prevent the use and enjoyment of the Recreation Path by others unless authorized by the Selectboard.

Section V. Enforcement:

a. A violation of this ordinance shall be deemed a civil offense, enforceable pursuant to 24 V.S.A. §1974a and §1977 et seq.
b. Violations of this ordinance shall be punishable as follows:
   1. The first violation shall be punishable by a fine of one hundred dollars ($100.00). The waiver penalty, for the purposes of the municipal complaint (civil ticket), for the first violation shall be fifty dollars ($50.00).
   2. The second violation within a six (6) month period after the first violation shall be punishable by a fine of two hundred dollars ($200.00). The waiver penalty, for the purposes of the municipal complaint (civil ticket), for the second violation shall be one hundred dollars ($100.00).
   3. The third and subsequent violations within a six (6) month period after the first violation shall be punishable by a fine of three hundred dollars ($300.00). The waiver penalty, for the purposes of the municipal complaint (civil ticket), for the third and subsequent violations shall be two hundred dollars ($200.00).
   4. Each day the violation continues shall constitute a separate violation.
c. Depending on the severity of the violation or the number of incidents the individual has received, the Police may issue a notice of restriction or trespass as a municipal agent. The Police may rescind such notice on their own discretion or as directed by the Town Manager.
d. All law enforcement officers are authorized to issue a municipal complaint for a violation of this ordinance.
e. The Selectboard may commence a civil action to obtain injunctive and other appropriate relief, or to pursue any other remedy authorized by law.

Section VI. Severability:

a. In the event any portion of this Ordinance is found to be invalid or void by a court of competent jurisdiction, the remaining provisions shall continue to be in full force and effect.
b. This Ordinance may be rescinded by a Town Meeting vote in accordance with the provisions of section 204 (d) of the Charter of the Town of Stowe.

Adopted and effective August 11, 2014 at Stowe, Vermont:

Stowe SELECTBOARD

Received and Recorded
this 25 day of Aug, 2014

Town Clerk