City of Barre
Chapter 25 – CONDUCT IN PARKS AND PUBLIC SPACES
#2025-02

The City Council of the City of Barre, Vermont will hold a first reading on Tuesday, June 17, 2025 at 7:00 P.M. in the City Council Chambers to discuss the following revision to the Code of Ordinances, adding a new section Chapter 25 – Conduct in Parks and Public Spaces, and making conforming amendments, as follows:

The City Council of the City of Barre hereby ordains that the Code of Ordinances of the City of Barre, Vermont is hereby amended by adding a Chapter 25 – Conduct in Parks and Public Spaces, and amending Chapter 11 – Offenses and Miscellaneous Provisions, to read as follows:

Note: **Bold/Underline indicates additions**
[brackets/~~Strikeout~~ indicates deletions]

CHAPTER 25 – CONDUCT IN PARKS AND PUBLIC SPACES

(Chapter amended Ordinance No. 2024-03)

Section 25-1. Authority.

The City Council has enacted this ordinance under the authority granted to the City by 24 V.S.A. §2291 to promote the public health, safety, welfare and convenience. This ordinance shall be a civil ordinance within the meaning of 24 V.S.A. Chapter 59, section 1971(b).

Section 25-2. Purpose.

The purpose of this ordinance is to enable authorized City officials to issue a notice against trespass and enforce that notice against an individual whose behavior is dangerous, illegal, or unreasonably disruptive, while recognizing the existing rights of individuals to engage in constitutionally protected activities on public or city-owned property.

Section 25-3. City officials authorized to issue notice against trespass.

The City Council hereby expressly delegates its authority to issue a notice against trespass to (i) any City official who is in charge, at the time of issuance, of the City property for which the notice against trespass is issued, (ii) any sworn officer or community outreach specialist of the City's police department, and (iii) any other city official authorized to enforce the City's ordinances, in the exercise of their official duties (each an "Authorized Official").

Section 25-4. Issuance of notice against trespass.

If an individual violates any City ordinance, rule or regulation (including any code of conduct), or State law, or while on or within a City-owned property fails to follow the lawful directive of an Authorized Official, an Authorized Official may issue a notice against trespass for a violation which was committed while on or within a City-owned property, including, but not limited to, municipal buildings, parks, parking lots, sidewalks and streets.

Section 25-5. Procedures.

The City Council shall adopt procedures regarding (i) the issuance of notices against trespass, (ii) the duration of such notices, and (iii) appeals of such notices. Such procedures shall be filed with the City Clerk.

Chapter 11 – OFFENSES AND MISCELLANEOUS PROVISIONS shall be amended to read as follows:

Sec. 11-8. Certain actions in public places prohibited.

[~~No person shall play ball or shall practice in any street or public place any amusement having a tendency to injure or annoy persons therein, or to endanger the security of property.~~] No person shall place graffiti or other markings (unauthorized writing or drawing on a public surface that is a criminal act of vandalism) upon any fence, building or other public place within the city.

An exception can be street art, or graffiti art, as approved by the City Council, such as an art installation supported by the Public Art Committee, or mural as approved by the Development Review Board.

Section 11-19A. Public Urination and Defecation.

No person shall urinate or defecate in any municipal buildings, parks, parking lots, sidewalks, streets or other public place, except through the proper use of facilities specifically provided for this purpose.