

Town of Brandon
An Ordinance for the Use of Town Parks and Recreational Areas

The Select Board of the Town of Brandon, under the authority of 24 V.S.A, Chapter 61, Subchapter 11, Section 11, and such other Statutes as may be applicable, hereby adopt the following ordinance:

SECTION I, PURPOSE

To preserve and protect public property from willful or malicious destruction or defacement; to prevent theft of public property; and to deter the unapproved or illegal use of public property.

SECTION II, DEFINITIONS

Town Park: An area of land, for the enjoyment of the public, having facilities for rest and recreation, often owned, set apart, and managed by the Town. Such as, but not limited to the following designated park areas:

- Central Park
- Kennedy Park
- Green Park
- West Seminary Park
- Estabrook Park
- Crescent Park

SECTION III, RESTRICTIONS

A person shall not enter, for purposes of loitering or congregating, on to a Town Park, or parking areas provided to facilitate public use of the park, during a period when it is closed to the public unless permitted to do so under provisions of Section IV of this ordinance.

All Town Parks shall be closed for public gatherings or events at 10:00 p.m. and shall reopen at 6:00 a.m.

SECTION IV, SPECIAL EVENTS, ACTIVITIES and WAIVERS

A person seeking authority for a special event or group activity within a Town park when it is closed to public or during normal park hours shall file with the Town Manager an application containing:

- a) The name, address, email address and phone number of the applicant
- b) The hours, date and time of such use of Town park property
- c) The proposed location of the special event or activity
- d) The purpose of the special event or activity
- e) Applicants plan to insure public safety and damage prevention plan

Applications may be downloaded from the Town of Brandon website.

The application shall be filed at least 15 days prior to the proposed special event or group activity. However, the Town Manager may waive this requirement if determined upon receipt of the application that the applicant has satisfied the requirements listed below:

- a) Submitted a complete and accurate application.
- b) Proposed a special event or group activity which is within the intent or purpose of this ordinance.
- c) Proposed adequate arrangements to insure the safety of the public and persons to be present at the special event or group activity.
- d) Proposed adequate plans to insure the prevention of damage to Town property.

SECTION V, ALCOHOL

- a) The consumption of alcohol is prohibited on all Town owned public property, including buildings, parks, playgrounds, etc., unless a Vermont Department of Liquor Control Caterers Permit has been approved by the Select Board or Town Clerk for a specific event or activity.
- b) The Caterer must follow all Liquor Control laws and regulations (what applies to a first or first and third class license also applies to the caterer's license).
- c) The Caterer must have a defined area for serving and consumption of alcohol with designated barriers.
- d) The Caterer must provide a sufficient number of employees for control purposes.
- e) The Recreation Department may request individuals to acknowledge and agree to an Assumption of Risk and Waiver of Liability for certain activities to allow participants to bring their own alcohol.

SECTION VI, PENALTIES

A person who violates a provision of this Ordinance or of any of its terms or conditions shall be guilty of a civil violation. Any person found guilty of a civil violation shall be fined \$500 for each violation. The waiver penalty for each offense shall be \$250.00.

SECTION VII, EFFECTIVE DATE

This Ordinance was approved by the Select Board of the Town of Brandon at its duly warned meeting on the 24th day of May, 2021 and shall be effective immediately.