

Village of Hyde Park Breach of Peace Ordinance

The Board of Trustees of the Village of Hyde Park hereby ordains:

Section I - Authority

This ordinance is enacted pursuant to 24 VSA 2291 (14). It shall constitute a civil ordinance within the meaning of 24 VSA Chapter 59.

Section II - Purpose

It is the purpose of this ordinance to define what constitutes a breach of peace or public nuisance, and to provide procedures and take action for its abatement as the public health, safety or welfare may require throughout the Village of Hyde Park.

Section III - Definitions

Unless the context otherwise indicates, as used in this ordinance:

- A. "Annoy" shall mean to irritate or bother.
- B. "Breach" shall mean a failure to observe a law or rule.
- C. "Congregate or Assemble" shall mean to come together or gather as a group.
- D. "Crowds" shall mean to push or press one's way upon another.
- E. "Disturb" shall mean to upset a settled order.
- F. "Insults" shall mean to treat with scorn, abuse or great rudeness.
- G. "Interfere" shall mean to clash, collide or come between.
- H. "Obstructs" shall mean to block, hinder or cut off.
- I. "Peace" shall mean harmony, concord, calm, serenity or quiet.

Section IV - Breach of Peace

No person shall with intent to provoke a break of the peace, or under circumstances such that a breach of the peace may be occasioned thereby -

1. act in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to others;
2. congregate or assemble with others on a public highway as defined in 23 VSA 4 (13) or on a public sidewalk or on Village property, and refuse to move on when ordered by the police or law enforcement officer;
3. congregate or assemble with others on a public highway, as defined in 23 VSA 4 (13) or on a public sidewalk or on Village property; and
 - a) crowd or obstruct, free use of any such place, or
 - b) insult or makes insulting gestures or comments to persons passing by or within hearing.

Section V - Enforcement

Any person who provokes or intends to break the peace or under such circumstances that a breach of peace may be occasioned as noted in Section IV of this ordinance shall be fined not more than \$ 500.00 or imprisoned not more than 60 days, or both. Any law enforcement official

may act as an Issuing Municipal Officer and issue and pursue a municipal complaint for violation of this order.

Section VI - Fines for Ordinance Violation

An issuing municipal official is authorized to recover fines in the following amounts for each violation of this ordinance:

First Offense -	\$ 50.00
Second Offense -	\$100.00
Third Offense -	\$200.00
Fourth Offense -	\$300.00
Fifth Offense-	\$500.00

Offenses shall be counted on a 12 month basis beginning with the date of the first offense.

Section VII - Severability

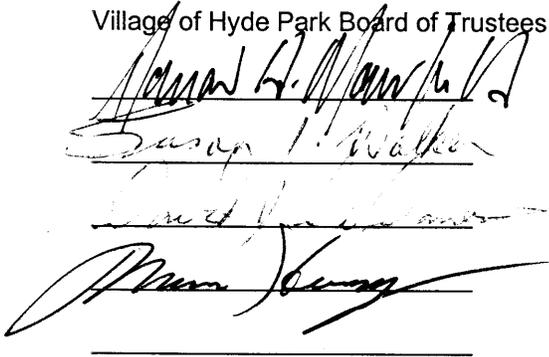
If any portion of this Ordinance and any amendments made hereto are held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and amendments made hereto shall not be affected and shall remain in full force and effect. If any statute referred to in this Ordinance shall be amended, this ordinance shall be deemed to refer to such amended statute.

Section VIII - Repeal of Prior Ordinances:

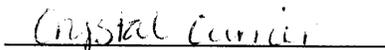
Any other ordinance or regulation heretofore adopted by the Village of Hyde Park for the Breach of Peace is hereby repealed.

This Breach of Peace Ordinance is hereby adopted by the Board of Trustees of the Incorporated Village of Hyde Park, County of Lamoille, State of Vermont this 13th day of August 1998 at a regularly held and duly warned meeting of the Trustees, voted and recorded in the minutes of said meeting. This ordinance shall be effective sixty (60) days from said date of adoption.

Village of Hyde Park Board of Trustees



Received and recorded this 13th day of August, 1998.



Crystal Currier, Village Clerk