

Title 9
VILLAGE GREEN, THE GORE, PARKS AND PUBLIC PLACES

Be it ordained by the Woodstock Village Board of Trustees that the Woodstock Village Ordinances, Title 9 VILLAGE GREEN, THE GORE, PARKS AND PUBLIC PLACES is hereby amended by deleting all existing language thereof and substituting the following language:

Chapter 1. General Provisions

§9101. Definitions of words and phrases

For the purposes of this title, the following words and phrases shall have the meanings set forth herein unless the context clearly indicates otherwise:

- (1) "Authorized emergency vehicles" means the same as provided in Title 8 of these ordinances.
- (2) "Bicycle" means the same as provided in Title 8 of these ordinances.
- (3) "Board" means the Woodstock Village Board of Trustees
- (4) "Motor vehicle" means the same as provided in Title 8 of these ordinances.
- (5) "Non-profit organization from Woodstock" means any entity, the income of which is exempt from federal income taxation by reason of its charitable purposes, having a place of business located in the Town of Woodstock, Vermont.
- (6) "Organized activities" means fairs, carnivals, auctions, sales, concerts, exhibitions or any other activity for which admission fees are charged or at which goods or other items are sold or bartered in connection with such activity.
- (7) "Village Green" or the "Green" means the public lands situated between North Park Street and South Park Street in the Village.
- (8) "Tribou Park" means the public land between Central Street and Pleasant Street, beginning at the intersection of Central and Pleasant Street and extending to the property line abutting 42 Central Street.
- (9) "Structure" means an assembly or materials for occupancy or use.
- (10) "Sign" shall have the meaning(s) and definition(s) set forth in the Village of Woodstock Zoning Regulations and shall include, without limitation, banner signs, business signs, community signs and instructional signs, all as defined in said Regulations.
- (11) The Gore means the public lands located on the southerly side of South Park Street in the Village of Woodstock, said property being bounded on the west by property now or formerly owned or under control of the Norman Williams Library, on the south by a sidewalk and property now or formerly of Emily Syz; on the east by a sidewalk and property now or formerly of James W. Wright and Robin Wright and the Vermont National Bank; on the north by South Park Street above referred to.

Chapter 2. Use of the Village Green for Organized Activities

§9201. Permit required for organized activities

No person shall use the Village Green or the Gore for organized activities without first obtaining a permit from the Board therefore as provided in this chapter.

Permits for Non-profit Organizations from Woodstock

Woodstock based non-profits may apply to use the Green or the Gore for any day of the year.

Permits for Private Events

Permitted private events may only be held once a month on the Green. Permitted private events are subject to a usage fee based on the number of people expected to attend.

5-25 people - \$150

26-50 people - \$300

50 - 75 people - \$450

75-100 people - \$550

§9203. Applications for permit

Applications for a permit required under section 9201 of this chapter shall be made to the Board at least 30 days prior to the date upon which the activity applied for is scheduled to occur, which application shall be in such form as prescribed by the Board from time to time, shall contain at a minimum the information required by section 9204 of this chapter, and shall be signed by or on behalf of the non-profit organization by its duly authorized agent.

For the Village Green, a non-refundable processing fee of \$50.00 shall accompany all applications. In addition, a refundable security deposit of \$150 must be submitted within 14 days of permit approval. A plan for the management and removal of trash must accompany the application. The plan must include what trash is expected to be generated by the activity, the number of additional trash and recycling receptacles that will be provided and when trash and recycling will be picked up. If the Green and/or the Gore are left in satisfactory condition after the permitted event, the \$150 security deposit will be refunded. If the Green and/or the Gore are not in satisfactory condition after the event, the amount needed to clean up or repair the Green or the Gore or both, by the municipality will be deducted from the security deposit.

An application shall be deemed completed when delivered to the office of the Municipal Manager, with all information requested on the form completely answered, together with the fee and any required attachments to the application.

For the Gore, a non-refundable processing fee of \$25.00 shall accompany all applications.

§9204. Minimum contents of application

Applications for a permit required under section 9201 of this chapter shall include, at a minimum, the following information:

- (1) Name, address and website or social media link of the organization;
- (2) Name, address, telephone number and email of the authorized agent signing the application on behalf of the organization;
- (3) Date(s) and times for which applied for activity is scheduled to occur and any alternate date(s) and times being planned in the event of cancellation(s) due to bad weather;
- (4) Description of the nature of the planned organized activity;
- (5) Description of all equipment and structures to be temporarily installed or erected, signs to be posted, and any alterations to be made in connection with the organized activity;
- (6) Statement of the purpose of the organized activity including the benefit to be derived for the organization;
- (7) Description of the portion of the Village Green to be used in connection with the activity;
- (8) Description of all arrangements made for traffic control;
- (9) Statement as to whether it will be necessary to drive any motor vehicles over the Village Green or display vehicles on or around The Green in connection with the activity; and
- (10) Certification by an insurance company licensed to do business in this state that the entity for which a permit is sought is presently insured in a reasonable amount for any liability which might reasonably arise by reason of such activity. The certificate of insurance must list the Village and Town of Woodstock as additional insureds.

§9205. Approval or denial of application; issuance of permit

- (a) Upon receipt of a completed application and processing fee, the Municipal Manager or designee shall note the date of receipt on the application and place the consideration of such application on the agenda of the next regular or special meeting of the Board. A representative or designee from the organization seeking the permit must attend the meeting at which the

application has been placed on the agenda. (b) Upon consideration of such application and the standards set forth in section 9206 of this chapter where applicable and such other factors as the Board shall deem relevant under the circumstances, the Board shall grant or deny such application, with or without conditions, and if granted shall issue a permit therefor which shall specifically state any conditions. Nothing in this chapter shall be construed to prevent the Board from granting a permit even though the application therefor was submitted less than 30 days prior to the date upon which the activity applied for is scheduled to occur, upon a finding that adequate notice has been or can be given to police and other affected municipal departments and personnel.

(c) **Nature of License:** Any permit granted by the Board to authorize the use of the Green or the Gore shall be in the nature of a license and is temporary, revocable, and conditional. The municipality reserves the authority to revoke the license in its sole discretion at any time prior to expiration without penalty or liability, and to impose conditions upon the license in the public interest.

§9206. Standards

(a) Although issuance of permits hereunder is limited as provided in section 9202 of this chapter, a permit may be granted to a non-profit organization from Woodstock to carry on organized activities notwithstanding the fact that, in connection with such activities, other persons not qualifying as a non-profit organization from Woodstock may profit therefrom, provided some measurable benefit is derived for the non-profit organization from Woodstock making the application and the use of such non-profit organization from Woodstock as the applicant is not merely a sham to avoid the limitation set forth in section 9202 of this chapter.

(b) The Village Green and the Gore shall be maintained in a neat and orderly condition at all times during the date of any authorized activity and also, to the extent reasonably possible, during the setup and cleanup time for such activity.

(c) Any equipment installed or items on display on the Village Green or the Gore in connection with an activity shall be installed no sooner than 24 hours prior to the scheduled date of the activity and shall be removed no later than 24 hours after the scheduled date of the activity, provided however, any equipment which can be easily installed and removed shall be installed and removed on the day of the activity. This standard shall have a separate application to any alternate date not immediately following the scheduled date.

(d) No signs or equipment shall be attached to or installed upon trees or historic/memorial markers located in or on the Village Green or the Gore or upon traffic signs, parking meters, or light poles surrounding the Village Green or the Gore.

(e) No structures shall be erected or placed within fifteen feet of the trunk of any tree in the Village Green or the Gore.

(f) Traffic signs and parking meters surrounding the Village Green or the Gore shall not be obstructed.

(g) All traffic control arrangements and site layouts shall be reasonably calculated to insure the maximum safety of the public and to cause the least possible inconvenience to the public. Descriptions of arrangements for traffic control shall include the recommendations of the

Village chief of police with respect thereto and shall clearly state any variances between actual arrangements made and the recommendations of the Village chief of police.

(h) No activity shall be carried on before 8:00 A.M. or after 10:00 P.M.

(i) Applications shall be considered by the Board in the order in which completed applications are submitted to the Municipal Manager. Permits may be granted to two (2) or more non-profit organizations from Woodstock for the same date and/or times provided the granting of such permits shall not cause a conflict in the use of any portion of the Village Green or the Gore.

(j) Consideration may be given as to whether an applied for activity, if permitted, would unreasonably restrict the public access to and use of the Village Green or the Gore.

(k) All arrangements for and expenses relating to maintenance of the Village Green and the Gore immediately before, during, and immediately after a permitted activity and traffic control during a permitted activity, shall be the responsibility of the permittee.

(l) Any damage to the Village Green or the Gore occurring in connection with an activity (including setup and cleanup) permitted hereunder shall be repaired at the expense of the permittee. At the option of the Board, any repair so required shall be arranged by the Board or by the permittee.

(m) The Board of Village Trustees has the discretionary authority, reasonably exercised and for good cause shown, to grant permits that are not in strict conformance with these standards.

Administrative Costs. The municipality reserves the right to impose reasonable and actual administrative costs on the Licensee, including but not limited to necessary security, clean-up, and traffic management costs so that the same are not borne by the municipality and taxpayers.

§9207. Violations of permit terms and conditions

No person on whose behalf a permit is issued under this chapter shall violate any term or condition contained in such permit or knowingly permit others to violate any such term or condition. The fact that the alleged violation or any prior violation resulted in the termination of the permit and any rights thereunder shall not constitute a defense to an action brought under this section.

§9208. Variances

Any person may apply to the Board of Village Trustees for a variance from the requirements of this chapter when making an application for a permit to use the Village Green or the Gore and, for good cause shown, the Board of Trustees may in its sole discretion, either grant or deny the variance. If the variance is granted, the Board of Village Trustees may impose reasonable conditions to said variance.

History:

1996 Amendment. Section was generally amended by deleting language relating to penalties, public nuisance, and injunction and substituting language relating to violations of permit terms and conditions by section 25 of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996. Revision to allow variance adopted February 9, 2010 and effective April 9, 2010, revised to address recycling on the Green adopted by the Board on January 8, 2013, effective March 9, 2013. Revision # 10 to the 2009 compilation of the Woodstock Village Ordinances added sub section “h” to section 9206 limiting hours of operation of activities to the hours of 8am to 8 pm. Revision # 4 to the 2009 compilation of the Woodstock Village Ordinances added section 9208 allowing the Board of Village Trustees the authority to grant variances to the operating rules established by this ordinance.

Chapter 3. General Prohibitions on Use of Village Green and the Gore

§9301. General prohibitions

- (a) No person shall drive a motor vehicle on the Village Green, except for the purpose of displaying one or more vehicles as part of a permit that has been approved by the Board. Additionally, this provision shall not apply to authorized emergency vehicles engaged in responding to an emergency call or to Village repair or maintenance vehicles, nor shall it apply when the permission of the Municipal Manager or Board has been given therefore.
- (b) No person shall operate a bicycle on the Village Green or the Gore without reasonable regard for the safety of others.
- (c) No person shall camp overnight, set up a tent, shack, or any other temporary shelter on the Village Green or the Gore, except structures may be erected thereon in connection with a permit issued pursuant to chapter 2 of this title.
- (d) No person shall take part in the playing of any games involving thrown or otherwise propelled objects on the Village Green or the Gore without reasonable regard for the safety of others.
- (e) No person shall damage, cut, carve, plant, transplant, or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant, dig up grass or other areas, or in any other way injure the natural beauty or usefulness of any area on the Village Green or the Gore

§9302. [Repealed] History:

1996 Amendment. Section was repealed by section 1(LL) of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996.

Chapter 4. General Regulations Regarding Public Property and Places

§9401. Defacing public property prohibited

(a) No person shall deface, injure, move, destruct, interfere with, or remove any public property, including but not limited to, signs, buildings and structures, fences, benches, and trees.

(b) [Repealed] History:

1996 Amendment. Subsection (b) was repealed by section 1(MM) of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996. Caption was revised accordingly.

§9402. Possession of open or unsealed containers of alcoholic beverages in certain public places

(a) No person shall possess an open or unsealed container of alcoholic beverage while on any Village street, highway, sidewalk, park, the Village Green, or the Gore except during a specific event that has been approved by the Board of Village Trustees which allows possession of an open or unsealed container of alcoholic beverage.

(b) [Rep

§9403. Temporary Structures or Signs in Tribou Park

(a) No temporary structures or signs, including but not limited to banners, tables, tents, or stages, shall be placed in or on the ground, the trees, or existing permanent structures located at Tribou Park without a permit, issued by the Village Trustees or their designee, which may include reasonable conditions and safeguards.

History:

1996 Amendment. Subsection (b) was repealed by section 1(NN) of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996.

2009 Amendment. Subsection (a) was amended to delete the word “knowingly” and to provide exception for Board approved events by Woodstock Village Ordinance Revision #36, adopted by the Board on March 11, 2009, effective May 10, 2009.

Revision # 13 to the 2009 compilation of the Woodstock Village Ordinances added section 9401 which prohibits persons from damaging trees, benches, fences etc. on the Green.


Revision # 13 to the 2009 compilation of the Woodstock Village Ordinances added section 9402 which allows the consumption of alcoholic beverages on The Green during events that have been approved by the Board of Village Trustees.

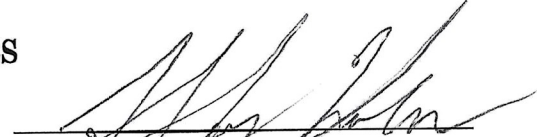
2023 Amendment. Definitions were added to Chapter 1, Section 9101 for “Tribou Park”, “Structure”, and “Sign. Section 9403 was added to require permitting for structures or signs in Tribou Park.

ADOPTED at Woodstock, Vermont, this 12th day of March, 2024.

EFFECTIVE May 11, 2024

WOODSTOCK VILLAGE BOARD OF TRUSTEES


Seton McIlroy, Chair


Jeffrey Kahn


Brenda Blakeman


Bill Corson


Gabe DeLeon

CITIZENS' RIGHT TO PETITION FOR VOTE

Title 24 V.S.A. § 1973 grants citizens the right to petition for a vote at a special or annual Village Meeting. To disapprove ordinances adopted by the Village Trustees. To exercise this right, citizens must present to the Trustees or the Town Clerk a petition for a vote on the question of disapproving the ordinance signed by not less than five percent (5%) of the Village's qualified voters. The petition must be presented within forty-four (44) days following the date of the adoption of the amendments. Unless a petition requesting a vote is filed pursuant to 24 V.S.A. § 1973, the ordinance shall become effective sixty (60) days from the date of said adoption.