

**Adopted by the Board of Trustees on February 17, 2022
Village of North Bennington, Vermont**

Article 12: Dead Storage in Public Parking Lots and on Public Land

Article 12-1 Purpose

It is the purpose of this ordinance to protect the public health and safety and to ensure availability of public parking and land for its intended use.

Article 12-2 Authorization

By authority of Chapter 61 of 24 VSA Section 2291, municipalities are enabled to regulate parking areas, public land, and the dumping of solid waste and to set penalties.

Article 12-3 Definitions

1. **"Dead Storage"** shall be considered to pertain to any object not belonging to the Village of North Bennington which has been located in the same space for in excess of 72 hours.
2. **"Abandoned"** property shall be that property without identification and for which no owner can be identified after reasonable effort for 30 days.
3. **"Same Space"** shall mean on or within a parking lot or contiguous public land even though the concerned property has been moved in an effort to circumvent the intent of this ordinance.

Article 12-4 Prohibitions

No person shall use or cause to be used, any public parking lots or land for the purpose of dead storage.

No person shall abandon or cause to be abandoned, any property in a public parking lot or on public land.

Article 12-5 Vehicles

Vehicles which are abandoned or stored in a public parking lot shall be treated under Article 10 5 Parking.

Article 12-6 Enforcement

A violation of this ordinance shall be a civil matter enforced in accordance with the provision of 24 VSA Section 1974a and 1977 et seq. A civil penalty of not more than \$75 may be imposed for

violation of this civil ordinance and a waiver fee shall be set at \$50. Each day that the violation continues will constitute a separate violation of this ordinance.

Article 12-7 Severability

This ordinance and the various parts, sentences, sections, and clauses thereof, are hereby declared to be severable. If any part, sentence, section, or clause is adjudged invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Article 12-8 Effective Date

This ORDINANCE shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law. This Ordinance is hereby adopted by the Board of Trustees of the Village of North Bennington, Vermont on this day of the 17th day of February, 2022. It shall be documented in the minutes of the Board of Trustees, posted in five (5) conspicuous places within the Village of North Bennington and a summary published in the Bennington Banner within fourteen (14) days of its adoption and shall become in full force and effect sixty (60) days after the date of adoption subject to the right of petition as provided by law.

Board of Trustees

[First name] [Last name] [Print]
