

TOWN OF LUDLOW, VERMONT

UNLAWFUL ASSEMBLAGE ORDINANCE

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ARTICLE 1. AUTHORITY AND PURPOSE OF ORDINANCE

WHEREAS, the Town of Ludlow and its Police Department is charged with the protection of the general public and property; and

WHEREAS, there have been an increasing number of incidents when groups of people have created or have caused to be created breaches of the public peace, disturbances, or annoyance to the general public; and

WHEREAS, said groups disrupt, obstruct, or harass the general public by disrupting, obstructing, or harassing vehicular and pedestrian traffic and obstruct the free passage of vehicles and/or pedestrians,

NOW THEREFORE, pursuant to the authority of 24 V.S.A. § 1971, of the Vermont Statutes Annotated, the Town of Ludlow hereby adopts the following ordinance prohibiting offenses against persons.

ARTICLE 2. DEFINITIONS

For the purposes of this ordinance, the following terms shall have the meanings stated:

- 2.01 “Disorderly Conduct” shall include congregation in a public place in such a manner as to:
 - a. create or cause to create a breach of the public peace, or
 - b. create or cause to create any public inconvenience or
 - c. annoyance, or
 - d. obstruct the free passage of vehicles and/or pedestrians, or
 - e. disrupt, obstruct, or harass vehicular and/or pedestrian traffic.
- 2.02 “Public Places” shall mean any or all Town roads, streets, highways, sidewalks, parks, parking lots, recreational areas, and any other property under the control and/or jurisdiction of the Town of Ludlow.

ARTICLE 3. REQUEST TO DISPERSE

3.01 When three (3), or more, persons congregate and engage in disorderly conduct in a public place, a law enforcement officer shall order the participants and others in the immediate vicinity, to immediately disperse.

ARTICLE 4. VIOLATION

4.01 A person commits the crime of "Failure to Disperse" if the person knowingly fails to comply with an order made pursuant to Section 3 of this ordinance.

ARTICLE 5. PENALTIES

5.01 Violation of this ordinance shall be punishable by a fine, not to exceed \$500.00 in accordance with criminal penalties provided by 24 V.S.A. Chapter 59.

ARTICLE 6. INCONSISTENT ORDINANCES REPEALED

6.01 Any provisions of any ordinance of the Town of Ludlow in effect at the time of enactment of this ordinance governing any activity included in this ordinance is hereby revoked.

ARTICLE 7. SEVERABILITY

7.01 If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The Board of Selectmen hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

ARTICLE 8. PUBLICATION AND EFFECTIVE DATE

8.01 No section of this ordinance shall be construed to supersede or replace any Vermont statute.

8.02 This ordinance shall be entered in the minutes of the Board of Selectmen's meeting, and posted in at least five (5) conspicuous places within the Town of Ludlow and published in a newspaper circulating in the Town of Ludlow on a day not more than fourteen (14) days following the date the ordinance is so adopted.

8.03 This ordinance will become effective on October 15, 1990, sixty (60) days after the Date of its adoption by the Select Board, unless a petition is filed with the Town Clerk by September 30, 1990, forty-four (44) days after the date of its adoption. The petition should be addressed to the Selectmen, and should be signed by at least five (5) percent of the qualified voters of this municipality, and should ask for a special meeting to be called on the question of disapproving the ordinance.

Questions about the ordinance may be directed to the Municipal Manager, Ludlow, Vermont or by calling telephone number (802)228-2841.

The foregoing ordinance is hereby adopted by the Selectmen of the Town of Ludlow, Vermont, this fifteen day of August, 1990.

TOWN OF LUDLOW, VERMONT
SELECT BOARD

Jerry R. Tucker, Chairman
Winston J. Bixby, Vice-Chairman
Barbara A. Berry, Clerk
John N. Smith
Herbert B. Van Guilder

ARTICLE 8 above is amended to read:

- 8.01 No section of this ordinance shall be construed to supersede or replace any Vermont statute.
- 8.02 This ordinance shall be entered in the minutes of the Board of Selectmen's meeting, and posted in at least five (5) conspicuous places within the Town of Ludlow and published in a newspaper circulating in the Town of Ludlow on a day not more than fourteen (14) days following the date the ordinance is so adopted.
- 8.03 This ordinance will become effective on April 4, 2008, sixty (60) days after the Date of its adoption by the Select Board, unless a petition is filed with the Town Clerk by March 19, 2008, forty-four (44) days after the date of its adoption. The petition should be addressed to the Selectmen, and should be signed by at least five (5) percent of the qualified voters of this municipality, and should ask for a special meeting to be called on the question of disapproving the ordinance.

The foregoing ordinance is hereby re-adopted by the Select Board of the Town of Ludlow, Vermont on this fourth day of February, 2008.

TOWN OF LUDLOW, VERMONT
SELECT BOARD

Howard Barton, Jr., Chair

John Neal, Vice Chair

Brett Sanderson

Bruce Schmidt

Earl Washburn