

Agenda Item
June 12, 2024

Agenda Item No. B-5
Ordinance Enforcement Discussion

Summary: Chair Adams requested this time to have a general discussion on ordinance enforcement. The Town has several ordinances (e.g., zoning, motor vehicles, traffic, etc.) that can be found on the Town’s website: <https://www.townofstovevt.org/documents>. The Town does not have any written policies regarding enforcement, but each ordinance has an enforcement provision. The Stowe Town Charter also states, “The Town Manager shall be responsible for the enforcement of all Town ordinances.”

In addition, he requested “information...regarding tickets issued for any violation this year to the end of May and for 2023...” He also requested, “a regular reporting of false alarms and any other fire or emergency service call data we have for 2024. A breakdown of call/response type would be helpful as well.” See the enclosed information.

Town Plan Impact: N/A

Fiscal Impact: N/A

Recommendation: Discuss and advise.

Will Fricke

From: Will Fricke
Sent: Thursday, June 6, 2024 3:42 PM
To: Will Fricke
Subject: RE: [EXTERNAL] Re: Draft 6-12-24 Selectboard Agenda

From: Sarah McShane <smcshane@stowevt.gov>
Sent: Friday, May 31, 2024 2:30 PM
To: Charles Safford <csafford@stowevt.gov>; Scott Reeves <sreeves@stowevt.gov>; Donald B. Hull <dhull@stowevt.gov>
Subject: Re: [EXTERNAL] Re: Draft 6-12-24 Selectboard Agenda

P & Z has not issued any tickets in recent times. We have found that Notices of Violation (NOV) are a more effective way of enforcing the zoning regulations however maintain ticketing authority if and when we find it to be a more useful tool depending on the circumstances- primarily minor offenses.

Thanks!
Sarah



Sarah C. McShane, Planning & Zoning Director
Town of Stowe
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(802) 253-2705
www.townofstowevt.gov

Stowe Fire

Total Jan 1, 2024 -- Present

Alarm	110	58%
CO	23	12%
Hazard	2	1%
Fire	13	7%
Elevator	3	2%
Washout	0	0%
Accident	14	7%
Medical	5	3%
Odor	7	4%
Abandoned	0	0%
Mutual Aid	5	3%
16K1	3	2%
Cancel	0	0%
Assist	3	2%
Electrical	1	1%

Fire Total	189
EMS Non-Fire	369
Total	558

Tickets issued May 2023- May 2024

11/20/23 284 Wade Pasture Rd
12/01/23 116 Lift line Dr
01/22/24 116 Lift Line Dr
2/5/24 3343 Mountain Rd

Total: 4

Responding to STR 21

Stowe Police Department

Tickets (Ticket Summary Rpt) (January 1, 2023 – December 31, 2023)

Ticket Type	Ticket Type	Ticket Violation	Ticket Violation
Civil Other	Civil Other	16A - Misrepresenting age to procure alcoholic beverage - 1st Offense (over 15 and under 21)	3
Civil Other	Civil Other	16C - Consuming alcoholic beverage - 1st Offense (over 15 and under 21)	8
Municipal	Municipal	05014 - Dog At Large/Unleashed-1st Offense Within 12-Month Period	1
Municipal-ST	Municipal-ST	Parking - No Parking Zone	4
Municipal-ST	Municipal-ST	Parking - On Traveled Portion Of Highway	4
Municipal-ST	Municipal-ST	Parking - Winter Ban	44
Traffic	Traffic	21A - Person under 21- Alcohol concentration of 0.02 or more	4
Traffic	Traffic	AEI - Vehicle Approaching Or Entering Intersection	1
Traffic	Traffic	AWD - Consuming Alcoholic Beverage While Driving	1
Traffic	Traffic	CEL - Using Portable Electronic Device Outside Work or School Zone- 1st violation	10
Traffic	Traffic	CM1 - Counterfeit Plates; Stickers; Etcetera	1
Traffic	Traffic	DEF - Condition Of Vehicle	5
Traffic	Traffic	DLT - Driving On Roadways Laned For Traffic	7
Traffic	Traffic	DP - Failed To Display Front Registration Plate	1
Traffic	Traffic	DP2 - Failed to Display Rear Registration Plate or Failed to Display Both Registration Plates	1
Traffic	Traffic	DR - Failing To Driving To The Right	9
Traffic	Traffic	ESA - Unreasonable And Imprudent Speed For Conditions And Hazards	5
Traffic	Traffic	FTC - Following Too Closely	2
Traffic	Traffic	FYL - Vehicle Turning Left	1

Ticket Type	Ticket Type	Ticket Violation	Ticket Violation
Traffic	Traffic	FYY - Stop Sign	7
Traffic	Traffic	INS - Operating Without Liability Insurance	14
Traffic	Traffic	LAS - Unreasonable And Imprudent Speed For Conditions And Hazards - Local	5
Traffic	Traffic	LBK - Limitations On Backing	2
Traffic	Traffic	NL - Operating Without A License	9
Traffic	Traffic	NR - Persons Required To Register	30
Traffic	Traffic	ORR - One-Way Roadways And Rotaries	1
Traffic	Traffic	OSC - Operating After Suspension/Revocation/Refusal	6
Traffic	Traffic	PKR - Stopping, Standing, Or Parking In Restricted Areas	1
Traffic	Traffic	PNA - Misuse Of Number Plates	9
Traffic	Traffic	PSB - Passing School Bus	2
Traffic	Traffic	SCL - Sirens And Colored Lamps	1
Traffic	Traffic	SL1 - 1-10 MPH Over Speed Limit	65
Traffic	Traffic	SL2 - 11-20 MPH Over Speed Limit	21
Traffic	Traffic	SL3 - 21-30 MPH Over Speed Limit	11
Traffic	Traffic	TXD - Texting While Operating Moving Motor Vehicle - 1st Offense	1
Traffic	Traffic	VNI - Vehicle Not Inspected Within 15 Days Of Vt. Registration	27
Warning	Warning	06001(B) - Obedience To Traffic Regulations	2
Warning	Warning	20135 - Obedience To Traffic Signals	3
Warning	Warning	21038b - Open Containers In Public And Vehicles Prohibited	1
Warning	Warning	6008 - Signals Required For Turns And Stops	1
Warning	Warning	8DE - Operation With Defective Or Inadequate Equipment	1
Warning	Warning	8ID - Display Of Registration Plate	3
Warning	Warning	ATL - Display Of Plate/Proof of Insurance	3
Warning	Warning	BR - 11-20 MPH Over Speed Limit	1
Warning	Warning	CEL - Using Portable Electronic Device Outside Work or School Zone- 1st violation	13
Warning	Warning	CRS - Failure To Use Child Restraint System - V1	1
Warning	Warning	DEF - Condition Of Vehicle	102

Ticket Type	Ticket Type	Ticket Violation	Ticket Violation
Warning	Warning	DLT - Driving On Roadways Laned For Traffic	11
Warning	Warning	DP - Failed To Display Front Registration Plate	4
Warning	Warning	DP2 - Failed to Display Rear Registration Plate or Failed to Display Both Registration Plates	6
Warning	Warning	DR - Failing To Driving To The Right	14
Warning	Warning	ESA - Unreasonable And Imprudent Speed For Conditions And Hazards	10
Warning	Warning	FTC - Following Too Closely	12
Warning	Warning	FYL - Vehicle Turning Left	8
Warning	Warning	FYP - Pedestrian Right Of Way In Crosswalks	2
Warning	Warning	FYY - Stop Sign	64
Warning	Warning	INC - Operating without proof of financial responsibility	2
Warning	Warning	INS - Operating Without Liability Insurance	8
Warning	Warning	IR - Illuminations Required	3
Warning	Warning	LAS - Unreasonable And Imprudent Speed For Conditions And Hazards -Local	5
Warning	Warning	LBK - Limitations On Backing	5
Warning	Warning	LBR - 1-10 MPH Over Speed Limit-Local	1
Warning	Warning	LBR - 11-20 MPH Over Speed Limit-Local	3
Warning	Warning	LK - Lights	21
Warning	Warning	LOP - Limitations On Passing	2
Warning	Warning	MWD - Consuming Marijuana While Operating a Motor Vehicle	1
Warning	Warning	NL - Operating Without A License	9
Warning	Warning	NR - Persons Required To Register	40
Warning	Warning	OSC - Operating After Suspension/Revocation/Refusal	2
Warning	Warning	PAV - Passenger Age Violation	1
Warning	Warning	PNA - Misuse Of Number Plates	1
Warning	Warning	POD - Passing Vehicles In Opposite Directions	1
Warning	Warning	POR - Passing On The Right	1
Warning	Warning	PSB - Passing School Bus	1
Warning	Warning	S03 - 21-30 MPH Over Speed Limit	1
Warning	Warning	SIG - Signals Required	4
Warning	Warning	SL1 - 1-10 MPH Over Speed Limit	7

Ticket Type	Ticket Type	Ticket Violation	Ticket Violation
Warning	Warning	SL2 - 11-20 MPH Over Speed Limit	409
Warning	Warning	SL2 - 11-20 MPH Over Speed Limit - Work or School Zone	1
Warning	Warning	SL3 - 21-30 MPH Over Speed Limit	19
Warning	Warning	TCD - Obedience To Traffic Control Devices	2
Warning	Warning	TL - Tail Lights	2
Warning	Warning	TOB - Possession Of Tobacco By Person Under 21 Years Of Age (No Permit/License)	1
Warning	Warning	VNI - Vehicle Not Inspected Within 15 Days Of Vt. Registration	139
Warning	Warning	VO - Regulations In Municipalities	1
Warning	Warning	VSP - Operating without displaying validation sticker on plate	1
Warning-ST	Warning-ST	Animal Bite Or Attack - 1st Offense	1
Warning-ST	Warning-ST	Parking - Winter Ban	2

Stowe Police Department

Tickets (Ticket Summary Rpt) (January 1, 2024 – May 31, 2024)

Ticket Type	Ticket Type	Ticket Violation	Ticket Violation
Civil Other	Civil Other	16A - Misrepresenting age to procure alcoholic beverage - 1st Offense (over 15 and under 21)	1
Civil Other	Civil Other	16C - Consuming alcoholic beverage - 1st Offense (over 15 and under 21)	1
Municipal	Municipal	22007 - Camping (Placement Of Tent Or Bedding Materials Anytime OR Sleeping 2200 To 0700 Hours)	1
Municipal-ST	Municipal-ST	Parking - 3 Hour Limit	2
Municipal-ST	Municipal-ST	Parking - No Parking Zone	3
Municipal-ST	Municipal-ST	Parking - Winter Ban	48
Traffic	Traffic	21A - Person under 21- Alcohol concentration of 0.02 or more	1
Traffic	Traffic	CEL - Using Portable Electronic Device Outside Work or School Zone- 1st violation	6
Traffic	Traffic	DEF - Condition Of Vehicle	3
Traffic	Traffic	DLT - Driving On Roadways Laned For Traffic	3
Traffic	Traffic	DR - Failing To Driving To The Right	3
Traffic	Traffic	ESA - Unreasonable And Imprudent Speed For Conditions And Hazards	2
Traffic	Traffic	FYL - Vehicle Turning Left	1
Traffic	Traffic	FYY - Stop Sign	11
Traffic	Traffic	INS - Operating Without Liability Insurance	5
Traffic	Traffic	LAS - Unreasonable And Imprudent Speed For Conditions And Hazards - Local	2
Traffic	Traffic	LOP - Limitations On Passing	2
Traffic	Traffic	NL - Operating Without A License	5
Traffic	Traffic	NR - Persons Required To Register	12
Traffic	Traffic	OSC - Operating After Suspension/Revocation/Refusal	7
Traffic	Traffic	SL1 - 1-10 MPH Over Speed Limit	6

Traffic	Traffic	SL2 - 11-20 MPH Over Speed Limit	1
Traffic	Traffic	SL3 - 21-30 MPH Over Speed Limit	2
Traffic	Traffic	SL4 - 31 Or More MPH Over Speed Limit	1
Traffic	Traffic	VNI - Vehicle Not Inspected Within 15 Days Of Vt. Registration	6
Warning	Warning	05014 - Dog At Large/Unleashed-1st Offense Within 12-Month Period	1
Warning	Warning	06001(B) - Obedience To Traffic Regulations	1
Warning	Warning	20135 - Obedience To Traffic Signals	1
Warning	Warning	6008 - Signals Required For Turns And Stops	1
Warning	Warning	6011 - Lights Required	1
Warning	Warning	8DE - Operation With Defective Or Inadequate Equipment	1
Warning	Warning	ATL - Display Of Plate/Proof of Insurance	2
Warning	Warning	BR - 1-10 MPH Over Speed Limit	1
Warning	Warning	BR - 11-20 MPH Over Speed Limit	1
Warning	Warning	CEL - Using Portable Electronic Device Outside Work or School Zone- 1st violation	13
Warning	Warning	DEF - Condition Of Vehicle	45
Warning	Warning	DLT - Driving On Roadways Laned For Traffic	8
Warning	Warning	DP - Failed To Display Front Registration Plate	5
Warning	Warning	DP2 - Failed to Display Rear Registration Plate or Failed to Display Both Registration Plates	3
Warning	Warning	DR - Failing To Driving To The Right	12
Warning	Warning	EPR - Vehicle Entering From Private Road	1
Warning	Warning	ESA - Unreasonable And Imprudent Speed For Conditions And Hazards	1
Warning	Warning	FTC - Following Too Closely	1
Warning	Warning	FYL - Vehicle Turning Left	1
Warning	Warning	FYY - Stop Sign	234
Warning	Warning	INC - Operating without proof of financial responsibility	2
Warning	Warning	INS - Operating Without Liability Insurance	1
Warning	Warning	LAS - Unreasonable And Imprudent Speed For Conditions And Hazards -Local	1
Warning	Warning	LBK - Limitations On Backing	1
Warning	Warning	LBR - 1-10 MPH Over Speed Limit-Local	1
Warning	Warning	LID - Throwing; Depositing; And Dumping Refuse -	1

		Less Than One Cubic Foot (Uncompacted)	
Warning	Warning	LK - Lights	14
Warning	Warning	NL - Operating Without A License	4
Warning	Warning	NR - Persons Required To Register	11
Warning	Warning	OSC - Operating After Suspension/Revocation/Refusal	1
Warning	Warning	PNA - Misuse Of Number Plates	2
Warning	Warning	SIG - Signals Required	2
Warning	Warning	SL - Securing Loads- 1st Offense	1
Warning	Warning	SL1 - 1-10 MPH Over Speed Limit	1
Warning	Warning	SL2 - 11-20 MPH Over Speed Limit	114
Warning	Warning	TCS - Traffic Control Signals	1
Warning	Warning	VNI - Vehicle Not Inspected Within 15 Days Of Vt. Registration	139
Warning- ST	Warning- ST	Parking - On Traveled Portion Of Highway	1

Stowe Police Department

Total Incidents by Call Type (January 1, 2023 – December 31, 2023)

Call Type	Call Type
1	Accident - Fatality
3	Missing Person
1	Bomb Threat/ Attempt
1	TRO/FRO Violation
2	Lewd and Lascivious Conduct
5	Phone Problem
4	Fire Hazard
4	Custodial Dispute
2	Electric Problem
3	Unsecure Premis
0	
1	Public Speaking
3	Deliver Message
6	Assault
1	Sex Offense
4	Odor Investigation
1	Safety Hazard
3	Littering
1	SOT
9	VIN verification
3	Bad Check
6	Background Investigation
1	Search Warrant
1	Drugs
8	DLS
7	Dead Body
10	CO Alarm
2	Unlawful Mischief
5	Transport
1	Violation of Conditions of Release

15	Fire
1	Suicide Attempt
15	DUI
41	Noise Disturbance
8	Burglary
22	Juvenile Problem
10	Rescue Call
7	Assist - Other
6	TRO/FRO Service
31	Fraud
13	Wanted Person
16	Trespassing
6	Traffic Detail
15	Vandalism
80	Traffic Hazard
8	Intoxication
13	Property Watch
13	Abandoned Vehicle
78	Assist - Motorist
89	Animal Problem
145	Medical
48	Foot Patrol
50	Fire Alarm
23	Accident - Injury to Person(s)
63	Lost Property
100	Found Property
2	Elevator Emergency
80	Parking Problem
234	Motor Vehicle Complaint
308	Suspicious Event
166	Accident - Property Damage Only
42	Accident - LSA
17	Property Damage
257	Fingerprints
63	Theft
17	Threats/ Harassment

56	Citizen Dispute
412	Directed Patrol
20	Mental Health Incident
93	911 Hangup
1030	Traffic Stop
46	Welfare Check
93	Assist - Public
401	Alarm
108	Assist - Agency

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Stowe Police Department

Total Incidents by Call Type (January 1, 2024 – May 31, 2024)

Call Type	Call Type
1	Vandalism
2	Odor Investigation
1	Public Speaking
1	SOT
3	Foot Patrol
4	Traffic Detail
1	Hazardous Materials
1	Search Warrant
1	Sexual Assault
2	VIN verification
1	Missing Person
2	Rescue Call
8	Fire
6	Threats/ Harassment
1	Lewd and Lascivious Conduct
5	Mental Health Incident
1	Overdose
3	Littering
4	Wanted Person
3	Violation of Conditions of Release
0	
13	Juvenile Problem
19	Citizen Dispute
4	Transport
34	Found Property
3	Intoxication
4	DUI
1	Unlawful Mischief
3	Burglary
2	Unsecure Premis

2	CO Alarm
23	Welfare Check
29	Assist - Motorist
9	Trespassing
9	Accident - Injury to Person(s)
6	Background Investigation
1	Elevator Emergency
24	Lost Property
5	Property Watch
22	Accident - LSA
56	Parking Problem
4	Abandoned Vehicle
1	Custodial Dispute
15	Noise Disturbance
3	Theft - Automobile
26	Animal Problem
27	Theft
13	Fraud
54	Assist - Public
26	Traffic Hazard
49	Assist - Agency
4	TRO/FRO Service
5	Assault
99	Suspicious Event
52	Fingerprints
162	Alarm
20	Fire Alarm
1	Sex Offense
10	Property Damage
70	Directed Patrol
27	911 Hangup
99	Motor Vehicle Complaint
60	Medical
65	Accident - Property Damage Only
650	Traffic Stop

Will Fricke

From: Will Fricke
Sent: Thursday, June 6, 2024 3:46 PM
To: Will Fricke
Subject: RE: [EXTERNAL] Re: Draft 6-12-24 Selectboard Agenda

From: Charles Safford <csafford@stowevt.gov>
Sent: Friday, May 31, 2024 2:23 PM
To: Scott Reeves <sreeves@stowevt.gov>; Donald B. Hull <dhull@stowevt.gov>; Sarah McShane <smcshane@stowevt.gov>
Cc: Donald B. Hull <dhull@stowevt.gov>
Subject: FW: [EXTERNAL] Re: Draft 6-12-24 Selectboard Agenda

All,
I know we did something similar a several months ago, but please see request for information that I need to include in the Selectboard packet. It would be helpful if you could provide it to me by noon next Wednesday. Thank you. Charles



CHARLES SAFFORD
STOWE TOWN MANAGER
(802)253-7350
(802)253-6137 (FAX)
WWW.TOWNOFSTOWEVT.ORG

From: Billy Adams <billyadamsvt@gmail.com>
Sent: Friday, May 31, 2024 1:56 PM
To: Charles Safford <csafford@stowevt.gov>
Subject: [EXTERNAL] Re: Draft 6-12-24 Selectboard Agenda

Charles,

A couple of comments, and addition to the agenda.

I'd like to reorganize the "business" section and have the STR RFP discussion as the final business item not the first.

From a chairing/facilitating perspective, I want to give the other business items a considered amount of time before moving onto the STR discussion.

Additionally, I'd like to have a general discussion on ordinance enforcement as a business item. Included in this would be any information you can provide regarding tickets issued for any violation

this year to the end of May and for 2023. This is for general discussion with the intention of clarifying our policies on ordinance enforcement.

As I'd mentioned during the goal setting discussion, I'd also like to include a regular reporting of false alarms and any other fire or emergency service call out data we have for 2024. A breakdown of call/response type would be very helpful as well.

I'd like to include the ordinance enforcement discussion as a business item on the next agenda, June 12th. It can be item 4 with the STR RFP as item 5.

Give me a call first Monday to discuss.

Thanks
Billy

William W. Adams II

T: 802-229-8689
E: billyadamsvt@gmail.com

On May 31, 2024, at 9:13 AM, Charles Safford <csafford@stowevt.gov> wrote:

Billy,
Please see attached draft 6-12-24 Selectboard Agenda and let me know if you have any feedback prior to distributing it to the Stowe Reporter at noon this upcoming Monday.

(a) The Town Manager shall be the chief executive officer and the head of the administrative branch of the Town government, and shall be responsible to the Selectboard for the efficient administration of the municipal affairs of the Town.

(b) The Town Manager shall attend all meetings of the Selectboard, except when the Town Manager's removal or discipline is being considered; shall keep the Selectboard informed of the financial condition and future needs of the Town; and shall make reports as may be required by law, this charter, or ordinance, or that may be requested by the Selectboard. The Town Manager shall make other reports and recommendations as he or she may deem advisable. The Town Manager shall perform other duties as may be prescribed by this charter or required of the Town Manager by law, ordinance, or resolution of the Selectboard not inconsistent with this charter.

(c) The Town Manager shall be an ex-officio member of all standing committees of the Town but shall not have or cast a vote.

(d) The Town Manager shall prepare and submit a recommended annual budget to the Selectboard and be responsible for the administration of the budget after adoption.

(e) The Town Manager shall be the general purchasing agent of the Town and purchase all supplies for every department of the Town, except the Electric Department.

(f) The Town Manager shall perform any other duties assigned by State law not in conflict with this charter.

(g) The Town Manager shall be responsible for the operation of all departments of the Town not otherwise provided for in this charter.

(h) The Town Manager shall have authority to hire, appoint, fix the salary of, discipline, suspend, and remove the Zoning Administrator, Town Clerk, Town Treasurer, Assistant Town Clerk(s), Assistant Treasurer(s), and all other employees of the Town not hired or appointed by the Selectboard, subject to the provisions of this charter or personnel rules adopted pursuant to this charter. The Town Manager may authorize any department head subject to the Town Manager's direction and supervision to exercise these powers with respect to that department head's subordinates. Prior to hiring a department head, the Town Manager shall notify the Selectboard of the intent to hire a department head, and the Selectboard may take action within seven days of receipt of that notice that overrides the Town Manager's authority to hire that department head. Thereafter, the Town Manager shall select and submit notification to the Selectboard of an alternate choice for that department head.

(i) The Town Manager may, when advisable or proper, delegate to subordinate officers and employees of the Town any duties conferred upon the Town Manager by this charter or by action of the Selectboard.

(j) The Town Manager shall be responsible for the enforcement of all Town ordinances.

(k) Where final authority for policy formulation and adoption rests with the Selectboard, the Town Manager shall play an integral role in developing and analyzing policies and alternatives for the Selectboard's consideration and be responsible for implementation of policies approved by the Selectboard. (Added 2007, No. M-1, § 7, eff. Jan. 20, 2007; amended 2009, No. M-18 (Adj. Sess.), § 9, eff. May 5, 2010; 2013, No. M-4, § 2, eff. May 8, 2013.)

§ 704. Compensation

The Town Manager shall receive compensation as may be determined by the Selectboard, subject to the provisions of this charter. (Added 2007, No. M-1, § 7, eff. Jan. 20, 2007; amended 2013, No. M-4, § 2, eff. May 8, 2013.)

§ 705. Removal of Town Manager

The Selectboard may remove the Town Manager by a vote of a least three of its members to be effective not less than 60 days after the vote. The Town Manager may be suspended during the period from initial action to remove the Town Manager by the Selectboard to the end of the removal date, but the Town Manager shall continue to be paid throughout the suspension. (Added 2007, No. M-1, § 7, eff. Jan. 20, 2007; amended 2013, No. M-4, § 2, eff. May 8, 2013.)

Subchapter 8: Budget