

TOWN OF CALAIS

ORDINANCE REGULATING THE USE OF

CURTIS POND ISLAND

SECTION 1. AUTHORITY. Under authority granted in 24 V.S.A. § 872, 24 V.S.A. § 1971, and 24 V.S.A. § 2911 (14), (15), and (18), the Selectboard of the Town of Calais hereby adopts the following civil ordinance regulating the use of Curtis Pond Island.

SECTION 2. PURPOSE. The purpose of this Ordinance is to ensure and protect public health, safety, and enjoyment of the public's use of the Curtis Pond Island.

SECTION 3. DEFINITIONS.

- A. "Island" shall mean the entirety of the Curtis Pond Island, located on Curtis Pond, including both the "lean-to area" in the center of the Island and the "swimming area" on the southern end of the Island.
- B. "Calais Resident" shall mean any person currently owning, leasing, or renting real property within the limits of the Town of Calais.
- C. "Invited Guests" shall mean any person invited by a Calais Resident to camp on the Island with the Calais Resident.
- D. "Campers" shall mean a group of Calais Residents and their Invited Guests who have a Permit issued by the Town of Calais allowing them to camp on the Island between 6:00 p.m. and 8:00 a.m. on specified dates.
- E. "Day Users" shall mean any person present on the Island between the hours of 8:00 a.m. and sunset.
- F. "Unreasonable noise" shall mean any noise that disturbs, injures, or endangers the peace or health of another or that endangers the health, safety, or welfare of the community. Any such noise shall be considered a noise disturbance and a public nuisance.

SECTION 4. CAMPING PERMITS AND PERMITTED USES.

- A. A Permit is required to camp on Curtis Pond Island overnight.
- B. Permits are issued by the Calais Town Clerk. One Permit shall be issued for each stay. A stay may be from one (1) night up to three (3) consecutive nights and shall list the name of each camper. A maximum of six (6) campers shall be allowed.
- C. Only Calais Residents shall obtain a camping permit.
- D. The Calais Resident to whom a Permit is issued shall be responsible for all persons named on the Permit and shall make sure that all persons in the group of Campers comply with the terms of this Ordinance and other local and state ordinances and laws.
- E. Tents and other temporary camping shelters may be placed anywhere on the Island.
- F. Quiet hours shall be maintained between 10:00 p.m. and 8:00 a.m. During quiet hours the following provisions shall apply:
 - a. No person shall make or cause to be made any loud or unreasonable noise, including yelling, except in the case of an emergency. Campers shall be cognizant of the volume of their conversations since noise travels long distances over water and is amplified by calm water.

- G. Violation of the provisions of this Ordinance may result in suspension of the ability to obtain a Permit in the future or be named on a future Permit. The period for such a suspension shall be determined by the Selectboard, based on the severity of the violation(s), the frequency of offenses, and the impact on the **safety**, peace, and comfort of the public.
- H. The Town of Calais reserves the right to deny a Permit to a camping party which includes any person who has previously violated this Ordinance.

SECTION 9. ENFORCEMENT. The violation of this ordinance shall be a civil matter which may be enforced in the Vermont Judicial Bureau in accordance with provisions of 24 V.S.A. §§1974a and 1977 et seq. For purposes of enforcement in the Judicial Bureau, any Enforcement Officer or issuing officer as authorized by the Town of Calais shall have authority to issue tickets and may be the appearing officer at any hearing.

SECTION 10. HOLD HARMLESS. All users of Curtis Pond Island shall hold the Town of Calais harmless for any claims, damages, theft, vandalism, loss, property damage or bodily injury they experience on the Island or in Curtis Pond and its surrounds, including while traveling to and from the Island.

SECTION 11. OTHER LAWS. This Ordinance is in addition to all other ordinances of the Town and all applicable laws of the State of Vermont. All **Calais town** ordinances or parts of ordinances, resolutions, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 12. SEVERABILITY. If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Ordinance.

SECTION 13. EFFECTIVE DATE. This Ordinance shall become effective 60 days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. §1973, that statute shall govern the taking effect of this Ordinance.

Date of adoption by the Selectboard: _____

Signatures of Selectboard members:

Effective Date: _____