

## CITY GREEN POLICY

The intent of this Policy is to establish a means of control for the use of the City Green. Said City Green is defined as that parcel of land bounded by Green, North, Park, and Main Streets and recognized to be a public park under the control of the Vergennes City Government.

### Article I – Special Use Policy

Special use refers to activities on the City Green by non-profit community service organizations, church groups, for-profit entities, or wedding ceremonies.

Other than for-profit entities or other organized groups, all activities for the City Green must be scheduled through the City Clerk who will maintain a schedule and avert conflicts by scheduling uses on a “first-come, first-served.”

Any use by a for-profit entity or organized groups shall require the approval of the City Council.

### Article II - Displays

The City of Vergennes is a municipality incorporated in the State of Vermont that recognizes the cultural diversity of its inhabitants. The City of Vergennes, upon application, allows private or public organizations or individuals to use the City Green. The City of Vergennes also recognizes the cultural, social and economic benefits of public gatherings on the City Green. Applications are reviewed and acted on by a committee comprised of the City Clerk, or in his/her absence, the Assistant City Clerk, a member of the Development Review Board, or in his/her absence, an alternate member, elected at their annual organization meeting, and a member of the Recreation Committee, or in his/her absence, an alternate member, elected at their first meeting after the annual appointment of the recreation committee in March hereafter referred to as “Committee.”

The City of Vergennes does not endorse nor oppose any gathering or expression. The City will post a sign stating as follows:

All events and displays on the City Green must be authorized by the City.  
All displays must have a sign identifying its sponsor.  
The City of Vergennes does not endorse nor oppose any authorized display.

The City Council hereby adopts the following policy relating to displays on the City Green.

1.) An application must be filed with the City Clerk with the name and address of the sponsor of the display. The application will describe the display, the requested location on the City Green and include the dates that the display is proposed to be erected and

removed. Applications shall be filed no more than 30 days prior to the first day that the display is proposed to be erected. This description and the location of the display can remain on file for recurring displays.

2.) The applicant shall provide a photograph of the display or a sketch of the display with the approximate dimensions and the predominant materials that the display of which it is constructed.

3.) Displays shall not have a footprint of greater than 400 square feet and no structure shall be greater than 10 feet in height.

4.) Upon determination by the City Clerk that the application is sufficiently complete the City Clerk shall forthwith call a meeting of the Committee to review and act on the application. The Committee shall act on the application within 15 days of their meeting. Failure of the Committee to act on an application shall be deemed approved. If an application is denied the applicant has the right to appeal the decision by filing a written appeal with the City Clerk within 15 days of the decision. The appeal will be heard by the City Council within 30 days of filing the appeal.

5.) The proposed display on the City Green may be denied if the proposed display is deemed likely to create a public nuisance or pose a clear and present danger to public safety. A **public nuisance** is defined as an interference with the common right of the general public or an indefinite number of persons or an unreasonable interference with the health, safety, peace, or comfort of the community. Applicants granted use of the City Green shall comply with all applicable City rules, regulations and ordinances, state and federal law. The display may also be denied if, in the opinion of the Committee, conflicts with special use approved under Article I or any other use by the City.

6.) If approved, the applicant shall post a sign 8 ½” x 11” provided by the City that will be attached to the display or in close proximity to the display, signifying its owner or sponsor.

7.) No display shall remain in place longer than 45 days.

### Article III – Management

The City Manager shall be responsible for the care and control of City Green facilities and landscaping. Alterations and additions to City Green facilities valued at one thousand dollars (\$1,000.00) or less shall require the approval of the City Manager; over one thousand dollars (\$1,000.00) shall require City Council approval. New tree plantings not in replacement of removed trees shall require the approval of the City Council.

Adopted by the City Council on \_\_\_\_\_, 2012