



Tuesday, March 11, 2025, 11:00 AM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

When: Mar 11, 2025 11:00 AM Eastern Time (US and Canada)
Topic: Ordinance Committee Meeting

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1. Agenda

1.1. Motion to amend/adopt agenda

2. Adopt Draft Minutes

Subject	2.1. Adopt Draft Minutes from February 20, 2025
Meeting	March 11, 2025 - Ordinance Committee Agenda - 25.03.07 - Tuesday, March 11, 2025, 11:00 AM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	2. Adopt Draft Minutes
Department	City Attorney
Type	
Recommended Action	

3. Public Forum

Subject	3.1. Verbal Comments
Meeting	March 11, 2025 - Ordinance Committee Agenda - 25.03.07 - Tuesday, March 11, 2025, 11:00 AM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	3. Public Forum
Department	Council and Board
Type	

4. Deliberative Agenda

Subject	4.1. BCO--Animal Ordinance
Meeting	March 11, 2025 - Ordinance Committee Agenda - 25.03.07 - Tuesday, March 11, 2025, 11:00 AM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	4. Deliberative Agenda
Department	City Attorney
Type	
Recommended Action	
Subject	4.2. CDO--ZA-25-04 Performing Arts Center in the E-LM District Ordinance
Meeting	March 11, 2025 - Ordinance Committee Agenda - 25.03.07 - Tuesday, March 11, 2025, 11:00 AM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	4. Deliberative Agenda
Department	Planning
Type	
Recommended Action	
Subject	4.3. BCO--Incentives for Reporting Violations Ordinance
Meeting	March 11, 2025 - Ordinance Committee Agenda - 25.03.07 - Tuesday, March 11, 2025, 11:00 AM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	4. Deliberative Agenda
Department	City Attorney
Type	
Recommended Action	

5. Other Committee Business

Subject	5.1. Other Committee Business
Meeting	March 11, 2025 - Ordinance Committee Agenda - 25.03.07 - Tuesday, March 11, 2025, 11:00 AM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	5. Other Committee Business

Department Council and Board

Type

Recommended Action

6. Adjournment

Subject

6.1. Motion to adjourn

Meeting

March 11, 2025 - Ordinance Committee Agenda - 25.03.07 - Tuesday, March 11, 2025, 11:00 AM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category

6. Adjournment

Department

Council and Board

Type

Recommended Action

**Ordinance Committee
Thursday, February 20, 2025
645 Pine St Front Conference Room
or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES**

Members Present: Councilor Shannon (Chair), Councilor Bergman, Councilor Brown McKnight

Staff Present: Kim Sturtevant (Assistant City Attorney), Charles Dillard (Planning Director), William Ward (DPI Director)

Public Present: None

Meeting called to order at 1:05 PM.

**1. Adopt the Agenda
1.01 Adopt the Agenda**

Motion to Adopt Agenda as amended to add scheduling after 3.1, Public Forum.

Motion by Councilor Bergman, Seconded by Councilor Brown McKnight

Final Resolution: Motion Passes

Yes: Unanimous

**2. Adopt Draft Minutes
2.01 Adopt Draft Minutes from January 28**

Motion to Adopt Minutes from January 28 as written.

Motion by Councilor Bergman, Seconded by Councilor Brown McKnight

Final Resolution: Motion Passes

Yes: Unanimous

**3. Public Forum
3.01 Verbal Comments**

Public Forum closed at 1:07 PM.

3.02 Scheduling

The Committee set next meeting dates for March 5 at 7 PM, as a public forum for the Performing Arts Center ordinance amendment, March 11 from 11 AM to 1 PM to primarily focus on the dog ordinance, and a third meeting on March 18 from 10 AM to 12 PM. Councilor Shannon noted Alex Carruthers and Planning Director Charles Dillard should be invited to the Performing Arts Center public forum.

4. Vacant Buildings Ordinance

4.01 Vacant Buildings Ordinance

The Committee reviewed changes to the latest draft of the Vacant Buildings Ordinance:

- Councilor Shannon inquired about why the suggestion to exempt deployed active service members from the draft. DPI Director William Ward said it was left out because more research needed to be done about how often that truly occurs and if it is excluded from the draft, someone in that situation could still appeal their case to the Public Works Commission.
- Attorney Sturtevant explained how the definition of “vacant structure” was changed to exclude structures never intended for human habitation. Councilor Shannon noted clarification on terms like “unoccupied” and “dangerous” needed to be added. The Committee added that distinguishing primary from secondary or accessory structures would further clarify which structures fall under the definition of a vacant structure, especially as it applies to garages and residential versus commercial structures. Attorney Sturtevant agreed to revise the language and submit to the Committee for review.
- Under the Enforcement Authority section, Attorney Sturtevant added language supporting that the DPI Director would determine if a property meets the standards of vacant building, and that the administrative fee for dangerous building orders would be \$100. Councilor Bergman asked if this fee was sufficient for the issuance of subsequent orders on one property owner. Director Ward responded it covers the cost and preserves the current system that allows corrections to dangerous building orders to move through the zoning process relatively quickly, and that in a case of an ongoing issue, other enforcement actions would most likely be pursued. Attorney Sturtevant said she would take another look at it.
- Attorney Sturtevant reviewed the fee structure. Councilor Bergman asked Attorney Sturtevant for further clarifying language reflecting Director Ward’s interpretation that one year, as it relates to the application of fees, would start from the day the building was declared vacant by the City.
- Councilor Shannon noted a typo on page 10, line 319 where the fee is listed as \$200 instead of \$100.

5. Champlain College Bed Cap Ordinance

5.01 Champlain College Bed Cap Ordinance

Motion to advance the amendment to the City Council for second reading and adoption, with a recommendation of approval with the strike out on line 10 of the words “and the total number of residential beds.”

Motion by Councilor Bergman, Seconded by Councilor Brown McKnight

Final Resolution: Motion Passes

Yes: Unanimous

Discussion:

Director Dillard explained how Champlain College's campus consists of an Academic Core and a Residential Core, which have different zoning standards. The proposed amendment would eliminate bed caps for both areas but retain Floor Area Ratios (FARs), allowing Champlain College to convert existing unused space in academic buildings on the Academic Core campus into student housing, while staying in compliance with the FARs set by the Comprehensive Development Ordinance (CDO). Director Dillard stated that the Planning Department has determined this amendment is consistent with planBTV. Champlain College's first project would be to convert Aiken Hall, starting in August.

Councilor McKnight asked for more information on the impacts to parking, community engagement up to this point, and how the college will handle noise complaints. Director Dillard stated Champlain College has not yet held a public hearing but will be required to. Planning Commission has had one public hearing on this amendment, during which no one spoke for or against it. Director Dillard said parking should not be affected because the proposed units are intended for first-year students who are not allowed to bring cars to campus. Director Dillard said he has not received a response yet from Champlain College regarding how they would handle noise complaints and would follow up with them. Councilor McKnight expressed concerns with what appears to be a lack of public engagement.

Councilor Shannon asked about Champlain College's progress toward housing all of their students. Director Dillard confirmed his understanding is Champlain College is very close to achieving that goal and has an interest in moving upperclassmen back to campus through this amendment, to potentially dispose of off-campus properties, which would free up housing supply in Burlington. Director Dillard also confirmed the units would be accessible. Councilor Shannon voiced being fully supportive of moving more students to the core campus.

Councilor Bergman requested Director Dillard to include Champlain College's enrollment information a reference to the document representing their enrollment projections for the full Council's awareness.

Councilor Bergman asked what will be required of Champlain College to move forward with their project if the amendment is approved. Director Dillard said they will be required to have a public hearing, held early in the review process.

6. Performing Arts Centers in E-LM District

6.01 Performing Arts Centers in E-LM District

The Committee requested that Director Dillard organize advertising for March 5th's public forum on Front Porch Forum. Councilor Shannon noted representatives from Higher Ground and Burton should be invited. Councilor Shannon also suggested adding whether or not a discussion to retract a current use will be included in this amendment.

Councilor Shannon questioned if the amendment and Higher Ground's plans were consistent with the intent for this zone, which was to reserve job space and prevent the build of structures larger than what existed previously. Councilor Shannon requested to know what square footage would limit occupancy to 1,500 people, and said she wants to make sure that enough of the enterprise zone is being preserved in this amendment. Director Dillard offered to follow up with Higher Ground for their input on capacity and square footage caps. Councilor Bergman emphasized the importance of amending the code in a way that considers future growth.

Councilor Bergman asked Director Dillard to give a presentation at the public forum, including the Fire Marshal, and address future potential impacts from the proposed amendment. Councilor Shannon suggested the Committee discuss next steps after the forum on March 5 if there is time.

7. Any Other Committee Business

7.01 Any Other Committee Business

There was no other committee business.

8. Adjournment

8.01 Motion to Adjourn

The meeting was adjourned at 2:20 PM.

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Four

ORDINANCE _____

Sponsor: _____
Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all

Stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

An Ordinance in Relation to

ANIMALS

BCO Chapter 5, Arts. I-III and Sec. 22-13

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Chapter 5, Animals and Fowl, and Chapter 22, Parks, of the Code of Ordinances of the City of Burlington be and is hereby amended by amending Article I, In General; II, Dogs; Article III, Enforcement and Impoundment; Section 22-13, Animals Prohibited, Exceptions; to read as follows:

Chapter 5 ANIMALS AND FOWL¹

Article I. In General

5-1 ~~Pound established~~ Animal shelter provided.

~~There shall be established by the city council a pound for the impounding of all beasts liable to be impounded. The poundkeeper or their designee shall designate animal shelters or other facilities for all domestic and exotic animals they determine to be in need pursuant to Section 5-25 below.~~

5-2 Appointment of poundkeeper; ~~compensation.~~

It shall be the duty of the mayor to appoint ~~such a poundkeeper pursuant to Section 122 of the charter who may also be an animal control office. That person shall facilitate and oversee placement of animals at large or otherwise required to be impounded pursuant to this chapter. poundkeepers as may be required to take care of and keep such pound as may be established. Their compensation shall be the same as provided by the laws of this state for poundkeepers in towns.~~

20 | 5-3 Animal bites.

21 It shall be the duty of every person bitten, or ~~his or her~~their parent or guardian, and the attending physicians
22 to report to the ~~poundkeeper~~animal control officer, who shall report to the city health officer, within twenty-
23 four (24) hours, if feasible, the name, address and telephone number of the owner or keeper of the animal
24 ~~who~~which bit the person and the complete circumstances, to the extent known.

25 5-4 Nuisance animals.

26 (a) No owner, keeper or other person having control shall permit an animal to be a nuisance animal. For the
27 purposes of this section, nuisance animal means any animal or animals wh~~o~~ich:

28 (1) ~~Molests~~Attacks or harasses passersby or passing vehicles, or otherwise creates a public safety
29 hazard;

30 (2) Attacks other animals off the owner's premises;

31 (3) Damages property other than that of ~~its~~their owner;

32 (4) Defecates off the premises of the animal's owner, and the owner, or other individual in control of
33 the animal, fails to remove such deposit immediately;

34 (5) Dog or cat at large as defined by Section 5-14 below; or

35 ~~(56)~~ Barks, whines, howls, cries, or makes a noise commonly made by such animals in an excessive
36 and continuous fashion so as to disturb the peace and quiet of any other person.

37 (b) Any dog or cat determined to be a nuisance animal by an animal control officer shall be impounded if the
38 owner, or owner's agent, is not present and cannot be located immediately.

39 | 5-5 Exotic animals.

40 (a) *Purpose and findings:* The purpose of this section is to enhance the public safety of persons who are
41 present on the district known as the Church Street Marketplace (the Marketplace) and in the city's parks by
42 regulating the presence of "exotic" animals on the Marketplace and in the city's parks. The council finds that
43 such pets can pose a threat to the public health, safety, and welfare if present on the Marketplace and in city
44 parks. Such pets are unlicensed and are not typically leashed, as is required of domestic dogs.

45 (b) *Definitions:* "Exotic pet" means all animals except domestic dogs, domestic cats and the European
46 ferret (*Mustela putorius furo*).

47 (c) *General prohibition:* No person shall have an exotic pet or permit their exotic pet to be on or about the
48 Marketplace or within a city park unless expressly approved by the Marketplace Director or Parks
49 Department respectively or exempted under the terms of this section.

50 (d) *Exemptions:* A person may have or permit an exotic pet to be on or about the Marketplace or within a
51 city park when done to transport the pet directly from a pet store in the vicinity of the Marketplace or city
52 park after purchase of such pet or to return such pet to said pet store. The person must retain a receipt for the
53 purchase of such pet and shall display the receipt upon demand from any animal control officer, law
54 enforcement officer, or other person duly authorized to enforce animal control ordinances.

55 | **5-6 Use of non-domesticated animals for public display prohibited.**

56 (a) *Purpose.* This section is intended to assist in the prevention of the mistreatment of non-domesticated
57 animals used in any public display, to reduce risk of harm to the public from accidents and incidents
58 involving such animals, and to reduce the public health risk associated with diseases and pathogens carried
59 by such animals.

60 (b) *Definitions.*

61 (1) *Non-domesticated animals* are defined as *Felidae* (all wild cats and hybrids thereof), *Ursidae* (all
62 bears), *Proboscideae* (all elephants), and Non-human Primates and *Prosimians*.

63 (2) *Public display* shall mean the exhibition, presentation or showing of live non-domesticated
64 animals to the general public regardless of whether for profit, on a not for profit basis or without
65 charge.

66 (c) *Prohibition.* The public display of live non-domesticated animals within the corporate limits of the city
67 is prohibited.

68 | **5-7—5-12 Reserved.**

69 **ARTICLE II. DOGS AND CATS¹**

70 | **5-13 Definitions.**

71 The following definitions shall apply to this article:

72 "At-large" shall mean not under the control of the owner, a member of the owner's immediate family, or the
73 owner's agent or another individual either by leash, ~~cord, chain~~ or other similar means of physical restraint.

74 "Cat" shall include both male and female of the feline species.

~~"Dangerous dog" shall mean a dog that attacks or bites a person or other domestic pet while the dog is off the premises of the owner or keeper, and the person or domestic pet attacked or bitten. Dangerous dog complaints shall be investigated pursuant to section 5-27(b).~~

"Dog" shall include both male and female of the canine species. Dog shall also mean any animal which is considered to be a wolf-hybrid as defined in [20](#) V.S.A. § [3541](#)(6).

"Enforcement official" when used herein shall mean any animal control officer, police officer, poundkeeper, urban park ranger or other individual specifically designated by the city council to enforce the provisions of this chapter.

"Owner" shall include any person or persons, firm, association or corporation owning, keeping or harboring a dog or cat.

~~"Vicious dog" shall mean a dog which attacks or bites a person or other domestic pet while the dog is off the premises of the owner or keeper, and the person or pet attacked or bitten requires medical attention. Vicious dog complaints shall be investigated pursuant to section 5-27(b).~~

5-14 At-large prohibited.

(a) *Prohibition.* Except as exempted below, no person shall permit a dog or cat for whom they are the owner~~owned by him or her~~ or who is under ~~their~~his or her control to be at-large as defined in section [5-13](#) or to trespass upon the property of another, public or private.

(b) *Public Safety.* Should an at-large dog or cat be deemed to pose an imminent public safety risk, said animal may be killed by the Police Department or their designee. Such an act shall occur where other reasonable means to control the animal have been unsuccessful or deemed not practicable under the circumstances.

(c) *Exemptions.* A dog or cat ~~may be~~ is not at-large if ~~it is~~they are:

(1) On the premises of the dog's or cat's owner;

(2) On the premises of the person under whose control the dog or cat is under; or

(3) On the premises of another person as long as that person has given permission for the dog or cat to be at-large;

(4) A dog is not at-large if they are ~~in~~ a designated off-leash dog area managed and regulated by the board of parks and recreation commissioners.

103 | **5-15 License and rabies vaccination required.**

104 (a) *Licensing.* Every owner or keeper of a dog or cat more than six (6) months old shall be required to
105 ~~annually~~ register and license the animal, in the manner prescribed by the city, with the city clerk's office and
106 to do so annually provided that no owner shall be required to register a dog or cat more than once in any
107 calendar year. Pursuant to 20 V.S.A. §3582, if application is made after October 1, the fee for the license
108 shall be one-half the amount otherwise required. The license shall expire on the first day of April next after
109 its issuance. Upon issuance of such license and payment of the license fee as required in section 5-16 of this
110 chapter, each ~~dog~~-owner shall receive a ~~dog~~-license tag.

111 (b) *Rabies vaccination.* Proof of a current rabies vaccination, as required by state law, shall be required for
112 the licensing of any animal.

113 (c) *Fixture of tag.* The ~~dog~~-license tag issued to any person as provided herein as well as up to date
114 identification that includes the name and contact information for the owner of the dog or cat shall be securely
115 attached to a collar or harness on such licensed dog or cat and worn at all times.

116

117 | **5-16 License fees.**

118 (a) In addition to the license fee and any penalty fee required by state law, the municipal fee for each
119 license required by this article shall be ~~twenty dollars (\$20.00) for each neutered/spayed dog and forty~~
120 ~~dollars (\$40.00) for each non-neutered/non-spayed dog recommended by the clerk's office and approved by~~
121 ~~the city council, provided that the fee for an intact dog or cat shall be greater than that for a neutered or~~
122 ~~spayed dog or cat. The fees established under this section shall be reviewed not less than every five years.~~

123 (b) The municipal fees collected under this section shall be used for education and other services pertinent
124 to the improved welfare of dogs and cats who reside in the city.

125 ~~(bc)~~ The owner or keeper of a neutered/spayed dog that serves as the person's service animal under the
126 Americans with Disabilities Act may request waiver of the municipal license fee (but not the state fee) by
127 providing to the city clerk's office adequate responses to the following questions in writing:

- 128 • Is the dog a service animal required because of a disability?
- 129 • What work or task has the dog been trained to perform?

130 | **5-17 Removal of dog waste required.**

131 The owner, keeper or person in control of any dog or cat shall be responsible for the removal of any
132 defecation deposited by such dog or cat on any public or private property.

5-18—5-23 Reserved.

ARTICLE III. ENFORCEMENT AND IMPOUNDMENT

5-24 Penalties.

An offense of any provision of this chapter by any person shall be deemed a civil ordinance violation and shall be punishable by the following penalties:

(1) *First offense.* A first offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than ~~onetwo~~ hundred dollars (\$~~2~~100.00) and no more than ~~onetwo~~ hundred fifty dollars (\$~~1~~250.00). The waiver fine shall be ~~twoone~~ hundred dollars (\$~~1~~200.00).

(2) *Second offense.* A second offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than ~~onetwo~~ hundred fifty dollars (\$~~1~~250.00) and no more than ~~threewo~~ hundred fifty dollars (\$~~2~~350.00). The waiver fine shall be ~~twoone~~ hundred fifty dollars (\$~~1~~250.00).

(3) *Third and subsequent offenses.* A third or subsequent offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than ~~threewo~~ hundred fifty dollars (\$~~2~~350.00) and no more than ~~fivesix~~ hundred dollars (\$~~5~~600.00). The waiver fine shall be ~~threewo~~ hundred fifty dollars (\$~~2~~350.00).

In addition to the penalties provided in this section:

(1) Any person found in violation of this chapter may be subject to a restorative justice process with the Burlington Community Justice Center at the discretion of the animal control committee.

(2) Any animal found in violation of this chapter may be impounded as provided in section 5-25 of this chapter.

5-25 Impoundment.

(a) *Authority to impound.* ~~Dogs~~Any animal in violation of any provision of this chapter or suspected of being diseased or injured may be taken by the enforcement officer and impounded in the city animal shelter and there confined in a humane manner, except that any animal suspected of being a stray shall be impounded. ~~The enforcement officer may, in lieu of boarding and when in the public interest and consistent with the public safety, allow an impounded dog to remain confined in the custody of its owner on the owner's recognizance that the dog shall remain confined to the owner's property, follow the terms of impoundment set by the enforcement officer and shall not be in violation of any provision of this chapter. Confinement in lieu of boarding shall continue until such time as the violation or condition authorizing impoundment has been abated.~~

- 165 (b) *Impoundment fees.* Any ~~dog~~animal impounded under the provisions of this chapter shall be released
166 only on payment of a ~~one hundredseventy-five~~ dollars (~~\$75~~100.00) impoundment fee.
- 167 (c) *Boarding fee.* In addition to the impoundment fee charged herein there shall be an additional charge of
168 ~~ten dollars (\$10.00) per day~~actual expenses for board for ~~each day~~ the period that the animal~~dog~~ is
169 impounded, ~~except that if an animal is claimed up to three (3) hours after impoundment, the owner will be~~
170 ~~responsible for one half (1/2) day's boarding fee. If an animal is claimed within two (2) hours of opening~~
171 ~~business hours on the following business day, the owner will not be charged for that day's boarding fee.~~
- 172 (d) *City clerk to collect fees before releasing* animal~~dog~~. It shall be the duty of the city clerk to collect all
173 impound and boarding fees before releasing an animal~~dog~~.
- 174 (e) *Unlicensed dogs* and cats *to be licensed before release.* If an impounded dog or cat is unlicensed, in
175 addition to the impoundment and boarding fees set forth herein, the dog or cat shall not be released
176 without the payment of the license fee required by section 5-17, except that if the impounded dog or cat has
177 not had its proper vaccinations to be registered a ~~one hundredforty-five~~ dollar (~~\$100~~45.00) cash deposit shall
178 be posted with the city clerk or ~~their~~his or her designated agent(s) until proof of registration is presented. A
179 dog or cat released under cash deposit shall be registered within two (2) working days after ~~its~~ release. If the
180 dog or cat is not registered within the time period set forth herein, the cash deposit shall be forfeited and the
181 owner of the animal shall be subject to additional penalties under the provisions of 20 V.S.A. Chapter 193
- 182 (f) *Disposition of unredeemed* ~~dogs~~animals. If any impounded animal~~dog~~ ~~with a current and effective~~
183 ~~license established by proof of a dog license tag,~~ is not redeemed within (7) days of ~~its~~ impoundment, ~~it~~the
184 animal shall be ~~sold or given away~~offered for adoption at the city animal shelter or transferred to a
185 cooperating animal shelter as defined in 20 V.S.A. §3901. ~~If any impounded dog without a current and~~
186 ~~effective license established by proof of a dog license tag, is not redeemed within (5) days of its~~
187 ~~impoundment, it shall be sold or given away. Any proceeds from the sale of any impounded dog shall first be~~
188 ~~allocated to taxes, fees and other charges related to the impoundment. Any balance then remaining shall be~~
189 ~~paid to the owner if any is found. If proceeds from the sale of the unredeemed dog do not cover the costs~~
190 ~~associated with the impoundment, the balance of sums owed under this chapter may be collected in a civil~~
191 ~~action brought under this section.~~ If any unredeemed animal~~dog~~ is not ~~sold or given away~~adopted because of
192 disease, temperament or other cause, it shall be euthanized~~destroyed in a humane way~~. The impoundment
193 period may be waived by the ~~poundkeeper~~director of the animal shelter in the case of a severely injured
194 animal whose owner cannot be located or is unwilling to claim the animal.
- 195 (g) *Interference with impoundment.* Any person who interferes with the impounding of an animal~~dog~~ under
196 provisions of this article or releases, or who attempts to release, an impounded animal~~dog~~ contrary to this
197 article shall be in violation of this chapter.
- 198 (h) *Notice of impoundment.* Within twenty-four (24) hours of the impoundment of any animal~~dog~~ under
199 this chapter, the enforcement officer shall make every reasonable attempt to notify the owner of the
200 impounded animal~~dog~~ of such impoundment. Such notice shall include either personal contact with the
201 owner or a written notice posted at the dwelling house of the owner.

202 | 5-26 Cruelty.

203 Any person who shall torture, torment or cruelly neglect to provide with necessary sustenance or shelter, or
204 shall cruelly beat or needlessly mutilate or illegally kill any animal, or any person who shall cause any
205 animal to be tortured, tormented, or fight with other animals, or deprived of necessary sustenance or to be
206 cruelly beaten or needlessly mutilated or illegally killed shall be guilty of a misdemeanor offense and shall
207 be punishable by a fine of from ~~onethree~~ hundred dollars (\$~~13~~00.00) to ~~sixfive~~ hundred dollars (\$~~56~~00.00).

208

209 | 5-27 Animal control committee.

210 (a) *Animal control committee established.* For purposes of this section, an animal control committee is
211 established. The animal control committee will be a subcommittee of the Burlington Police Commission and
212 shall consist of three (3) commission members, one (1) licensed veterinarian, and (1) certified animal
213 behavior professional to be appointed on an as needed basis by the chair of the Burlington Police
214 Commission. The designated animal control officer shall be the prosecuting officer for any violation brought
215 before the committee.

216 (b) ~~Vicious~~*Dangerous* dogs. Upon written complaint received or initiated by the Burlington Police
217 Department by a city resident that a dog is alleged to be dangerous~~vicious~~ as defined in section 5-13(e), the
218 animal control committee may hold a hearing on the facts of the complaint and, if the dog is found to be
219 dangerous~~vicious~~, make such order as necessary to protect the public. Such order may include, but is not
220 limited to, any of the following: confinement in a secure enclosure or other similar restriction, muzzling
221 adoption, or euthanasiadestruction in a humane manner. In addition, the animal control committee may
222 revoke the privilege of any owner to keep, harbor or have custody of any animals while in the city and that
223 no new privileges be granted.

224 (c) *Repeated impoundment.* In the event that any dog shall be impounded three (3) or more times in a
225 twelve-month period, the animal control committee may, at the request of an enforcement officer, or in their
226 discretion, hold a hearing after which they may make such order as is necessary to protect the public. Such
227 order may include, but is not limited to, any of the following: confinement in a secure enclosure or other
228 similar restriction, muzzling adoption, or euthanizeddestruction in a humane manner. In addition, the animal
229 control committee may revoke the privilege of any owner to keep, harbor or have custody of any animals
230 while in the city and that no new privileges be granted.

231 (d) *Penalty for violation of orders.* Any person who violates any provision of any order of the animal
232 control committee shall be guilty of a misdemeanor offense and shall be punishable by a fine of from
233 threeone hundred dollars (\$~~13~~00.00) to sixfive hundred dollars (\$~~65~~00.00).

234

235 | **5-28 Confinement of animals in vehicles.**

236 (a) A person shall not leave an animal unattended in a standing or parked motor vehicle in a manner that
237 would endanger the health or safety of the animal.

238 (b) Any ~~humane animal control~~ officer, law enforcement officer, or member of a fire and rescue service
239 may use reasonable force to remove any such animal from a motor vehicle. ~~The officer so removing an~~
240 ~~animal shall deliver the animal to a humane society, veterinarian or town or municipal pound. If the owner of~~
241 ~~the animal cannot be found, the officer shall place a written notice in the vehicle, bearing the name of the~~
242 ~~officer and the department and address where the animal may be claimed. The owner shall be liable for~~
243 ~~reasonable expenses associated with the removal, delivery, boarding and disposition of the animal and a lien~~
244 ~~may be placed on the animal for these expenses.~~ The officer may not be held ~~liable for~~ subject to criminal or
245 civil liability for any damage resulting from actions taken under subsection (a) of this section. If the
246 aforementioned officers are unavailable, a person who forcibly enters a motor vehicle for actions taken under
247 subsection (a) of this section shall not be subject to criminal or civil liability for damage resulting from the
248 forcible entry if the person: (1) determines the motor vehicle is locked or there is otherwise no reasonable
249 method for the animal to exit the vehicle; (2) reasonably and in good faith believes that forcible entry into the
250 motor vehicle is necessary because the animal is in imminent danger of harm; (3) notifies a humane officer,
251 law enforcement officer, or member of a fire and rescue service prior to forcibly entering the vehicle; (4)
252 remains with the animal in a safe location reasonably close to the motor vehicle until a humane officer, law
253 enforcement officer, or member of a fire and rescue service arrives; (5) places a notice on the vehicle that the
254 authorities have been notified and specifying the location of the animal; and (6) uses no more force to enter
255 the vehicle and remove the animal than necessary under the circumstances. An officer shall deliver the
256 animal to a humane society, veterinarian or the city animal shelter. If the owner of the animal cannot be
257 found, the officer shall place a written notice in the vehicle, bearing the name of the officer and address
258 where the animal may be claimed. The owner shall be liable for reasonable expenses associated with the
259 removal, delivery, boarding and disposition of the animal and a lien may be placed on the animal for these
260 expenses.

261 (c) A violation of this section shall be a civil violation subject to the penalties imposed by Section [5-24](#).

262 **5-29 Abandonment of injured animal**

263 (a) A person shall not leave the scene of an accident in which such person has reason to believe that they
264 have caused the injury or death of a domestic animal. Such person shall immediately contact an enforcement
265 officer, and make a reasonable effort to immediately contact the owner of the animal. If the animal is injured
266 wildlife, the person shall contact a humane officer or a licensed wildlife rehabilitator for assistance.

267 (b) A violation of this section shall be a civil violation subject to the penalties imposed by Section 5-24.

268 | 22-13 Animals prohibited; exception.

269 No domestic animals, except dogs and cats, shall be permitted in any park. Dogs shall be leashed or
270 controlled by other similar means of physical restraint at all times, except in off-leash areas designated in the
271 Off-Leash Dog Policy. Cats shall be leashed or confined in a carrier at all times.

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276 * Material stricken out deleted.

277 ** Material underlined added.

278

279 /ks/Ordinances 2024/Animals & Fowl

280 3/7/2025

281

ZA-25-04 Performing Arts Centers in the E-LM District



Parcels in the E-LM District with frontage on Pine Street

Parcels in the E-LM District with frontage on Queen City Park Road

Appendix A-Use Table – All Zoning Districts

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential				Downtown Mixed Use ⁱ	Downtown Form Districts (See Article 14)	Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL	RM	RH	RC	DW-PT ¹⁶	Downtown FDs	NMU	NAC	NAC-R	NAC-CR	E-AE	E-LM ³⁴
RESIDENTIAL USES	UR	RCO - A ¹	RCO - RG	RCO - C	I	RL	RM	RH	RC	DW-PT ¹⁶	Downtown FDs	NMU	NAC	NAC-R	NAC-CR	E-AE	E-LM
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
RESIDENTIAL SPECIAL USES	UR	RCO – A	RCO - RG	RCO - C	I	RL	RM	RH	RC	DW-PT ¹⁶	Downtown FDs	NMU	NAC	NAC-R	NAC-CR	E-AE	E-LM
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
NON-RESIDENTIAL USES	UR ²¹	RCO - A	RCO - RG	RCO - C	I	RL	RM	RH	RC	DW-PT ¹⁶	Downtown FDs	NMU	NAC	NAC-R	NAC-CR	E-AE	E-LM
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Performing Arts Center	N	N	N	N	Y	N	N	N	N	(See Sec.4.4.1(d) 1)		CU	Y	N	CU	N	CU ^{27,32}
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***

1. -31. As written.
32. Performing Arts Centers (PACs) in the E-LM zone shall be limited to properties with frontage on Pine St. or Queen City Park Road. PACs with frontage on Queen City Park Road are limited to no more than 15,000 sf. Performing Arts Centers may contain accessory space for preparation and serving food and beverages, including alcohol, provided this accessory space comprises less than 50% of the entire establishment.~~Performing Arts Centers in the ELM zone shall be limited to properties with frontage on Pine Street up to 5,000 square feet in size, and to properties with frontage on Industrial Parkway up to 15,000 square feet in size. Performing Arts Centers may contain accessory space for preparation and serving food and beverages, including alcohol, provided this accessory space comprises less than 50% of the entire establishment.~~
33.- 34. As written.

ⁱ For permitted and conditional uses within the Downtown and Waterfront Form Districts, refer to Article 14.

Legend:	
Y	Permitted Use in this district
CU	Conditional Use in this district
N	Use not permitted in this district
Abbreviation	Zoning District
RCO – A	RCO - Agriculture
RCO – RG	RCO – Recreation/Greenspace
RCO – C	RCO - Conservation
I	Institutional
RL	Residential Low Intensity
RM	Residential Medium Intensity
RH	Residential High Intensity
RC	Residential Corridors
DW-PT	Downtown Waterfront-Public Trust
NMU	Neighborhood Mixed Use
NAC	Neighborhood Activity Center
NAC-RC	NAC – Riverside Corridor
NAC-CR	NAC – Cambrian Rise
E-AE	Enterprise – Agricultural Processing and Energy
E-LM	Enterprise – Light Manufacturing

CITY OF BURLINGTON

ORDINANCE _____

Sponsors: Planning, Planning
Commission

Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

CDO—Performing Art Centers in the E-LM District
ZA-25-04

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of Burlington be and hereby is amended by modify Appendix A Use Table—All Zoning Districts, Footnote 32, thereof to read as follows:

Appendix A Use Table – All Zoning Districts

****For changes See attached Appendix A*

* Material stricken out deleted.

** Material underlined added.

Planning/KS/Ordinances 2025/ZA-25-04 Performing Arts Centers in the E-LM District
CDO Appendix A
2/11/2025

TO: Burlington City Council Ordinance Committee
FROM: Charles Dillard, AICP, Planning Director
DATE: February 28, 2025
RE: Proposed ZA-25-04 Performing Arts Centers in the E-LM District

Overview & Background

As affirmed in the 2019 *planBTV: South End*, this district is a hub for creative social, cultural and economic activities. Indeed, the Plan's very first "Key Action to Preserve and Enhance the South End" is a call to reinforce an arts hub in the South End. To that end, the City of Burlington has created and maintained an arts-forward zoning framework, along with cultural and economic development initiatives and investments. One such initiative was a 2015 zoning amendment, adopted during the *planBTV: South End* planning process, to allow Performing Arts Centers (PACs) as a use in the South End's Enterprise-Light Manufacturing zoning district for the first time. As stated at the time, allowing PACs in the E-LM supports and enhances the South End's vibrant arts community. The 2015 zoning amendment includes the following standards, established as a conditional use footnote in Appendix A – Use Table:

- Allows PACs only on properties with frontage on Pine Street or Industrial Parkway (now Queen City Park Road);
- Limits PACs on parcels with Pine St. frontage to no more than 5,000 square feet, and on parcels with frontage on Queen City Park Road to no more than 15,000 square feet; and,
- Establishes that no more than 50 percent of any PAC can be devoted to accessory space for the sale and serving of food and beverages, including alcohol.

The size limitation for PACs on the Pine St. corridor were aimed at "preserving and acknowledging the existing built environment within the E-LM zone," according to the amendment's accompanying memo.

To date, just one Performing Arts Center, Arts Riot, exists in the E-LM. However, following its failed attempt to relocate to Queen City Park Road, the South Burlington-based music venue Higher Ground has expressed interest in relocating to the Pine St. corridor, a move that can only be facilitated through the amending of the aforementioned standards for PACs in the E-LM. Specifically, Higher Ground, and any similar Performing Arts Center that operates as a music venue for touring musical acts, requires a total square footage greater than what is allowed in the E-LM today. As such this amendment proposes to delete the square footage limit for PACs, only on properties with frontage on Pine Street, entirely. No other changes to the current standards are proposed.

In addition to the manifest way in which PACs support and are consistent with the South End's arts character, PACs are also critical components of the arts-based economy in Burlington. A 2019 study produced by an economic development organization in Chicago and referenced in communications to the US Congress by the National Independent Venue Association estimates that every \$1 spent on a ticket at a local music venue produces \$12 in economic activity in the form of restaurant and retail purchases and hotel stays.

Proposed Amendment: ZA-25-04

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
----------------	---------------	----------------------

Purpose Statement

This amendment eliminates the limit on square footage for Performing Arts Centers in the E-LM district in order to facilitate the establishment of larger PACs in this arts-based district.

Proposed Amendments

The following amendments to the Burlington Comprehensive Development Ordinance are included in this proposal:

1. Amends Footnote 32 in Appendix A – Use Table, to remove the square footage limit for Performing Arts Centers on properties with frontage on Pine Street in the E-LM district.
2. Replaces in the same Footnote 32 a reference to "Industrial Parkway" with the street's new name, "Queen City Park Road."

Relationship to *planBTV*

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme:	Dynamic	Distinctive	Inclusive	Connected
Land Use:	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment will help implement a key land use policy adopted in 2019 with *planBTV*: South End as well as the *planBTV* Comprehensive Plan. With respect to the South End Plan, this amendment reinforces the South End as an arts hub, a key plan objective. The Comprehensive Plan calls for the fostering and maintenance of existing neighborhood characters, and identifies the South End E-LM as a district where growth is encouraged. Thus, in a similar fashion, this amendment is consistent with the Comprehensive Plan's future land use map.

Impact on Safe & Affordable Housing

The amendment has no significant impact on the provision of safe and affordable housing. Housing is not an allowed use in the E-LM (outside of the South End Innovation District overlay).

Planned Community Facilities

This amendment supports and complements a recently constructed and evolving Burlington City Arts facility at 405 Pine Street. The amendment, through facilitating a PAC on the Pine St. corridor, promotes a prosperous arts community and presents opportunities for partnerships between the City and successful arts-based Burlington businesses.

Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process				
Draft Amendment prepared by: Staff 11/24/24	Presentation to & discussion by Commission 12/3/24	Approve for Public Hearing 12/3/2024	Public Hearing 1/14/2025	Approved & forwarded to Council 1/14/2025
City Council Process				
First Read & Referral to Ordinance Comm. 2/3/2025	Ordinance Comm. discussion 3/5/2025	Ordinance Comm. recommend	Second Read & Public Hearing	Council Approval & Adoption

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

ORDINANCE CODE VIOLATION REPORTING INCENTIVES

ORDINANCE _____

Sponsor: (Department or Councilor) _____
Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

1 That Chapter 1, General Provisions, of the Code of Ordinances of the City of Burlington be and hereby is
2 amended by amending Sec. 11, thereof to read as follows:

3
4 (a) All fines and penalties for the violation of any ordinance or the order of any board lawfully established
5 thereunder, or the order of any person who has been given lawful authority to issue such order, or the order
6 of the mayor or city council, shall, when recovered, inure to the city, and be paid into the city treasury, unless
7 otherwise directed by the laws of the state or the ordinances of the city.

8 (b) Annually, as part of the city council's budget resolution, the city council may appropriate not more than
9 twenty-five percent (25%) of all fines and penalties collected pursuant to subsection (a) of this section
10 (exclusive of any deductions made by the judiciary or any other public agency responsible for collecting
11 such fines or penalties, and exclusive of any administrative fees to any public agency or other third party the
12 city may be required by law to pay out of any fines or penalties collected by it), to a special fund for the
13 purposes described in subsection (c) of this section.

14 (c) Subject to subsection (d) of this section, the chief of police may, by publication once in a newspaper of
15 general circulation and on the police department's website, offer a reward for any material information that
16 leads to the apprehension of any person who has violated this code and to successful prosecution of the
17 violation. The chief of police may terminate any such offer at any time following the same procedure. Any
18 such offer of reward shall be described as being conditioned on the provisions of this section.

19 (d) No offer of reward pursuant to subsection (c) of this section shall be issued by the chief of police unless:

20 (1) The chief of police finds that adequate funds exist in the fund created pursuant to subsection (b)
21 of this section to warrant making the offer;

22 (2) The chief of police finds that making the offer is necessary or convenient to the efficient
23 administration of justice;

24 (3) The mayor concurs in the chief of police's findings; and

25 (4) The offer of reward applies broadly to one of the following: any violation of this ordinance code;
26 any violation of a specific provision or class of provisions of this ordinance code; or a specific violation of
27 this ordinance code resulting in substantial damage to public or private property, serious bodily injury to any
28 person, or the death of any person.

29 (e) The maximum amount of any offer of reward shall be one hundred dollars and no cents (\$100.00) per
30 informant per violation. The city shall have no obligation to pay a reward to any individual unless the chief
31 of police reasonably determines that the information supplied by that individual was material to both the
32 apprehension of the violator and to the successful prosecution of the violation. The city also shall have no
33 obligation to pay a reward unless and until adequate funds exist in the fund created pursuant to subsection (b)
34 of this section. Rewards shall be paid out of the fund in priority first based on the date the relevant code
35 violation was successfully prosecuted, and second based on the date the individual first provided information
36 to the city.

37 (f) This section is enacted solely in the public interest, and nothing herein is intended to establish a contract
38 with any individual who might claim a reward hereunder.

39 (g) As used in this section, the following terms have the following meanings:

40 (1) "Apprehended" means ticketed, arrested, or otherwise brought within the lawful jurisdiction of
41 the Judicial Bureau or the Superior Court.

42 (2) "Material" means that at the time the relevant information was provided, city employees had not
43 yet discovered the information on their own, and without the information, it is unlikely that the violator
44 would have been apprehended and successfully prosecuted.

45 (3) "Successfully prosecuted" means that the violator has voluntarily paid any penalty or fine without
46 contesting it, or that a final judgment or order of the court has been issued finding the person guilty of the
47 violation alleged.

(h) Unless this subsection is later repealed by the city council, subsections (b) to (h) of this section shall be automatically repealed at the end of the second fiscal year commencing after the date of the final adoption by the city council of the ordinance originally adding this subsection. Upon the automatic repeal of subsections (b) to (h), subsection (a) shall cease to be denominated as subsection (a), and shall instead constitute the entirety of this section.

* Material stricken out deleted.

** Material underlined added.

ER/Ordinances 2025/Violation reporting incentives
3/7/25

Resolution Relating to

ESTABLISHING A VIOLATION REPORTING
INCENTIVIZATION PILOT (VRIP)

RESOLUTION 8.11

Sponsor(s): Councilors Litwin,
McKnight, Traverse, Carpenter,
Shannon, Barlow
Introduced: 01/27/2025
Referred to: _____
Action: Adopted
Date: 01/27/2025
Signed by Mayor: 01/29/25

CITY OF BURLINGTON

In the year Two Thousand Twenty-Five.....
Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, on December 9, 2024, the Burlington City Council amended Chapter 21, Section 1,
2 Article 29, paragraph (e) of the Burlington Code of Ordinances to maintain and advertise an electronic means
3 for the public to submit evidence of violations of the graffiti/public nuisance section; and
4 WHEREAS, in addition to this action, the Burlington City Council tasked its Ordinance Committee to
5 work in collaboration with the City Attorney’s Office and other interested parties to continue reviewing the
6 feasibility of enhanced graffiti enforcement mechanisms that are constitutionally appropriate and comport with
7 other applicable laws; and
8 WHEREAS, due to staffing and resource shortages, the City of Burlington does not have capacity to
9 timely investigate and enforce all municipal ordinance violations, including, but not limited to, those involving
10 graffiti, illegal camping, and other public nuisances; and
11 WHEREAS, in 2018, the New York City Council enacted law 717-A, an idling-reduction law, and
12 specifically incentivized residents to report idling violations through a financial reward equal to 25% of the
13 total fines collected for cited violations;¹ and.
14 WHEREAS, the City of Los Angeles, California enables community members to report graffiti, illegal
15 dumping in return for a financial reward;² and

¹ “A Local Law to amend the administrative code of the city of New York, in relation to civil penalties for idling infractions and enforcement through citizen complaints” Helen K. Rosenthal, Donovan J. Richards, Margaret S. Chin, Costa G. Constantinides, Mark Levine, Annabel Palma, Robert E. Cornegy, Jr., Antonio Reynoso, Karen Koslowitz, Carlos Menchaca, Brad S. Lander, I. Daneek Miller, *New York City Council, File #: Int 0717-2015* (2018). *Key summary: Law proposed by New York City (NY) city council in 2015 to require reporting on idling complaints as well as increase the incentive for citizen enforcement of idling complaints.* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2240465&GUID=2FDAF985-586E-4902-9918-BC683FAACFE8&Options=ID7cText%7c&Search=IDLI%NG>
² “Chapter 12 Payment of Special Rewards” *Los Angeles Charter and Administrative Code*, https://codelibrary.amlegal.com/codes/los_angeles/latest/laac/0-0-0-45493

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WHEREAS, Houston (TX)³, San Diego and Los Angeles (CA)⁴, and Phoenix (AZ)⁵ all offer cash rewards of \$500+ for reporting graffiti offenders that lead to a successful conviction, usually through online systems or 311; and

WHEREAS, Houston (TX)⁴, and New Orleans (LA)⁶ similarly have various financially incentivized reporting programs designed to assist the city with the task of enforcing ordinances related to various forms of public blight; and

WHEREAS, for local governments and organizations, offering financial incentives can be a cost-effective way to achieve larger social goals, such as reducing crime or improving public spaces⁷; and

WHEREAS, financial incentivization is a well-tested method for increased public engagement, especially in the field of public health⁸, and provides both outlets for those who are passionate about a particular public concern and rewards that can increasingly motivate resident participation in upholding our community standards⁹;

NOW, THEREFORE, BE IT RESOLVED that in considering options for enhanced enforcement mechanisms pursuant to the City Council's directive of December 9, 2024, the Ordinance Committee shall consider and submit ordinance language to the Council to establish a Violation Reporting Incentivization Pilot (VRIP) program in order to increase evidence gathering and reporting for specific ordinance violations using

³ "Wiping Out Graffiti in Houston" *City of Houston TX*, <https://www.houstontx.gov/graffiti/teamingup.html>

⁴ "Spray and Pay Graffiti Rewards Program" *San Diego.gov*, <https://www.sandiego.gov/street-div/services/graffiti/rewards>

⁵ Twitter Post: "Graffiti Free Phoenix", *City of Phoenix, AZ @CityofPhoenixAZ* (02-01-2019), <https://x.com/CityofPhoenixAZ/status/1091365658858786819>

⁶ "Chapter 66, Article V: Nuisance, Division 2, 66-283", *New Orleans City Code*, https://library.municode.com/la/new_orleans/codes/code_of_ordinances?nodeId=PTIICO_CH66EN_ARTVNU_DIV2LI_S66-283REILLIDU

⁷ "Financial Incentives for Whistleblowers: A Short Survey" Giancarlo Spagnolo, Theo Nyneröd, Stockholm Institute of Transition Economics (SITE), SITE Working Paper No. 50, <https://www.econstor.eu/bitstream/10419/249245/1/hasite0050-1.pdf> *Note: While this paper focuses on various forms of corporate or tax crime, the principles are arguably the same. The authors found that, "...if competently designed and properly administered - these programs are very effective at increasing detection and sanctions against corporate fraud, and most importantly at deterring firms from engaging in fraudulent behaviour in the first place. In terms of administration costs, a simple back-of-the-envelope calculation suggests that these programs are also largely self-financing, thereby also saving law enforcement costs."*

⁸ "The Impacts of Financial Incentives on Service Engagement Among Adults Experiencing Homelessness and Mental Illness: A Pragmatic Trial Protocol." Nadine Reid, Rosane Nisenbaum, Stephen H Hwang, Anna Durbin, Nicole Kozloff, Ri Wang, Vicky Stergiopolous," *Frontiers in Psychiatry* (2021, Aug. 3): <https://pmc.ncbi.nlm.nih.gov/articles/PMC8369574/>

⁹ "You can now make thousands of dollars reporting on idling vehicles in NYC" Lee Doyle and Alex Lubben, *Vice News* (2019). <https://www.vice.com/en/article/you-can-now-make-thousands-of-dollars-reporting-on-idling-vehicles-in-nyc/> *Key summary: Article summarizes interviews from several NYC residents who are compelled to report idling vehicles in the city thanks to the new incentive program, as well as for personal reasons that include environmentalism, and improving public health and safety.*

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..... Clerk

Approved....., 20.....

..... Mayor

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financial incentivization mechanisms, and the Ordinance Committee shall report back to the City Council on its review along with any recommended ordinance language on or before March 24, 2025; and

BE IT FURTHER RESOLVED that in their review the Ordinance Committee, with consultation from the City Attorney's Office, shall make recommendations for the set amounts or fine percentages that reporters can receive and what would qualify them to receive those funds; and

BE IT FURTHER RESOLVED that any VRIP pilot shall be limited in scope for at least 12 months and may only include the ordinances that address the following: 1) graffiti and defacement or destruction of public property, 2) certain parking violations such as unauthorized usage of handicapped or emergency spots, bus stop violations, bike lane violations, or vehicles that would cause pedestrians to be obstructed from passing or pose an ADA violation; and 3) littering and illegal dumping. The Council authorizes the Ordinance Committee to make proposals beyond this but cautions the Committee to keep any VRIP narrowly tailored and limited in scope to help with future assessment and evaluation; and

BE IT FURTHER RESOLVED that the City Council encourages the Ordinance Committee to also update the City's graffiti definitions to improve the public's understanding of what would and would not fall under that definition.

BE IT FURTHER RESOLVED that the Community Justice Center staff and Board, with consultation from the City Attorney's Office, shall analyze the feasibility of and provide recommendations to the Council on what resources are needed from the City in order to require that those found responsible for violating the graffiti or illegal dumping ordinance engaged in graffiti or related cleanup on public property within the City of Burlington in order to repair financial and communal harms directly to the victim. If the infrastructure and resources are already in place, the Community Justice Center staff and Board should provide to the Council recommendations for what obstructions may exist that the Council should consider and address. They must provide their findings and recommendations to the City Council and Ordinance Committee by March 10, 2025. This should be reviewed by the City Attorney's Office prior to coming before the Council; and

BE IT FURTHER RESOLVED that the Council should commission further study and analysis after 12 months of enacting this policy and provide recommendations for the pilot's future to the Council; and

BE IT FURTHER RESOLVED that the City should establish a mechanism for the public to submit feedback on the pilot throughout the 12-month period, which may be integrated into the previously approved reporting platform or method; and

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..... Mayor

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61 BE IT FURTHER RESOLVED that in any language recommended for the VRIP pilot, the Ordinance
62 Committee shall ensure reports made using the city-established protocols allow for the protection of any
63 reporter's identity to the extent permitted under all applicable federal, State, and municipal laws.

64
65 EL/Resolutions 2025/*Establishing a Violation Reporting Incentivization Pilot (VRIP)*
66 1/23/25

* * * * *

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Ordinance Committee

ORIGINAL

RESOLUTION RELATING TO

ESTABLISHING A VIOLATION REPORTING
INCENTIVIZING PILOT (VRIP)

Adopted by the City Council

January 27....., 20.25.....

[Signature] Clerk

Approved..... Jan 29....., 20.25.....

[Signature] Mayor

Attest:
[Signature]
Lori Olberg
Licensing and Records Coordinator

Vol. Page

* * * * *