

Ordinance Committee
Friday, September 5, 2025
Bushor Conference Room Conference Room
or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES

Members Present: Councilor Bergman (Chair), Councilor Barlow, Councilor Carpenter

Staff Present: Kim Sturtevant (Assistant City Attorney)

Public Present: Michael M.

Meeting called to order at 3:01 PM.

1. Adopt the Agenda

1.1 Adopt the Agenda

Motion to Adopt Agenda.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Draft Minutes

2.1 Adopt Draft Minutes from August 21

Motion to adopt the draft minutes from August 21 as drafted.

Motion by Councilor Carpenter, Seconded by Councilor Barlow.

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

No members of the public present. Councilor Bergman suspended public forum should a member of the public arrive and wish to speak.

4. Indecent Exposure Ordinance Discussion

Attorney Sturtevant shared an updated draft ordinance. This draft ordinance is available in the CivicClerk agenda packet.

Councilor Bergman clarified that the draft ordinance only applies to the genitals and anal region and not breasts. Councilor Bergman continued that he would be inclined to strike the language about anal region, but that it might be up to prosecutorial discretion about what that entails.

Councilor Barlow proposed changing “anal region” to anus.

Motion to change “anal region” to “anus” in the draft ordinance.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

Councilor Bergman said that allowing public nudity when done during a permitted event would be an acceptable middle ground for not violating freedom of expression.

Councilor Carpenter said she is concerned about the decision process for permitting such events and who would be responsible for making the decision.

Councilor Barlow said that the ordinance was proposed to solve a specific problem and that including language about event permits is unnecessary and that ultimately the enforcement would not happen for nudity outside of the problem at issue.

Councilor Bergman proposed adding language similar to the permitted events exceptions from the noise ordinance.

All councilors agreed to add language that states that persons operating an event under an entertainment permit shall comply with all conditions of the permit.

Motion to refer the draft ordinance as amended back to the full City Council.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

Councilor Bergman asked for the City Attorney’s Office to continue to review for First Amendment issues.

5. Any Other Committee Business

The next ordinance committee meeting is scheduled for September 18 at 5:00 PM.

6. Adjournment

The meeting was adjourned at 4:06 PM.