



City Council - Parks, Arts and Culture Committee

Tuesday, September 1, 2026, 12:00 PM, Fletcher Free Library - 235 College St.

MEETING TO BE HELD IN PERSON AT 235 College St. (Fletcher Free Library) AND VIA ZOOM
When: September 1, 2026 - 12:00 PM Eastern Time (US and Canada)

Join from PC, Mac, iPad, or Android:

<https://zoom.us/j/92356310466?pwd=8abLJY901LttNTZadYMgcgkOf1EMmN.1>

Phone one-tap:

+13017158592,,92356310466#,,,,*718010# US (Washington DC)

+13052241968,,92356310466#,,,,*718010# US

Join via audio:

+1 301 715 8592 US (Washington DC)

International numbers available: <https://zoom.us/u/acA04rJRHA>

1. Call to Order

Subject	1.1. Call to Order
Meeting	September 1, 2026 - City Council - Parks, Arts and Culture Committee - Tuesday, September 1, 2026, 12:00 PM, Fletcher Free Library - 235 College St.
Category	1. Call to Order
Department	
Type	

2. Approve Agenda & Minutes

2.1. Motion to amend/adopt agenda

2.2. Motion to adopt previous meeting's minutes

3. Public Forum

Subject	3.1. PUBLIC FORUM - Verbal Comments
Meeting	September 1, 2026 - City Council - Parks, Arts and Culture Committee - Tuesday, September 1, 2026, 12:00 PM, Fletcher Free Library - 235 College St.
Category	3. Public Forum
Department	
Type	

4. Agenda

Subject	4.1. I. Burlington Forward: Understanding our Sheltering on Public Lands Policy and Related Litigation (30 minutes)
Meeting	September 1, 2026 - City Council - Parks, Arts and Culture Committee - Tuesday, September 1, 2026, 12:00 PM, Fletcher Free Library - 235 College St.
Category	4. Agenda
Department	Fletcher Free Library
Type	
Recommended Action	
Subject	4.2. II. Burlington Forward: City Processes for Outside Groups Creating and Hosting Events and Activities in our City (30 minutes)
Meeting	September 1, 2026 - City Council - Parks, Arts and Culture Committee - Tuesday, September 1, 2026, 12:00 PM, Fletcher Free Library - 235 College St.
Category	4. Agenda
Department	Parks, Recreation, & Waterfront
Type	
Recommended Action	

5. Adjournment

Subject	5.1. Motion to adjourn
Meeting	September 1, 2026 - City Council - Parks, Arts and Culture Committee - Tuesday, September 1, 2026, 12:00 PM, Fletcher Free Library - 235 College St.
Category	5. Adjournment
Department	Council and Board
Type	
Recommended Action	

6. Informational and Non-Discrimination Statements

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities and employment opportunities. The programs and services of the City of Burlington are accessible to people with disabilities. Individuals who require special arrangements, auxiliary aid, service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Burlington, should contact the office of the Title II

Burlington ADA Coordinator at 802-865-7000 as soon as possible but no later than 48 hours before the scheduled event.

Brian Croteau

v

Civil Action No. 5:17-cv-00207

City of Burlington

SETTLEMENT AGREEMENT

Following mediation, the parties have reached the following settlement agreement in reference to the following issues arising out of or related to the claims for compensation for alleged constitutional rights violations sustained by Brian Croteau, Sr. (and fees) as alleged in the Amended Complaint in the subject civil action.

1. Payment. Brian Croteau, Sr. (hereinafter "Plaintiff") shall be paid \$25,000 by an insurance company for the City of Burlington in the form of a check delivered to Lia Ernst, Esq., an attorney for Plaintiff made payable to the ACLU Foundation of Vermont.. This sum represents the full settlement amount to be paid for all alleged harms or losses and all fee and expense claims on Plaintiff's behalf inclusive of any claim for attorney's fees and costs.

2. Releases. Plaintiff shall provide a Release to Defendant. City Attorney Blackwood shall provide the specific release language to plaintiff's counsel for inclusion in the subject Release.

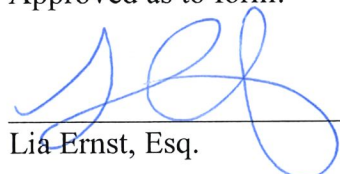
3. Policy. The attached document is the revised Policy that is a subject of this litigation. City Attorney Blackwood shall seek to obtain appropriate approval(s) of the City Council (and any committees, if appropriate). The City shall act in accordance with the attached draft Policy during the period of time between today and the date of approval by the City of the Policy in its final version.

BC
JK
E.B.
S.T.

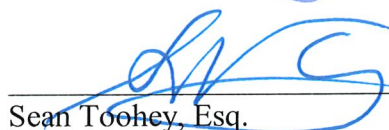
4. Miscellaneous. This Agreement represents a compromise to avoid litigation. By making this Agreement, no Party makes any admission concerning the strength or weakness of any claim or defense. This Agreement is a comprehensive agreement; all prior understandings and discussions are merged into this Agreement. This Agreement may only be amended by a written instrument signed by all Parties. The Parties shall execute such additional documents as are reasonably requested to implement this Agreement. This Agreement shall be interpreted under the laws of the State of Vermont. All Parties were represented by counsel in the drafting of this Agreement. Any participation by the mediator in the drafting of this agreement was in their capacity as mediator in recording mutually agreeable settlement terms, and does not constitute legal advice to any of the Parties. The insurer(s) for the City of Burlington shall pay the entire mediator's fee. Otherwise, each party shall bear their own fees and expenses.

Dated at Burlington, Vermont this 26th day of November, 2019.

Approved as to form:


Lia Ernst, Esq.


Brian Croteau


Sean Toohy, Esq.


Eileen Blackwood, Esq.

CITY OF BURLINGTON

SHELTERING ON PUBLIC LANDS: OUTREACH AND REMOVAL POLICY AND PROCEDURES

Section I – Purpose:

The City of Burlington is committed to supporting and maintaining a safe public environment for all residents and visitors of Burlington, both those who live in hard-wall-shelters and those who do not. To those ends, the City will take steps to ensure that individuals without hard-wall-shelters are provided with information on available resources and are given the assistance necessary to go through the Coordinated Entry process. The City also has an affirmative commitment to support the dignity of all people, including those without hard-wall shelters.

The City will try to ensure that individuals are not permitted to camp or set up residences in areas where camping is prohibited under Burlington’s Code of Ordinances or that are otherwise permanently posted, such as in the Urban Reserve. However, generally, an encampment that is on public property and not in a prohibited area and that does not present exigent circumstances will only be noticed for removal if certain criteria are met and outreach efforts are made consistent with the following policy and procedures.

Section II – Procedures for Areas Where Camping is Specifically Prohibited:

1. If the City learns of or receives a report of an active encampment on public property in a part of the City where camping is specifically prohibited through Burlington’s Code of Ordinances or permanent posting, the Community Affairs Liaison (for purposes of this policy, the term “Community Affairs Liaison” means the Community Affairs Liaison, their designee, or any City employee with appropriate training), and usually a uniformed police officer, shall attempt to make outreach to the encampment to provide information on available resources and written notice that camping in that area is prohibited and that if they continue camping in the specifically prohibited area beyond a specified date they may face ticketing, no trespass orders, other legal action, and removal of any remaining items not found to be refuse or hazardous.
2. The notice shall also briefly state the agency responsible for the clean-up, that remaining items will be stored for at least thirty days and if unclaimed within that time will be disposed of, the location and address where the collected items will be stored and how and when they may be reclaimed, and the Community Affairs Liaison’s contact information. The notice shall also provide contact information for local social service organizations serving unsheltered residents, the Coordinated Entry Screening Form with instructions, and information on other available community resources.
3. The Community Affairs Liaison shall ensure that each camping individual has been referred via receipt of the CCHA Coordinated Entry Screening Form or begun the Coordinated Entry process, including the completion of the Coordinated Entry assessment.
4. If there is no individual at the site with whom to speak, the Community Affairs Liaison shall post or securely place the written notice as described above in #1 on or near any items. If

possible, the notice should be provided to campers in person. The Community Affairs Liaison will take and file photographs demonstrating where and when the notices were posted.

5. If the campers have not left or removed their property by the date/time specified, they may be ticketed if they have violated an ordinance, and/or they may receive a notice of trespass if one is warranted. The City will dispose of any trash and remove any property left at the site. City staff will ensure the Community Affairs Liaison has attempted outreach and notice before enforcing the no-camping rules in these areas.

Section III – Procedures for Areas Where Camping is not Specifically Prohibited:

Sub-Section A – Outreach:

1. If the City learns of or receives a report of an active encampment in a part of the City where camping is not specifically prohibited, the Community Affairs Liaison, or designee, shall attempt to make outreach to the encampment to provide contact information for the Community Affairs Liaison, contact information for local social service organizations serving unsheltered residents, the Coordinated Entry Screening Form with instructions, and information on other available resources. . Generally, an appropriate City employee shall accompany the Community Affairs Liaison on this initial outreach attempt, and the use of a uniformed police officer should be limited.
2. If people are present during this initial outreach attempt, then appropriate social services agencies should be called and, if possible, immediately come to the encampment to provide additional information on available resources. The Community Affairs Liaison shall make sure that each camping individual has been referred via receipt of the CCHA Coordinated Entry Screening Form or begun the Coordinated Entry process, including the completion of the Coordinated Entry assessment
3. The Community Affairs Liaison should note where the encampment is located.
4. If no one is present during this initial outreach, then the Community Affairs Liaison should leave the Community Affairs Liaison's contact information, contact information for local social service organizations serving unsheltered residents, the Coordinated Entry Screening Form with instructions, information about other available resources, and make additional outreach attempts as necessary. If people are present during a subsequent outreach attempt, then appropriate social services agencies should be called and, where possible, immediately come to the encampment to provide additional information on what resources are available.
5. The BPD, Community and Economic Development Office (CEDO) and appropriate social services agencies will make every effort to consult and make sure all appropriate social service organizations have been contacted, social service providers have visited the encampment to assist where possible, the individual(s) have been referred via receipt of the Coordinated Entry Screening Form or begun the Coordinated Entry process, including the completion of the Coordinated Entry assessment, and efforts have been made to implement the City's Housing First Policy. The process described in Sub-Section A will happen whether or not the City believes that removal may be necessary.

Sub-Section B – Removal Criteria and Procedures:

1. If a City department determines that there is a reason to remove the items of individuals camping on public land based on one of the following criteria, that department should contact the City Attorney's Office for an initial review. The criteria that serve as a basis for removal are as follows:
 - a. Risks to health or safety related to living conditions;
 - b. Risks to the site's ecology;
 - c. The nature, quantity, and location of any structures on the site, as structures generally will be removed from public property, although temporary tents or lean-tos that are kept in good condition may not require removal;
 - d. The amount or nature of possessions or materials on the site, such as trash, furniture, or large numbers of bags, may warrant removal;
 - e. Interference with the ability of others to use the property;
 - f. Inconsistency with the intended public use of the site;
 - g. Repeated or serious legal or criminal violations at the site; and
 - h. Other severe or pervasive issues that may warrant removal.
2. The City Attorney's Office will first identify the property owner. If the encampment is not on City property, then the BPD should contact the property owner and provide assistance as needed. If the City Attorney's Office determines that the encampment is on City property, then the involved City department shall write a brief narrative describing the situation and reason(s) for removal in conjunction with other relevant City departments and the City Attorney's Office. If appropriate, the City department(s) should collect and preserve photographic documentation necessary to support the determination of need for removal.
3. If the City Attorney advises that the items may be removed under the circumstances and in accordance with this policy, and the removal is not an emergency, the Community Affairs Liaison shall provide or post an initial notice at the site notifying the campers that the City is considering removing their items from the site and the reasons therefor, that the decision will be made within the next three workdays, and that they should contact the Community Affairs Liaison with any questions about or objections to the removal. The initial notice shall advise the campers of the reasons for the potential removal, with at least a sentence describing the reasons for the removal with reasonable particularity. Before that notice is posted, the department requesting removal will ensure that the Mayor's Office has received a copy of the narrative justifying removal and the initial notice and will notify any other City department that may be affected by the potential removal. The Community Affairs Liaison will communicate with the Mayor's Office if any questions or objections are received within the three-workday initial posting period.
4. If no objection is received within the three work days, or the Mayor determines that removal is warranted despite an objection, the Mayor shall make a determination, based on the narrative requesting removal and advice from the City Attorney, BPD, and other departments, whether to proceed with removal, and the Mayor's Office shall notify the requesting department of the Mayor's decision.

5. Once the Mayor decides that an encampment can be removed from City property, the Community Affairs Liaison shall provide the encampment with a written notice to remove property by a specified date/time that explains that the City will remove any property remaining in the area on that specific date/time. The specified date/time shall, absent exigent circumstances or emergency, allow people a reasonable time to move, at least seven calendar days. The notice shall also briefly state the reasons for the removal, the agency responsible for the clean-up, that remaining items will be stored for at least thirty days and if unclaimed within that time will be disposed of, the location and address where the collected items will be stored and how they may be reclaimed, the hours and days of the week when items may be reclaimed, and the Community Affairs Liaison's contact information. The notice will be posted or securely placed on or near any campsite or items. If possible, the notice should be provided to campers in person. The Community Affairs Liaison will take photographs demonstrating where and when the notices were posted.
6. If the following steps have not been taken prior to posting of the notice, the BPD and CEDO shall solicit assistance from social service organizations to seek voluntary movement from those camping on the site prior to the date/time for removal. This assistance should include:
 - a. Sending the Community Affairs Liaison (or designee) and appropriate social services agencies to engage with the campers.
 - b. Confirming that relevant social service organizations are aware and engaged, and that opportunities for housing are offered if available. Ensuring that social services workers are available to work with campers to remove and, if possible, transport their items.
7. Before posting the notice, DPW and/or Parks shall confirm that there will be sufficient personnel and equipment necessary for the removal on the date/time included in the notice.

Sub-Section C. Emergencies or Exigent Circumstances

1. If a requesting department seeks immediate removal because of an emergency or exigent circumstances, the City Attorney's Office shall be consulted and shall advise whether the circumstances can warrant consideration of an emergency or exigent removal. Circumstances that may warrant emergency or exigent removal include, but are not limited to, any immediate health, safety, or ecological concern where significant harm has occurred or is likely to occur if the items are not removed immediately, or a current situation where the encampment is inhibiting the construction of a permitted project,
2. In an emergency or exigent circumstances, attempts should be made to receive direction from the Mayor's Office ahead of time, but if Mayor's Office direction cannot be received, the property may be moved to another location and trash, hazardous material, and unusable items may be discarded. Notice of the move shall be posted at the location for at least seven days after the move. If taken into storage, the notice of removal shall briefly state the reasons for the removal, the agency responsible for the clean-up, that remaining items will be stored for at least thirty days and if unclaimed within that time will be disposed of, the location and address where the collected items will be stored and how and when they may be reclaimed, and the Community Affairs Liaison's contact information. The notice will be posted or securely placed on or near any campsite or items. If posting of a notice before

removal is not possible, a post-removal notice with the information above shall be posted at the location for at least seven days after the removal.

Section IV – Removed Property

1. When the City removes an encampment, it will discard any item that reasonably appears, to the City employees conducting the removal, to be trash, presents a health or safety hazard, or will become a hazard during storage (for example, wet bedding materials).
2. Items that are not trash or hazardous will be tagged with the date, location of the removal, and any other available information related to the item owner. Such items include but are not limited to: radios, audio and video equipment, phones, bed rolls, tents, sleeping bags, tarps, canvas, mats, blankets, pillows, medication, personal papers, photographs, books, backpacks or other storage containers, clothing, towels, shoes, toiletries, clocks, bicycles, and eye glasses.
3. City employees may consolidate those items at the site for pick-up by the owner according to prior arrangement or will move them to a storage location for a period of thirty (30) days. Items not claimed within 30 days will be discarded.
4. The City will maintain a log or photos of removed items, catalogued by tag number, date, and location of removal.

Section V – Recovery of Stored Property:

1. People inquiring about lost, removed, or collected items should be referred to the Community Affairs Liaison.
2. The Community Affairs Liaison will work with people seeking to recover their items from City storage to arrange for delivery or pickup within a reasonable amount of time. If the person expresses an emergent health or safety need to recover their items, the Community Affairs Liaison will facilitate the recovery of their items as soon as possible.
3. To recover property, the person must describe the items with particularity. No identification is required to recover items, but a record of removed items will indicate who recovered the items.

Section VI - Limitations of Policy:

This policy is intended to address encampments where individuals without hard-wall-shelters are or recently have been living or sleeping. If a City employee discovers items on public property and there is no evidence that a person without hard-wall-shelter is currently or recently has been living or sleeping at that location, this policy shall not apply. Similarly, this policy does not address City policies on related topics such as trespasses on public land or regular removal of trash from public parks consistent with this policy.

Resolution Related to

BURLINGTON FORWARD: A COMPREHENSIVE FRAMEWORK FOR SAFE PUBLIC SPACES AND A STRONGER COMMUNITY

WHEREAS, Burlington's downtown, parks, sidewalks, streets, libraries, waterfront, bike paths, and other public spaces are among the City's greatest civic assets. They are the places where neighbors gather, children play, businesses and tourism thrives, visitors form lasting impressions, and community life unfolds every day. Preserving these shared public spaces as safe, welcoming, orderly, accessible, and well-maintained for everyone is among the City's most fundamental responsibilities; and

WHEREAS, the City recognizes that equitable access to public spaces requires attention to the differing experiences, needs, and barriers faced by community members and visitors, including people with disabilities, people experiencing homelessness, children and youth, older adults, New Americans, and historically marginalized racial and ethnic communities; and

WHEREAS, over the past several years, the Burlington City Council has adopted multiple resolutions and initiatives intended to strengthen public safety, improve community well-being, expand access to housing and behavioral health services, and respond compassionately to the challenges of homelessness, substance use, and mental illness; and

WHEREAS, the City of Burlington, together with healthcare providers, nonprofit organizations, businesses, faith communities, neighborhood organizations, educational institutions, and countless volunteers, has committed substantial public and private resources toward emergency shelter, affordable housing, outreach, behavioral health services, recovery programs, harm reduction initiatives, and other efforts intended to assist vulnerable members of our community; and

WHEREAS, notwithstanding these efforts and the extraordinary commitment of those serving our community, persistent public safety concerns, including violence, drug and sex trafficking, property crime, retail theft, and other unlawful conduct, continue to affect many individuals, including those experiencing homelessness, addiction~~substance use disorder~~, and mental illness, ~~continue to be negatively affected by persistent public disorder, criminal activity, violence, repeated overdoses, open drug dealing and use, prohibited camping, vandalism, aggressive or threatening behavior, and other conduct that and unreasonably interfere~~ unreasonably interferes with the use and enjoyment of Burlington's shared public spaces; and

WHEREAS, Burlington is and will remain a compassionate community where residents consistently demonstrate kindness and generosity toward neighbors experiencing homelessness, addiction, mental illness, and other crises. This Resolution builds upon those values; and

WHEREAS, the City Council also finds that allowing individuals to remain in circumstances that jeopardize their health, safety, or dignity without meaningful intervention is neither compassionate nor humane. Lasting compassion requires connecting people to treatment, recovery, housing, supportive services, and, where appropriate, enforcement and accountability for unlawful conduct that harms others or unreasonably interferes with the public's use and enjoyment of shared public spaces; and

WHEREAS, the City Council rejects the false choice between compassion and public safety and affirms that accountability, treatment, housing, recovery, public health, public safety, and public order are complementary, interdependent responsibilities that must be pursued together to advance the public interest and the dignity of every person; and

WHEREAS, the City further recognizes that Burlington cannot reasonably or sustainably serve as the exclusive or primary provider of shelter, behavioral health services, and substance use treatment for individuals from throughout Vermont and outside our state, and that these challenges require sustained partnership among municipalities, the State of Vermont, healthcare institutions, nonprofit organizations, and regional service providers to ensure that responsibility is shared equitably throughout the region; and

WHEREAS, the City recognizes that systemic inequities—including racism, poverty, ableism, discrimination, and unequal access to housing, healthcare, behavioral health services, and economic opportunity—have contributed to the conditions addressed in this Resolution, and that effective public policy should include a focus on reducing disparities while improving safety and well-being for all residents; and

WHEREAS, the City recognizes that children and vulnerable adults who regularly witness open-air drug use, drug transactions, and unmanaged mental health crises in public spaces may experience significant psychological, developmental, and safety harms, including normalization of substance use, exposure to trauma, disruption of a sense of safety and stability, and increased risk of accidental contact with drug paraphernalia or hazardous materials; and

WHEREAS, sustained exposure to visible drug dealing and open-air drug markets in areas frequented by families, including parks, schools, playgrounds, and public transit corridors, can contribute to children's fear, anxiety, and diminished use of public spaces intended for their recreation and education; and

WHEREAS, the presence of individuals experiencing unsheltered homelessness or acute mental health crisis in public spaces reflects broader gaps in the City's housing, behavioral health, and crisis response systems, and the City recognizes that effective, compassionate, and adequately resourced responses to these conditions are essential both to protecting the dignity and safety of the individuals experiencing them and to reducing the secondary impacts on public spaces used by children and families; and

WHEREAS, in implementing this Resolution, the City shall ensure its Office of Racial Equity, Inclusion, and Belonging is involved in identifying and addressing disparate impacts on historically marginalized and underserved communities; protecting the dignity and civil rights of all people; and ensuring reasonable opportunities for affected communities to participate in decisions that impact them. The City shall seek to ensure that public safety, public health, housing, behavioral health, enforcement, and policies governing our public spaces are implemented consistently and in ways that do not disproportionately burden any racial, ethnic, socioeconomic, disability, or other historically marginalized community; and

WHEREAS, restoring and preserving Burlington's public spaces requires clearly articulated values, public policy, measurable implementation, meaningful accountability, prioritized enforcement of our existing laws and ordinances, sustained regional partnership, and a continuing commitment by every level of government and every community partner.

NOW, THEREFORE, BE IT RESOLVED that the Burlington City Council hereby adopts the following policy framework to restore and preserve safe, welcoming, ~~orderly,~~ and accessible public spaces; expand meaningful pathways to housing, treatment, and recovery; strengthen accountability for unlawful conduct ~~and conduct that unreasonably interferes with the use and enjoyment of our shared public spaces;~~ and promote shared regional responsibility for and investment in addressing the complex challenges of homelessness, substance use disorder, and behavioral health challenges.

ARTICLE I

General Policy

Section 1.01. Purpose.

The purpose of this Resolution is to establish a comprehensive policy framework for restoring and preserving Burlington's public spaces as safe, welcoming, ~~orderly,~~ accessible, and well-maintained places for all residents and visitors, while continuing Burlington's longstanding commitment to compassion, dignity, and meaningful support for individuals experiencing

homelessness, substance use disorder, behavioral health challenges, and other circumstances requiring public assistance. To achieve these objectives, Burlington must realign its ~~values and related efforts~~ using evidence, community input, and measurable outcomes to assess existing approaches and develop revised strategies that advance safety, dignity, inclusion, belonging, and equitable access to services. An honest assessment indicates that neither the current nor previous policy frameworks have achieved their intended results, making ~~a revised strategy~~ iesy necessary moving forward.

Section 1.02. General Policy.

It shall be the policy of the City Council that:

A. Burlington's public spaces belong to everyone. Every resident and visitor should be able to use and enjoy the City's parks, streets, sidewalks, libraries, waterfront, bike paths, public buildings, downtown, neighborhood business districts, and other public spaces safely ~~and without unreasonable interference or exposure to unlawful activity and disruptive behavior~~.

B. ~~Compassion without accountability is not compassion.~~ The City Council rejects the notion that ~~public safety requires choosing between compassion and accountability~~ tolerance of unlawful conduct is itself an act of compassion. No individual has the right to engage in unlawful conduct or conduct that unreasonably interferes with the use and enjoyment of shared public spaces. Effective public policy requires both meaningful opportunities for prevention, outreach, treatment, recovery, housing, and supportive services ~~and while~~ consistent ~~enforcement of criminal laws and municipal ordinances~~ consistently, fairly, and in accordance with due process. Enforcement shall focus on unlawful conduct and actual harm, not on a person's housing status, disability, health condition, or other protected characteristic, that protect the public's health, safety, and welfare. The City shall pursue both ~~objectives~~ compassion and accountability simultaneously to ensure that Burlington's public spaces remain safe, welcoming, and accessible to all.

C. Individuals experiencing homelessness, substance use disorder, or behavioral health challenges deserve meaningful opportunities to obtain shelter, treatment, recovery services, and long-term stability. Burlington shall continue advocating for coordinated regional and statewide responses to homelessness, behavioral health challenges, and substance use disorder, recognizing that these challenges extend beyond Burlington's borders and require sustained partnership among municipalities, the State of Vermont, healthcare providers, nonprofit organizations, and other community partners.

D. Decisions affecting public spaces, public health services, municipal resources, and zoning policy shall be guided by objective evidence, public transparency, measurable outcomes, and

accountability to the public. Public accountability requires admitting when systems and policies have fallen short, and when existing ~~social~~ services lack the capacity to deliver the interventions needed for consistent improved outcomes.

ARTICLE II

Protecting Burlington's Public Spaces

Section 2.01. Statement of Intent.

The purpose of this Article is to restore and preserve Burlington and its public spaces as safe, welcoming, orderly, accessible, and well-maintained places that may be comfortably enjoyed by residents and visitors of all ages while respecting the dignity of every person and ensuring that public spaces remain available for their intended public use.

Section 2.02. Public Space Policy.

The City shall prioritize the restoration and preservation of Burlington's public spaces for the benefit of all residents and visitors. Public spaces shall be managed to encourage lawful activity, positive community use, economic vitality, recreation, civic engagement, and public enjoyment.

Public spaces should not merely be accessible; they should be places where residents and visitors choose to gather and should reasonably expect to feel safe doing so.

The City shall make it a top priority to ensure public spaces remain reasonably free from unlawful conduct and conduct that unreasonably interferes with the public's use and enjoyment of those spaces, and that such spaces are well maintained, clean, and reasonably free of graffiti, litter, unattended personal belongings, and other conditions that detract from their safety, accessibility, and public enjoyment. Implementation shall include reasonable procedures to protect and store unattended personal belongings.

Section 2.03. Activation of Public Spaces.

The City finds that well-programmed, well-maintained, and actively used public spaces are among the most effective long-term strategies for promoting public safety, strengthening community life, and discouraging unlawful and disruptive activity.

The City shall expand the activation of Burlington's public spaces through community programming, arts and cultural events, recreational opportunities, family-oriented activities, and partnerships that increase positive public use of parks, downtown, neighborhood business

districts, and other civic spaces. Consistent with the FY27 budget resolution, the City Council requests that the Administration continue coordinating with the City Council's Parks, Arts & Culture Committee to develop and implement these efforts.

Section 2.04. City Hall Park and Organized Activities.

The City Council reaffirms its prior policies regarding the restoration and stewardship of City Hall Park as outlined in the Council's August 2025 resolution concerning the management, activation, and preservation of the Park. The City Council declares again that City Hall Park shall remain one of Burlington's principal civic gathering spaces—welcoming, accessible, well-maintained, and available for the broad enjoyment of residents and visitors.

Within thirty (30) days following adoption of this Resolution, the City Council asks that the City Attorney's Office prepare and submit to the Council any ordinance amendments necessary to clarify where organized activities may occur within City-owned public spaces, establish when permits are required for such activities, and ensure that such activities do not materially interfere with the intended public use of City Hall Park or other public spaces.

The City Council requests that the Administration renew stalled efforts, in accordance with applicable law and constitutional protections, to assist with navigating how to better coordinate social service activities in City Hall Park with other events, programming, and public uses of the Park. ~~secure any available and necessary permits for, or if permits are unavailable, offer alternative locations to unpermitted social service activities where participants could be better served while preserving the Park's role as Burlington's principal civic gathering space.~~ If necessary to identify alternative locations, the City Council asks that the Administration evaluate appropriate indoor and outdoor municipal facilities, including Contois Auditorium where practicable and consistent with operational needs. Any relocation or alternative site for social service activities shall be developed in consultation with affected service users and providers, and reasonable efforts should be made to offer comparable or improved access, accessibility, safety, and continuity of services.

Within sixty (60) days following adoption of this Resolution, the City Council requests that the Department of Parks, Recreation & Waterfront issue a request for proposals seeking one or more vendors, nonprofit organizations, or other qualified operators to activate the patio area located in the northeast corner of City Hall Park through food and beverage concessions, retail kiosks, recreational uses, cultural programming, public amenities, or other uses that increase positive public activity and enhance the visitor experience. Any request for proposals shall encourage creative, seasonal, and year-round activation strategies that promote regular public use of the space and are consistent with City Hall Park's role as Burlington's principal civic

gathering space. Alternatively, the Administration may evaluate repurposing the patio area as a centralized operational hub for public safety personnel, in alignment with similar proven strategies like those implemented at the Fletcher Free Library and the intent of the City Council's September 2024 resolution on establishing a downtown public safety hub, to provide a visible, accessible, and continuous public safety presence within City Hall Park alongside connections to community resources and services.

Section 2.05. Expansion of Public Safety Personnel and Public Space Response Capacity.

The City's sworn police officers, Community Service Officers, Urban Park Rangers, and other civilian public safety personnel continue to perform their duties with exceptional dedication and professionalism in protecting and preserving our public spaces. A number of these roles, particularly sworn police officers, unfortunately continue to face significant challenges to staffing, with available police officers consistently remaining at or below current levels since 2023. As the City continues with long-term efforts to rebuild its public safety infrastructure, there is an immediate need to strengthen the City's visible presence within its public spaces. Accordingly, the City Council requests that the Administration act within sixty (60) days following enactment of the Resolution to present recommendations to the Council on which public safety roles can be most immediately and substantially increased, if even on a temporary basis, to ensure more personnel are assigned to visible public safety and public space response functions. Moreover, the City Council asks that the Chief of Police continue to regularly update the Council's Public Safety Committee on recruitment efforts at the Burlington Police Department.

Immediately following enactment of this Resolution and prior to delivering the above-requested recommendations, the City Council requests that the Mayor take the steps necessary to expand the visible presence of public safety personnel in areas experiencing persistent public safety and public order concerns, which the Mayor's Administration has previously attempted to address through its working group on "hot spots," where ongoing conditions threaten public safety, diminish the public's use and enjoyment of these spaces, and risk undermining the success of generational projects like that at Burlington Square. For this purpose, the Mayor may use, as necessary, the monies allocated by the City Council in the FY27 budget to contract with third-party public safety personnel, including certified police officers. Additionally, to the extent permitted by existing agreements with contracted public safety personnel, such as those currently assigned to patrol municipal garages, the Mayor is authorized to repurpose these personnel to higher priority areas.

Moreover, to the extent practicable and permitted by applicable collective bargaining agreements, the City Council requests that the Administration recruit and organize one or more Public Space Response Teams comprised of City employees and employees of other local organizations committed to the vitality of Burlington who voluntarily elect to participate and successfully complete appropriate training. Public Space Response Teams shall supplement, but not replace, traditional public safety resources by increasing the City's visible presence within public spaces, promoting lawful and welcoming public use, and assisting in the preservation of City property. If the City's unionized staff are interested in this volunteer opportunity, the Council acknowledges the potential need to submit proposals to municipal unions as necessary to accommodate this. While participation would be voluntary rather than mandated, it is the intent of this Resolution that City employees participate on paid time. All public safety personnel and Public Space Response Teams shall receive training in racial equity, implicit bias, de-escalation, disability awareness, trauma-informed practices, cultural responsiveness, and constitutional and civil rights protections.

To the fullest extent permitted by law and consistent with appropriate training and supervision, members of Public Space Response Teams may be authorized to:

- A. Address and intercede conduct that unreasonably interferes with the public's use and enjoyment of Burlington's public spaces, including, but not limited to, the open use of drugs and alcohol, public intoxication, smoking where prohibited, disorderly behavior, and the encumbrance of sidewalks and walking paths;
- B. Issue municipal ordinance citations within the scope of their legal authority;
- C. Issue notices against trespass and take other lawful actions necessary to protect City property and public spaces;
- D. Promote cleanliness and sanitation, identify maintenance concerns, and coordinate the prompt removal of graffiti and other public nuisances; and
- E. Connect individuals experiencing crisis, homelessness, substance use disorder, or other behavioral health needs with appropriate treatment, recovery, housing, and supportive services.

The City Attorney and Chief Administrative Officer shall prepare and submit for Council consideration any ordinance amendments, budget proposals, administrative policies, or other measures necessary to implement this Section.

Section 2.06. Public Safety Cameras and Public Notification.

The City Council finds that visible public safety cameras, when lawfully deployed and appropriately identified, deter unlawful conduct, assist in criminal investigations, and promote public confidence in the safety of Burlington's public spaces.

Within thirty (30) days following adoption of this Resolution, the City Council asks that the Chief Information Officer prepare and submit to the Council a report identifying all City-owned or City-operated public safety cameras currently operating within Burlington's downtown and other public spaces. The report shall identify each camera's general location, operational status, and any significant gaps in camera coverage requiring future consideration, provided that nothing in this Section shall require disclosure of information that would compromise public safety or law enforcement operations and the report will be provided confidentially to the extent permitted by Vermont's Open Meeting Law. Moreover, in carrying out this Section and any future expansion of public safety camera systems, the City shall remain mindful of the importance of protecting individual privacy and civil liberties and shall ensure that the deployment, operation, and management of such systems are conducted in accordance with applicable law and appropriate safeguards governing the collection, retention, access to, and use of recorded data, including but not limited to the City's Fair and Impartial Policing Policy.

The City Council requests that the Administration install and maintain clear, visible signage at appropriate locations notifying the public that public safety cameras are in operation. ~~Such signage shall be designed to deter unlawful conduct while promoting public awareness that public spaces are actively monitored for the protection of residents, visitors, businesses, and City property.~~

Section 2.07. Public Space Stewardship and Graffiti Removal.

Recognizing that clean, well-maintained public spaces contribute to public safety, civic pride, and neighborhood vitality, the City Council requests that the Mayor coordinate with the Council's Community Development & Neighbor Revitalization Committee to establish a public space stewardship program to encourage and support volunteer participation in the prompt removal of graffiti from public spaces and other beautification initiatives consistent with the purposes of this Resolution. In establishing this public space stewardship program, the Administration and CDNR Committee may collaborate with organizations and individuals already volunteering to perform the expanded work called for in this Section. The Council also encourages the Administration and CDNR Committee to work in partnership with Neighborhood Planning Assemblies (NPAs) and neighborhood residents in deciding beautification priorities, especially communities that have historically been underinvested in.

Any program shall provide participating residents with appropriate training, safety guidance, equipment, supplies, and other resources necessary to assist the City in removing graffiti from publicly owned property in a safe, lawful, and coordinated manner.

The City Council reaffirms that the prompt removal of graffiti from privately owned property remains the primary responsibility of the property owner. Any public space stewardship program should also provide a mechanism through which private property owners may authorize trained City employees or approved volunteers participating in the program to enter their property for the purpose of removing graffiti, subject to such reasonable conditions and limitations as the property owner may establish.

Section 2.08. Expanded Partnerships with Nonprofit Organizations and Private Property Owners.

The City Council recognizes that restoring Burlington's public spaces requires meaningful collaboration with businesses, nonprofit organizations, faith communities, and other private property owners whose properties directly influence the experience of surrounding neighborhoods.

Accordingly, the City Council asks the Mayor to develop and make publicly available for private property owners educational materials on:

- A.** Procedures for issuing notices against trespass as authorized by law;
- B.** Crime prevention and environmental design strategies;
- C.** Details on the extent to which private property owners can be held criminally or civilly liable for unlawful or other wrongful conduct permitted to continue on their premises;
- D.** Other available tools to assist property owners in responding to unlawful activity while promoting safe, welcoming, and well-maintained properties.

The City Council further asks the Mayor to engage with nonprofit organizations that provide services to individuals experiencing homelessness, substance use disorder, mental health challenges, or other vulnerabilities, and to relay the City's request that such organizations adopt reasonable expectations for respectful and lawful behavior on the organization's property and within adjacent public rights-of-way and public spaces immediately surrounding the organization's facilities, including expectations designed to discourage conduct that creates public safety risks, interferes with the use and enjoyment of neighboring properties and public spaces, or otherwise adversely affects the surrounding community. The City encourages nonprofit organizations to communicate these expectations in a manner that preserves the

dignity of those receiving services while reinforcing shared responsibility for maintaining safe, welcoming, and accessible neighborhoods.

Section 2.09. Public Space Performance Standards.

Within sixty (60) days following adoption of this Resolution, the City Council requests that the Mayor collaborate with the City Council's Public Safety and Parks, Arts & Culture Committees to adopt measurable performance standards for evaluating the condition of Burlington's public spaces, which shall be publicly posted on the City's Data Hub.

The standards shall include objective performance measures relating to, as appropriate:

- A.** Public safety conditions, including but not limited to the number of incidents, offenses, and arrests in public spaces. Where possible and legally permissible, performance data should be disaggregated by race, ethnicity, age, disability, gender, housing status, and other relevant demographic factors to identify and address disparate impacts;
- B.** Quality-of-life complaints, including but not limited to SeeClickFix reports on cleanliness and sanitation, and graffiti response;
- C.** Public space activation and programming;
- D.** Visitor and resident use of public spaces; and
- E.** Such additional performance measures as the Administration determines appropriate to enable the City Council and the public to evaluate progress over time.

ARTICLE III

Sustainable Intervention and Regional Responsibility

Section 3.01. Statement of Intent.

The purpose of this Article is to establish a sustainable framework for responding to homelessness, substance use disorder, and behavioral health challenges. The City Council reaffirms Burlington's longstanding commitment to ensuring that individuals experiencing crisis are afforded meaningful opportunities to obtain shelter, treatment, recovery services, and permanent housing while recognizing that emergency interventions must ultimately lead to greater long-term stability, independence autonomy, and well-being, and improved health outcomes.

The City Council further recognizes that compassion requires meaningful intervention, measurable results, and shared regional responsibility. Emergency measures are intended to stabilize individuals and connect them to long-term solutions and should not become permanent substitutes for housing, treatment, recovery, or personal stability. The Council acknowledges that meaningful long-term strategies require time and resources to be implemented, and that they should be trauma-informed, culturally responsive, accessible to people with disabilities, and implemented consistently and fairly.

Section 3.02. Establishing Service Capacity.

Within sixty (60) days following adoption of this Resolution, the City Council requests that the Mayor convene representatives of organizations providing emergency shelter, affordable housing, behavioral health services, substance use treatment, healthcare, emergency response, outreach, and other appropriate public and private partners to evaluate Burlington's sustainable capacity to responsibly provide emergency shelter, sanctioned camping, outreach, treatment, recovery services, and related supports. To the extent the City is already convening a group that includes the above-referenced stakeholders, the Administration may expand the scope of that group's work to include developing the assessment called for in this Section.

The assessment shall evaluate available staffing, financial resources, healthcare capacity, emergency response capability, housing availability, case management, sanitation, public safety impacts, fiscal sustainability, and such other operational considerations as may be appropriate.

Based upon that assessment, the City Council requests that the Mayor recommend the maximum number of individuals that Burlington can sustainably and humanely serve at any given time through the coordinated provision of emergency shelter, sanctioned camping, outreach, treatment, recovery services, and related supports. The term "humanely," for the purposes of this Section, shall include but not be limited to consideration of the lived experiences of people accessing services and whether services are accessible, culturally responsive, disability-inclusive, trauma-informed, and effective. The recommendation shall identify the methodology and assumptions used to establish that number and shall include objective indicators by which the City may determine when Burlington has reached or exceeded its sustainable service capacity.

The Mayor may periodically review the recommended sustainable service capacity and recommend revisions to the City Council as conditions, available resources, or regional participation materially change.

Section 3.03. Regional Responsibility.

The City Council affirms that homelessness, substance use disorder, and behavioral health challenges are regional and statewide challenges requiring regional and statewide solutions.

The City Council further finds that current conditions strongly indicate that Burlington is providing services beyond what can be sustainably supported by its existing housing, shelter, behavioral health, public safety, and municipal resources. While the assessment required by Section 3.02 will establish a recommended sustainable service capacity, the City Council finds that immediate action to promote greater regional responsibility should not await completion of that assessment.

Burlington will continue to lead with compassion. Leadership, however, does not require Burlington to serve as the exclusive or primary provider of services for individuals from throughout Vermont.

The City Council requests that the Administration implement equitable policies and procedures to ensure that, when Burlington has reached or exceeded its sustainable service capacity, individuals seeking services are connected with available housing, shelter, treatment, recovery, behavioral health, and other supportive services in other communities, including through transportation assistance where appropriate. The City shall actively work with the State of Vermont, neighboring municipalities, healthcare providers, housing organizations, and regional service providers to expand service capacity throughout the region so that responsibility for serving vulnerable individuals is shared more equitably. Regional responsibility shall be pursued through shared investment and expanded service capacity across municipalities, rather than through exclusion or displacement of individuals based on their place of origin or current residence.

Section 3.04. Expanded Temporary Emergency Shelter Space and Sanctioned Camping.

Within ninety (90) days following adoption of this Resolution, the City Council requests that the Administration designate one or more locations for expanded temporary emergency shelter space or sanctioned camping to be utilized only when necessary to supplement available capacity at established emergency shelters.

Any expanded temporary emergency shelter space or sanctioned camping location shall be subject to approval by the City Council ~~and generally situated outside Burlington's downtown core, waterfront, shared-use path network, and heavily-utilized public parks~~ and shall be selected with due consideration for surrounding neighborhoods, public infrastructure, environmental impacts, and the availability of supportive services. To best serve individuals able to utilize this location or locations, efforts will be made to designate locations with access to drinking water, toilets, shower facilities and handwashing stations, laundry, electricity, and

dumpsters. To that end, the City Council acknowledges that while temporary emergency shelter space is preferable to sanctioned camping, neither should be considered a permanent housing solution and should be utilized only for the duration necessary to transition individuals to more appropriate ~~placements~~housing options.

Prior to approving any designated locations under this Section, the City Council will expect that the location will adopt and enforce operational standards governing admission, sanitation, security, storage of belongings, code of conduct, outreach, behavioral health services, treatment referrals, housing navigation, transportation, case management, and ongoing program evaluation.

The City Council asks that the Administration establish measurable performance standards for any expanded temporary emergency shelter space or sanctioned camping and shall publish the resulting performance data in an anonymized, publicly accessible format on the City's website no less frequently than monthly. At a minimum, the publicly reported data shall include:

- A. The number of individuals served during the reporting period and cumulatively;
- B. The average daily occupancy and utilization rate;
- C. The number and percentage of participants successfully transitioned to emergency shelter, treatment, recovery programs, permanent supportive housing, permanent housing, or other stable housing placements;
- D. The average length of stay for participants;
- E. The number of emergency service responses to a location; and
- F. Such additional performance measures as the Administration determines are appropriate to evaluate whether a location is functioning as a temporary intervention that promotes health, safety, and successful transitions to more appropriate placements.

Section 3.05. Unauthorized Encampments.

The City Council finds that unauthorized encampments located in areas where camping is specifically prohibited are inconsistent with the policies established by this Resolution.

Consistent with applicable legal requirements and in accordance with the City's Sheltering on Public Lands Policy, the City Council requests that the Administration act more promptly upon discovery of a prohibited encampment, generally within twenty-four (24) hours, to provide notice of a specified date on which the encampment will face ticketing, no trespass orders,

~~other legal action,~~ and removal of any remaining items. This date should be as soon as reasonably practicable following the provision of notice, allowing sufficient time for affected individuals to make alternative arrangements while protecting public health, public safety, environmental resources, and the public's continued use and enjoyment of Burlington's public spaces.

Prior to removal, the City shall make reasonable efforts to identify and offer accessible alternatives, provide adequate notice consistent with applicable law, protect and store personal property, and connect individuals with housing and services. In accordance with the City's policy regarding Ssheltering on Ppublic Llands Policy, encampments noticed for removal will be provided contact information from local social service organizations serving unsheltered residents, the State of Vermont's Coordinated Entry Screening Form with instructions, information on other available community resources, information on the officials responsible for an encampment that is not removed, and details on where any collected personal property will be stored.

For the purposes of this Article, the City Council notes that Section 22-7 of the Burlington Code of Ordinances provides that "[i]t shall be unlawful for any person to camp in any public park in the city." Section 22-1 enumerates the City's parks and Section 22-23 further provides that "the land known as Urban Reserve ... shall be considered a city park subject to this chapter."

To the extent the City does not have sufficient staffing capacity to comply with this Section, the City Council asks that the Mayor's Administration act within sixty (60) days following enactment of this Resolution to present recommendations to the Council detailing how it will promptly increase the number of personnel authorized and trained to provide notices of removal and conduct associated outreach. The recommendations shall identify the staffing, organizational changes, funding, and implementation timeline necessary to ensure that notices of removal are issued consistently throughout the City.

~~The City Council requests that the Administration establish measurable performance standards governing the City's response to prohibited encampments and shall publish the resulting performance data in a publicly accessible format on the City's website no less frequently than monthly. At a minimum, the publicly reported data shall include:~~

~~A. The number of prohibited encampments identified during the reporting period;~~

~~B. The average time between identification of a prohibited encampment and issuance of a notice of removal;~~

~~C. The average time between issuance of notice and removal of the encampment;~~

~~D. The number and percentage of individuals contacted who accepted referrals or were successfully connected to shelter, a sanctioned camping location, coordinated entry, behavioral health services, treatment, recovery services, or other supportive services prior to or following removal of the encampment; and~~

~~E. Such additional performance measures as the Administration determines are appropriate to evaluate the effectiveness of the City's outreach and enforcement efforts.~~

Section 3.06. Accountability and Enforcement.

The City Council reaffirms that every individual is entitled to dignity, due process, and meaningful opportunities to obtain treatment, recovery services, shelter, and supportive services. The City further reaffirms its commitment to prevention, treatment, recovery, and other evidence-based public health interventions.

The City Council rejects the notion that enforcing our laws and ordinances in response to unlawful conduct is an uncaring or unempathetic act, or that tolerance of unlawful conduct is itself an act of compassion. Effective public policy requires meaningful opportunities for treatment and recovery together with consistent enforcement of criminal laws that protect the public and preserve Burlington's shared public spaces.

Accordingly, the City Council declares that Burlington will not tolerate drug trafficking, violent crime, or illegal activity that impacts ~~the unlawful open use of controlled substances, retail theft and other property crimes that frequently support substance use disorder, or other criminal conduct that threatens~~ public safety or ~~unreasonably interferes with~~ the public's use and enjoyment of shared public spaces.

The City Council further declares that enforcement of local and state~~these~~ laws shall remain a priority of the City. The Council supports proactive investigation, lawful detention where appropriate, arrest when supported by the facts and authorized by law, and referral for prosecution of individuals engaged in such criminal activity. Nothing in this Resolution shall be construed to discourage law enforcement officers from taking appropriate enforcement action authorized by law in response to these offenses.

The City shall continue pursuing treatment and recovery for those willing to accept assistance while supporting the investigation, arrest where authorized by law, prosecution, and appropriate proportionate and lawful consequences~~punishment for~~ individuals whose criminal conduct perpetuates addiction, victimizes residents and businesses, or undermines the safety and vitality of Burlington's public spaces, including treatment, diversion, restorative

justice, or other alternatives where appropriate. Refusal or failure to participate in options offered shall not result in the City ceasing efforts to address criminal conduct.

Furthermore, the City Council notes that both the Situation Table and City Circle initiatives were implemented to improve outcomes for individuals at elevated risk of involvement with the criminal justice system, behavioral health crises, substance use, and homelessness, including by reducing emergency department utilization, overdoses, and other preventable harms, while also providing a more immediate and consistent system of accountability for individuals who repeatedly violate municipal ordinances.

The City Council is particularly concerned that the City Circle initiative, which was previously identified by the Mayor's Administration as a key component of Burlington's strategy to improve public safety and accountability, appears to have been substantially curtailed or discontinued. The Council further understands that this change may have been attributable, in whole or in part, to reductions in available funding, and seeks clarification regarding the status of the initiative, the reasons for any changes in its implementation, and whether alternative funding sources or program models have been considered. The Council is also concerned that, to its knowledge, the accountability mechanisms contemplated by the City Circle model, including prosecution or other consequences for participants who failed to comply with restorative justice requirements, have not been meaningfully utilized, and requests information sufficient to evaluate whether the program has operated as originally intended.

Within thirty (30) days of the adoption of this Resolution, the City Council's Public Safety Committee shall prepare and deliver a list of questions to the Mayor's Administration, the City Attorney's Office, and the Community Justice Center, the responses to which shall provide the Council with a comprehensive update regarding the Situation Table and City Circle initiatives, including, at a minimum: (i) the current operational status of each initiative; (ii) participation levels and measurable outcomes for individuals served; (iii) data concerning compliance with restorative justice requirements and any enforcement or prosecutorial actions taken in response to noncompliance, to the extent permitted by law; (iv) the funding sources supporting each initiative, including any reductions or anticipated funding gaps; and (v) recommendations for the continuation, modification, expansion, or replacement of these initiatives based on their first year of implementation.

Section 3.07. Request for Ongoing Assistance From State Public Safety Personnel

Recognizing Burlington's ongoing public safety resource challenges, the City Council calls upon the Vermont State Police to continue partnering with the Burlington Police Department by providing supplemental law enforcement resources in and around the City's downtown and

other locations where additional law enforcement presence is necessary to protect public safety, address criminal activity, and restore public confidence in Burlington's public spaces.

Separately, the City Council calls upon the Vermont Department of Motor Vehicles Enforcement Division to expand traffic enforcement efforts within the City of Burlington's principal transportation corridors, including the new Champlain Parkway, where speeding, reckless driving, excessive engine noise, and other traffic violations have become persistent public safety and quality-of-life concerns.

The City Council affirms that, to the fullest extent permitted by applicable law, it welcomes and consents to the enforcement of both the laws of the State of Vermont and the ordinances of the City of Burlington by duly authorized State law enforcement officers operating within the City, consistent with their statutory authority and any applicable intergovernmental agreements governing such enforcement. In addition, state and local law enforcement agencies should coordinate to ensure consistent standards, accountability, community engagement, and compliance with racial equity and civil rights protections.

ARTICLE IV

Public Health Policy and Permitted Uses

Section 4.01. Statement of Intent.

The purpose of this Article is to establish the City's policy regarding the implementation of significant public health initiatives, to reaffirm the City Council's legislative role in establishing zoning policy, and to strengthen collaboration between the City of Burlington and the State of Vermont in addressing public safety, behavioral health, and substance use challenges.

Section 4.02. Public Health Policy and Zoning.

The City Council continues to support accessible, evidence-based public health initiatives that improve individual and community health while recognizing that the location, operation, and long-term impacts of significant public health services should be considered through transparent public processes consistent with the City's Comprehensive Development Ordinance and adopted zoning policy. Zoning decisions shall also consider potential disparate impacts on historically marginalized communities.

The City Council finds that significant public health services ~~with~~ that may have substantial neighborhood impacts should not be established through administrative interpretation where

doing so effectively creates a new principal use not expressly identified within the Comprehensive Development Ordinance.

Section 4.03. Overdose Prevention Centers.

The City Council finds that overdose prevention centers are not presently identified as expressly permitted principal uses within the Comprehensive Development Ordinance.

Accordingly, the City Council declares that any proposal to authorize overdose prevention centers within the City of Burlington should proceed only through amendment of the Comprehensive Development Ordinance following public notice, public hearing, and legislative action by the City Council.

The City Council further declares that, should such an amendment be proposed, overdose prevention centers should not be permitted within Burlington's Downtown Improvement District, as defined by the City's Charter.

The Council stands by its previous acknowledgments that overdose prevention centers may serve populations experiencing significant health disparities. They may also help reduce the amount of public drug use occurring in our shared public spaces. Any consideration of a potential overdose prevention center location shall include an evidence-based assessment of public health outcomes, anticipated community impacts, equity, accessibility, and the potential benefits and risks to people who use drugs and the broader community.

Section 4.04. Syringe Service Programs.

The City Council finds that syringe service programs are a valuable public health strategy but are not presently identified as expressly permitted principal uses within the Comprehensive Development Ordinance and should not be deemed to constitute any currently permitted principal use absent express legislative authorization.

Accordingly, the City Council declares that any proposal to authorize syringe service programs as a principal use should proceed only through amendment of the Comprehensive Development Ordinance through the City's legislative zoning amendment process.

The City Council further declares that while syringe service programs should continue to be supported in Burlington, they should not be permitted within Burlington's Downtown Improvement District. The City Council ~~opposes the continued operation or establishment of syringe service programs within Burlington's downtown core and~~ calls upon the Vermont Department of Health to work collaboratively with the City and local operating partners to

identify an accessible alternative location that better advances public health objectives while supporting the restoration and preservation of Burlington's public spaces.

The City Council further calls upon the Vermont Department of Health to consult and collaborate with the City before establishing, relocating, or materially expanding significant public health services within Burlington so that public health objectives, zoning policy, neighborhood compatibility, and impacts upon public spaces may all be appropriately considered. The Mayor's Administration shall promptly notify the City Council upon learning of State-sanctioned efforts to expand public health services within Burlington.

Additionally, within sixty (60) days following enactment of this Resolution, the City Council's Community Development & Neighbor Revitalization Committee shall begin meeting to develop a resolution that reaffirms, revises, or develops new recommendations from its previously developed report on syringe litter that will further the goals of this Section.

The City Council affirms that the positions taken in this Article regarding an Overdose Prevention Center or Syringe Service Programs are in alignment with Burlington's current comprehensive municipal plan, which acknowledges the difficulties associated with the proximity of drug trafficking and use to those in recovery, and provides in pertinent part that:

[H]igh concentration of social service providers can become easily unmanageable if all stakeholders are not working together, keeping an eye on some of the larger interactions and their implications. For example, the downtown is arguably not the best environment for people recovering from alcohol and drug addiction. The presence of active drug dealing and the highest concentration of drinking establishments in the state create serious challenges for those in recovery.

ARTICLE V

Implementation, Accountability, State Partnership, and Continuing Oversight

Section 5.01. Statement of Intent.

The purpose of this Article is to ensure that the policies established by this Resolution are translated into coordinated action through measurable implementation, public accountability, regular reporting, and continuing oversight by the City Council.

Section 5.02. Partnership with the State of Vermont.

The City Council appreciates the Governor's most recent efforts to support Burlington with additional public safety resources and calls upon the Governor to establish a sustained partnership with the City of Burlington to continue addressing the unique public safety, behavioral health, homelessness, and substance use challenges confronting Vermont's largest municipality.

The City Council requests that the Mayor invite representatives of the Governor's Office and appropriate State agencies to meet annually with the Administration, City Council, State legislators, and other regional leaders to evaluate regional progress, identify barriers to collaboration, and recommend additional actions to strengthen the partnership between the City of Burlington, surrounding communities, and the State of Vermont.

The City Council specifically refers back to the requests included in its August 2025 resolution on City Hall Park and its asks for the following specific actions by the State of Vermont and Governor to support Burlington in addressing chronic safety and health challenges: (1) Convene a county-wide committee of local, county and state law enforcement agencies to develop a coordinated response to drug trafficking and related crimes; (2) Convene youth service providers, schools, and staff from the Agency of Human Services to specifically examine trends among juveniles engaged in violence, drugs, and gun possession to identify strategies to interrupt these trends for at-risk juveniles; and (3) Convene a public health strategy discussion between members of the Department of Health and Department of Mental Health to examine how to remove barriers to treatment and address limited capacity to existing drug treatment centers to support people living with substance use disorder finding easier pathways to treatment and recovery.

The City Council further recognizes the substantial progress achieved through the Chittenden County Accountability Docket, which demonstrated that dedicated judicial resources could promote more timely case resolution, meaningful accountability, improved access to treatment and services, and greater confidence in the administration of justice for harm done to our communities. Accordingly, the City Council requests that the Governor, in coordination with the Chief Justice of the Vermont Supreme Court and other appropriate State officials, continue and, as appropriate, institutionalize this model in Chittenden County by supporting the continued assignment of a dedicated judge, prosecutor, public defender, and necessary court personnel and resources to ensure the prompt adjudication of cases involving repeat offenders and individuals with multiple pending criminal matters.

Section 5.03. Legislative Partnership with the Vermont General Assembly.

The City Council calls upon the members of the Chittenden County Senate and House delegations, together with members of the Vermont General Assembly representing communities throughout the State, to support the enactment and strengthening of laws that advance the purposes of this Resolution.

The City Council further calls upon the General Assembly to work collaboratively with municipalities, public safety agencies, healthcare providers, service organizations, and other stakeholders to enact legislation that:

- A. Strengthens public safety while protecting ~~individual civil~~ rights, advancing equity, and ensuring due process and equal protection under the law;
- B. Expands access to and investment in behavioral health, substance use treatment, recovery services, and permanent supportive housing throughout Vermont;
- C. Promotes equitable regional responsibility for addressing homelessness and behavioral health challenges while ensuring that individuals are not denied access to essential services based on race, ethnicity, disability, income, housing status, or place of origin;
- D. Provides municipalities with appropriate ~~legal authority and~~ resources to restore and preserve public spaces;
- E. ~~Encourages~~Supports timely access to appropriate support intervention for individuals experiencing behavioral health crises or substance use disorder;
- F. Improves coordination among State agencies and municipalities; and
- G. Otherwise advances the purposes of this Resolution.

The City Council further directs the Mayor and the City's legislative representatives to advocate for legislation consistent with these principles and to report to the City Council regarding significant legislative developments affecting implementation of this Resolution.

Section 5.04. Continuing Commitment.

The City Council adopts this Resolution not merely as a response to current conditions, but as a continuing statement of municipal policy intended to guide future legislative decisions, strengthen public confidence in local government, and ~~restore and~~ preserve Burlington's public spaces for future generations.

The City Council believes that the strength of a community is measured not only by how it responds to those in crisis, but also by how faithfully it preserves the public spaces that belong

to everyone. Through this Resolution, Burlington recommits itself to both responsibilities and affirms that they are inseparable from one another. A community is strongest when every person can participate in public life with dignity, safety, and a meaningful sense of belonging.

Burlington Settles with ACLU in Lawsuit Over Rights of Homeless Residents

December 4, 2019 9:00 am

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Burlington Settles with ACLU in Lawsuit Over Rights of Homeless Residents

City agrees to policy changes to prevent confiscation and destruction of property without due process

FOR IMMEDIATE RELEASE

December 4, 2019

BURLINGTON — ACLU of Vermont client Brian Croteau Sr. has reached a settlement with the City of Burlington in his federal lawsuit challenging the City's policy of confiscating and destroying the property of homeless residents in violation of their

constitutional rights.

Under the terms of the settlement agreement, Burlington agreed to policy changes that require it to advise individuals of the specific reason their sheltering site is being considered for removal, provide an opportunity to object to that removal, give adequate notice before taking property from sheltering sites, and store that property for at least 30 days. In addition, Burlington agreed to pay Mr. Croteau \$25,000 and mediation costs to resolve the case.

ACLU of Vermont Staff Attorney Lia Ernst: “With this settlement, some of Burlington’s most marginalized residents are protected from having their personal property seized and destroyed without due process—including life-sustaining possessions like tents, sleeping bags, medications, food, and clothing. The ACLU remains committed to ending the criminalization of poverty and homelessness in Vermont, and this agreement is a positive step toward that goal.”

Croteau v. City of Burlington was filed in October 2017 by the ACLU of Vermont and cooperating counsel Jared Carter and Gary Sarachan, following reports that Burlington was evicting residents from

values that all residents be treated with respect and compassion. It is our hope that the City of Burlington will better live up to those values by ensuring that all residents are treated with dignity, no matter who they are or what their living circumstances might be.”

This is the third ACLU lawsuit the City of Burlington has settled in just over two years relating to its unlawful treatment of indigent and low-income residents. Those cases have resulted in numerous policy reforms and more than \$70,000 in payments to plaintiffs and associated costs.

In *Montagno v. City of Burlington*, the ACLU challenged the City’s role in evicting tenants who called for police assistance “too frequently.” The City settled that case in early 2018, paying compensation and agreeing to policy changes that protect the rights of vulnerable tenants. In *Ploof v. City of Burlington*, the ACLU challenged a Burlington “No Trespass” ordinance that barred individuals from visiting City Hall Park if they had committed prior offenses there. The City settled that case earlier this year, agreeing to policy changes that guarantee an individual’s rights to challenge the no-trespass order and to exercise constitutionally protected activities on City properties.

ACLU cooperating counsel Gary Sarachan of Capes Sokol: “This agreement would not have been possible without the courageous plaintiffs who took a stand to challenge an unjust policy. We are grateful to Brian Croteau Sr. in particular for seeing this case through and for defending the constitutional rights of all Burlington residents.”

A copy of the Settlement is [here](#).

A copy of the proposed policy change is [here](#).

###

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Resolution Related to

BURLINGTON FORWARD: A COMPREHENSIVE FRAMEWORK FOR SAFE PUBLIC SPACES AND A STRONGER COMMUNITY

WHEREAS, Burlington's downtown, parks, sidewalks, streets, libraries, waterfront, bike paths, and other public spaces are among the City's greatest civic assets. They are the places where neighbors gather, children play, businesses and tourism thrives, visitors form lasting impressions, and community life unfolds every day. Preserving these shared public spaces as safe, welcoming, orderly, accessible, and well-maintained for everyone is among the City's most fundamental responsibilities; and

WHEREAS, the City recognizes that equitable access to public spaces requires attention to the differing experiences, needs, and barriers faced by community members and visitors, including people with disabilities, people experiencing homelessness, children and youth, older adults, New Americans, and historically marginalized racial and ethnic communities; and

WHEREAS, over the past several years, the Burlington City Council has adopted multiple resolutions and initiatives intended to strengthen public safety, improve community well-being, expand access to housing and behavioral health services, and respond compassionately to the challenges of homelessness, substance use, and mental illness; and

WHEREAS, the City of Burlington, together with healthcare providers, nonprofit organizations, businesses, faith communities, neighborhood organizations, educational institutions, and countless volunteers, has committed substantial public and private resources toward emergency shelter, affordable housing, outreach, behavioral health services, recovery programs, harm reduction initiatives, and other efforts intended to assist vulnerable members of our community; and

WHEREAS, notwithstanding these efforts and the extraordinary commitment of those serving our community, persistent public safety concerns, including violence, drug and sex trafficking, property crime, retail theft, and other unlawful conduct, continue to affect many individuals, including those experiencing homelessness, addiction~~substance use disorder~~, and mental illness, ~~continue to be negatively affected by persistent public disorder, criminal activity, violence, repeated overdoses, open drug dealing and use, prohibited camping, vandalism, aggressive or threatening behavior, and other conduct that and unreasonably interfere~~ unreasonably interferes with the use and enjoyment of Burlington's shared public spaces; and

WHEREAS, Burlington is and will remain a compassionate community where residents consistently demonstrate kindness and generosity toward neighbors experiencing homelessness, addiction, mental illness, and other crises. This Resolution builds upon those values; and

WHEREAS, the City Council also finds that allowing individuals to remain in circumstances that jeopardize their health, safety, or dignity without meaningful intervention is neither compassionate nor humane. Lasting compassion requires connecting people to treatment, recovery, housing, supportive services, and, where appropriate, enforcement and accountability for unlawful conduct that harms others or unreasonably interferes with the public's use and enjoyment of shared public spaces; and

WHEREAS, the City Council rejects the false choice between compassion and public safety and affirms that accountability, treatment, housing, recovery, public health, public safety, and public order are complementary, interdependent responsibilities that must be pursued together to advance the public interest and the dignity of every person; and

WHEREAS, the City further recognizes that Burlington cannot reasonably or sustainably serve as the exclusive or primary provider of shelter, behavioral health services, and substance use treatment for individuals from throughout Vermont and outside our state, and that these challenges require sustained partnership among municipalities, the State of Vermont, healthcare institutions, nonprofit organizations, and regional service providers to ensure that responsibility is shared equitably throughout the region; and

WHEREAS, the City recognizes that systemic inequities—including racism, poverty, ableism, discrimination, and unequal access to housing, healthcare, behavioral health services, and economic opportunity—have contributed to the conditions addressed in this Resolution, and that effective public policy should include a focus on reducing disparities while improving safety and well-being for all residents; and

WHEREAS, the City recognizes that children and vulnerable adults who regularly witness open-air drug use, drug transactions, and unmanaged mental health crises in public spaces may experience significant psychological, developmental, and safety harms, including normalization of substance use, exposure to trauma, disruption of a sense of safety and stability, and increased risk of accidental contact with drug paraphernalia or hazardous materials; and

WHEREAS, sustained exposure to visible drug dealing and open-air drug markets in areas frequented by families, including parks, schools, playgrounds, and public transit corridors, can contribute to children's fear, anxiety, and diminished use of public spaces intended for their recreation and education; and

WHEREAS, the presence of individuals experiencing unsheltered homelessness or acute mental health crisis in public spaces reflects broader gaps in the City's housing, behavioral health, and crisis response systems, and the City recognizes that effective, compassionate, and adequately resourced responses to these conditions are essential both to protecting the dignity and safety of the individuals experiencing them and to reducing the secondary impacts on public spaces used by children and families; and

WHEREAS, in implementing this Resolution, the City shall ensure its Office of Racial Equity, Inclusion, and Belonging is involved in identifying and addressing disparate impacts on historically marginalized and underserved communities; protecting the dignity and civil rights of all people; and ensuring reasonable opportunities for affected communities to participate in decisions that impact them. The City shall seek to ensure that public safety, public health, housing, behavioral health, enforcement, and policies governing our public spaces are implemented consistently and in ways that do not disproportionately burden any racial, ethnic, socioeconomic, disability, or other historically marginalized community; and

WHEREAS, restoring and preserving Burlington's public spaces requires clearly articulated values, public policy, measurable implementation, meaningful accountability, prioritized enforcement of our existing laws and ordinances, sustained regional partnership, and a continuing commitment by every level of government and every community partner.

NOW, THEREFORE, BE IT RESOLVED that the Burlington City Council hereby adopts the following policy framework to restore and preserve safe, welcoming, ~~orderly~~, and accessible public spaces; expand meaningful pathways to housing, treatment, and recovery; strengthen accountability for unlawful conduct ~~and conduct that unreasonably interferes with the use and enjoyment of our shared public spaces~~; and promote shared regional responsibility for and investment in addressing the complex challenges of homelessness, substance use disorder, and behavioral health challenges.

ARTICLE I

General Policy

Section 1.01. Purpose.

The purpose of this Resolution is to establish a comprehensive policy framework for restoring and preserving Burlington's public spaces as safe, welcoming, ~~orderly~~, accessible, and well-maintained places for all residents and visitors, while continuing Burlington's longstanding commitment to compassion, dignity, and meaningful support for individuals experiencing

homelessness, substance use disorder, behavioral health challenges, and other circumstances requiring public assistance. To achieve these objectives, Burlington must realign its ~~values and related efforts~~ using evidence, community input, and measurable outcomes to assess existing approaches and develop revised strategies that advance safety, dignity, inclusion, belonging, and equitable access to services. An honest assessment indicates that neither the current nor previous policy frameworks have achieved their intended results, making ~~a revised strategy~~ iesy necessary moving forward.

Section 1.02. General Policy.

It shall be the policy of the City Council that:

A. Burlington's public spaces belong to everyone. Every resident and visitor should be able to use and enjoy the City's parks, streets, sidewalks, libraries, waterfront, bike paths, public buildings, downtown, neighborhood business districts, and other public spaces safely ~~and without unreasonable interference or exposure to unlawful activity and disruptive behavior.~~

B. ~~Compassion without accountability is not compassion.~~ The City Council rejects the notion that public safety requires choosing between compassion and accountability ~~tolerance of unlawful conduct is itself an act of compassion.~~ No individual has the right to engage in unlawful conduct or conduct that unreasonably interferes with the use and enjoyment of shared public spaces. Effective public policy requires both meaningful opportunities for prevention, outreach, treatment, recovery, housing, and supportive services ~~and while~~ consistent ~~enforcement of criminal laws and municipal ordinances~~ consistently, fairly, and in accordance with due process. Enforcement shall focus on unlawful conduct and actual harm, not on a person's housing status, disability, health condition, or other protected characteristic, that protect the public's health, safety, and welfare. The City shall pursue both ~~objectives~~ compassion and accountability simultaneously to ensure that Burlington's public spaces remain safe, welcoming, and accessible to all.

C. Individuals experiencing homelessness, substance use disorder, or behavioral health challenges deserve meaningful opportunities to obtain shelter, treatment, recovery services, and long-term stability. Burlington shall continue advocating for coordinated regional and statewide responses to homelessness, behavioral health challenges, and substance use disorder, recognizing that these challenges extend beyond Burlington's borders and require sustained partnership among municipalities, the State of Vermont, healthcare providers, nonprofit organizations, and other community partners.

D. Decisions affecting public spaces, public health services, municipal resources, and zoning policy shall be guided by objective evidence, public transparency, measurable outcomes, and

accountability to the public. Public accountability requires admitting when systems and policies have fallen short, and when existing ~~social~~ services lack the capacity to deliver the interventions needed for consistent improved outcomes.

ARTICLE II

Protecting Burlington's Public Spaces

Section 2.01. Statement of Intent.

The purpose of this Article is to restore and preserve Burlington and its public spaces as safe, welcoming, orderly, accessible, and well-maintained places that may be comfortably enjoyed by residents and visitors of all ages while respecting the dignity of every person and ensuring that public spaces remain available for their intended public use.

Section 2.02. Public Space Policy.

The City shall prioritize the restoration and preservation of Burlington's public spaces for the benefit of all residents and visitors. Public spaces shall be managed to encourage lawful activity, positive community use, economic vitality, recreation, civic engagement, and public enjoyment.

Public spaces should not merely be accessible; they should be places where residents and visitors choose to gather and should reasonably expect to feel safe doing so.

The City shall make it a top priority to ensure public spaces remain reasonably free from unlawful conduct and conduct that unreasonably interferes with the public's use and enjoyment of those spaces, and that such spaces are well maintained, clean, and reasonably free of graffiti, litter, unattended personal belongings, and other conditions that detract from their safety, accessibility, and public enjoyment. Implementation shall include reasonable procedures to protect and store unattended personal belongings.

Section 2.03. Activation of Public Spaces.

The City finds that well-programmed, well-maintained, and actively used public spaces are among the most effective long-term strategies for promoting public safety, strengthening community life, and discouraging unlawful and disruptive activity.

The City shall expand the activation of Burlington's public spaces through community programming, arts and cultural events, recreational opportunities, family-oriented activities, and partnerships that increase positive public use of parks, downtown, neighborhood business

districts, and other civic spaces. Consistent with the FY27 budget resolution, the City Council requests that the Administration continue coordinating with the City Council's Parks, Arts & Culture Committee to develop and implement these efforts.

Section 2.04. City Hall Park and Organized Activities.

The City Council reaffirms its prior policies regarding the restoration and stewardship of City Hall Park as outlined in the Council's August 2025 resolution concerning the management, activation, and preservation of the Park. The City Council declares again that City Hall Park shall remain one of Burlington's principal civic gathering spaces—welcoming, accessible, well-maintained, and available for the broad enjoyment of residents and visitors.

Within thirty (30) days following adoption of this Resolution, the City Council asks that the City Attorney's Office prepare and submit to the Council any ordinance amendments necessary to clarify where organized activities may occur within City-owned public spaces, establish when permits are required for such activities, and ensure that such activities do not materially interfere with the intended public use of City Hall Park or other public spaces.

The City Council requests that the Administration renew stalled efforts, in accordance with applicable law and constitutional protections, to assist with navigating how to better coordinate social service activities in City Hall Park with other events, programming, and public uses of the Park. ~~secure any available and necessary permits for, or if permits are unavailable, offer alternative locations to unpermitted social service activities where participants could be better served while preserving the Park's role as Burlington's principal civic gathering space.~~ If necessary to identify alternative locations, the City Council asks that the Administration evaluate appropriate indoor and outdoor municipal facilities, including Contois Auditorium where practicable and consistent with operational needs. Any relocation or alternative site for social service activities shall be developed in consultation with affected service users and providers, and reasonable efforts should be made to offer comparable or improved access, accessibility, safety, and continuity of services.

Within sixty (60) days following adoption of this Resolution, the City Council requests that the Department of Parks, Recreation & Waterfront issue a request for proposals seeking one or more vendors, nonprofit organizations, or other qualified operators to activate the patio area located in the northeast corner of City Hall Park through food and beverage concessions, retail kiosks, recreational uses, cultural programming, public amenities, or other uses that increase positive public activity and enhance the visitor experience. Any request for proposals shall encourage creative, seasonal, and year-round activation strategies that promote regular public use of the space and are consistent with City Hall Park's role as Burlington's principal civic

gathering space. Alternatively, the Administration may evaluate repurposing the patio area as a centralized operational hub for public safety personnel, in alignment with similar proven strategies like those implemented at the Fletcher Free Library and the intent of the City Council's September 2024 resolution on establishing a downtown public safety hub, to provide a visible, accessible, and continuous public safety presence within City Hall Park alongside connections to community resources and services.

Section 2.05. Expansion of Public Safety Personnel and Public Space Response Capacity.

The City's sworn police officers, Community Service Officers, Urban Park Rangers, and other civilian public safety personnel continue to perform their duties with exceptional dedication and professionalism in protecting and preserving our public spaces. A number of these roles, particularly sworn police officers, unfortunately continue to face significant challenges to staffing, with available police officers consistently remaining at or below current levels since 2023. As the City continues with long-term efforts to rebuild its public safety infrastructure, there is an immediate need to strengthen the City's visible presence within its public spaces. Accordingly, the City Council requests that the Administration act within sixty (60) days following enactment of the Resolution to present recommendations to the Council on which public safety roles can be most immediately and substantially increased, if even on a temporary basis, to ensure more personnel are assigned to visible public safety and public space response functions. Moreover, the City Council asks that the Chief of Police continue to regularly update the Council's Public Safety Committee on recruitment efforts at the Burlington Police Department.

Immediately following enactment of this Resolution and prior to delivering the above-requested recommendations, the City Council requests that the Mayor take the steps necessary to expand the visible presence of public safety personnel in areas experiencing persistent public safety and public order concerns, which the Mayor's Administration has previously attempted to address through its working group on "hot spots," where ongoing conditions threaten public safety, diminish the public's use and enjoyment of these spaces, and risk undermining the success of generational projects like that at Burlington Square. For this purpose, the Mayor may use, as necessary, the monies allocated by the City Council in the FY27 budget to contract with third-party public safety personnel, including certified police officers. Additionally, to the extent permitted by existing agreements with contracted public safety personnel, such as those currently assigned to patrol municipal garages, the Mayor is authorized to repurpose these personnel to higher priority areas.

Moreover, to the extent practicable and permitted by applicable collective bargaining agreements, the City Council requests that the Administration recruit and organize one or more Public Space Response Teams comprised of City employees and employees of other local organizations committed to the vitality of Burlington who voluntarily elect to participate and successfully complete appropriate training. Public Space Response Teams shall supplement, but not replace, traditional public safety resources by increasing the City's visible presence within public spaces, promoting lawful and welcoming public use, and assisting in the preservation of City property. If the City's unionized staff are interested in this volunteer opportunity, the Council acknowledges the potential need to submit proposals to municipal unions as necessary to accommodate this. While participation would be voluntary rather than mandated, it is the intent of this Resolution that City employees participate on paid time. All public safety personnel and Public Space Response Teams shall receive training in racial equity, implicit bias, de-escalation, disability awareness, trauma-informed practices, cultural responsiveness, and constitutional and civil rights protections.

To the fullest extent permitted by law and consistent with appropriate training and supervision, members of Public Space Response Teams may be authorized to:

- A. Address and intercede conduct that unreasonably interferes with the public's use and enjoyment of Burlington's public spaces, including, but not limited to, the open use of drugs and alcohol, public intoxication, smoking where prohibited, disorderly behavior, and the encumbrance of sidewalks and walking paths;
- B. Issue municipal ordinance citations within the scope of their legal authority;
- C. Issue notices against trespass and take other lawful actions necessary to protect City property and public spaces;
- D. Promote cleanliness and sanitation, identify maintenance concerns, and coordinate the prompt removal of graffiti and other public nuisances; and
- E. Connect individuals experiencing crisis, homelessness, substance use disorder, or other behavioral health needs with appropriate treatment, recovery, housing, and supportive services.

The City Attorney and Chief Administrative Officer shall prepare and submit for Council consideration any ordinance amendments, budget proposals, administrative policies, or other measures necessary to implement this Section.

Section 2.06. Public Safety Cameras and Public Notification.

The City Council finds that visible public safety cameras, when lawfully deployed and appropriately identified, deter unlawful conduct, assist in criminal investigations, and promote public confidence in the safety of Burlington's public spaces.

Within thirty (30) days following adoption of this Resolution, the City Council asks that the Chief Information Officer prepare and submit to the Council a report identifying all City-owned or City-operated public safety cameras currently operating within Burlington's downtown and other public spaces. The report shall identify each camera's general location, operational status, and any significant gaps in camera coverage requiring future consideration, provided that nothing in this Section shall require disclosure of information that would compromise public safety or law enforcement operations and the report will be provided confidentially to the extent permitted by Vermont's Open Meeting Law. Moreover, in carrying out this Section and any future expansion of public safety camera systems, the City shall remain mindful of the importance of protecting individual privacy and civil liberties and shall ensure that the deployment, operation, and management of such systems are conducted in accordance with applicable law and appropriate safeguards governing the collection, retention, access to, and use of recorded data, including but not limited to the City's Fair and Impartial Policing Policy.

The City Council requests that the Administration install and maintain clear, visible signage at appropriate locations notifying the public that public safety cameras are in operation. ~~Such signage shall be designed to deter unlawful conduct while promoting public awareness that public spaces are actively monitored for the protection of residents, visitors, businesses, and City property.~~

Section 2.07. Public Space Stewardship and Graffiti Removal.

Recognizing that clean, well-maintained public spaces contribute to public safety, civic pride, and neighborhood vitality, the City Council requests that the Mayor coordinate with the Council's Community Development & Neighbor Revitalization Committee to establish a public space stewardship program to encourage and support volunteer participation in the prompt removal of graffiti from public spaces and other beautification initiatives consistent with the purposes of this Resolution. In establishing this public space stewardship program, the Administration and CDNR Committee may collaborate with organizations and individuals already volunteering to perform the expanded work called for in this Section. The Council also encourages the Administration and CDNR Committee to work in partnership with Neighborhood Planning Assemblies (NPAs) and neighborhood residents in deciding beautification priorities, especially communities that have historically been underinvested in.

Any program shall provide participating residents with appropriate training, safety guidance, equipment, supplies, and other resources necessary to assist the City in removing graffiti from publicly owned property in a safe, lawful, and coordinated manner.

The City Council reaffirms that the prompt removal of graffiti from privately owned property remains the primary responsibility of the property owner. Any public space stewardship program should also provide a mechanism through which private property owners may authorize trained City employees or approved volunteers participating in the program to enter their property for the purpose of removing graffiti, subject to such reasonable conditions and limitations as the property owner may establish.

Section 2.08. Expanded Partnerships with Nonprofit Organizations and Private Property Owners.

The City Council recognizes that restoring Burlington's public spaces requires meaningful collaboration with businesses, nonprofit organizations, faith communities, and other private property owners whose properties directly influence the experience of surrounding neighborhoods.

Accordingly, the City Council asks the Mayor to develop and make publicly available for private property owners educational materials on:

- A.** Procedures for issuing notices against trespass as authorized by law;
- B.** Crime prevention and environmental design strategies;
- C.** Details on the extent to which private property owners can be held criminally or civilly liable for unlawful or other wrongful conduct permitted to continue on their premises;
- D.** Other available tools to assist property owners in responding to unlawful activity while promoting safe, welcoming, and well-maintained properties.

The City Council further asks the Mayor to engage with nonprofit organizations that provide services to individuals experiencing homelessness, substance use disorder, mental health challenges, or other vulnerabilities, and to relay the City's request that such organizations adopt reasonable expectations for respectful and lawful behavior on the organization's property and within adjacent public rights-of-way and public spaces immediately surrounding the organization's facilities, including expectations designed to discourage conduct that creates public safety risks, interferes with the use and enjoyment of neighboring properties and public spaces, or otherwise adversely affects the surrounding community. The City encourages nonprofit organizations to communicate these expectations in a manner that preserves the

dignity of those receiving services while reinforcing shared responsibility for maintaining safe, welcoming, and accessible neighborhoods.

Section 2.09. Public Space Performance Standards.

Within sixty (60) days following adoption of this Resolution, the City Council requests that the Mayor collaborate with the City Council's Public Safety and Parks, Arts & Culture Committees to adopt measurable performance standards for evaluating the condition of Burlington's public spaces, which shall be publicly posted on the City's Data Hub.

The standards shall include objective performance measures relating to, as appropriate:

- A.** Public safety conditions, including but not limited to the number of incidents, offenses, and arrests in public spaces. Where possible and legally permissible, performance data should be disaggregated by race, ethnicity, age, disability, gender, housing status, and other relevant demographic factors to identify and address disparate impacts;
- B.** Quality-of-life complaints, including but not limited to SeeClickFix reports on cleanliness and sanitation, and graffiti response;
- C.** Public space activation and programming;
- D.** Visitor and resident use of public spaces; and
- E.** Such additional performance measures as the Administration determines appropriate to enable the City Council and the public to evaluate progress over time.

ARTICLE III

Sustainable Intervention and Regional Responsibility

Section 3.01. Statement of Intent.

The purpose of this Article is to establish a sustainable framework for responding to homelessness, substance use disorder, and behavioral health challenges. The City Council reaffirms Burlington's longstanding commitment to ensuring that individuals experiencing crisis are afforded meaningful opportunities to obtain shelter, treatment, recovery services, and permanent housing while recognizing that emergency interventions must ultimately lead to greater long-term stability, independence autonomy, and well-being, and improved health outcomes.

The City Council further recognizes that compassion requires meaningful intervention, measurable results, and shared regional responsibility. Emergency measures are intended to stabilize individuals and connect them to long-term solutions and should not become permanent substitutes for housing, treatment, recovery, or personal stability. The Council acknowledges that meaningful long-term strategies require time and resources to be implemented, and that they should be trauma-informed, culturally responsive, accessible to people with disabilities, and implemented consistently and fairly.

Section 3.02. Establishing Service Capacity.

Within sixty (60) days following adoption of this Resolution, the City Council requests that the Mayor convene representatives of organizations providing emergency shelter, affordable housing, behavioral health services, substance use treatment, healthcare, emergency response, outreach, and other appropriate public and private partners to evaluate Burlington's sustainable capacity to responsibly provide emergency shelter, sanctioned camping, outreach, treatment, recovery services, and related supports. To the extent the City is already convening a group that includes the above-referenced stakeholders, the Administration may expand the scope of that group's work to include developing the assessment called for in this Section.

The assessment shall evaluate available staffing, financial resources, healthcare capacity, emergency response capability, housing availability, case management, sanitation, public safety impacts, fiscal sustainability, and such other operational considerations as may be appropriate.

Based upon that assessment, the City Council requests that the Mayor recommend the maximum number of individuals that Burlington can sustainably and humanely serve at any given time through the coordinated provision of emergency shelter, sanctioned camping, outreach, treatment, recovery services, and related supports. The term "humanely," for the purposes of this Section, shall include but not be limited to consideration of the lived experiences of people accessing services and whether services are accessible, culturally responsive, disability-inclusive, trauma-informed, and effective. The recommendation shall identify the methodology and assumptions used to establish that number and shall include objective indicators by which the City may determine when Burlington has reached or exceeded its sustainable service capacity.

The Mayor may periodically review the recommended sustainable service capacity and recommend revisions to the City Council as conditions, available resources, or regional participation materially change.

Section 3.03. Regional Responsibility.

The City Council affirms that homelessness, substance use disorder, and behavioral health challenges are regional and statewide challenges requiring regional and statewide solutions.

The City Council further finds that current conditions strongly indicate that Burlington is providing services beyond what can be sustainably supported by its existing housing, shelter, behavioral health, public safety, and municipal resources. While the assessment required by Section 3.02 will establish a recommended sustainable service capacity, the City Council finds that immediate action to promote greater regional responsibility should not await completion of that assessment.

Burlington will continue to lead with compassion. Leadership, however, does not require Burlington to serve as the exclusive or primary provider of services for individuals from throughout Vermont.

The City Council requests that the Administration implement equitable policies and procedures to ensure that, when Burlington has reached or exceeded its sustainable service capacity, individuals seeking services are connected with available housing, shelter, treatment, recovery, behavioral health, and other supportive services in other communities, including through transportation assistance where appropriate. The City shall actively work with the State of Vermont, neighboring municipalities, healthcare providers, housing organizations, and regional service providers to expand service capacity throughout the region so that responsibility for serving vulnerable individuals is shared more equitably. Regional responsibility shall be pursued through shared investment and expanded service capacity across municipalities, rather than through exclusion or displacement of individuals based on their place of origin or current residence.

Section 3.04. Expanded Temporary Emergency Shelter Space and Sanctioned Camping.

Within ninety (90) days following adoption of this Resolution, the City Council requests that the Administration designate one or more locations for expanded temporary emergency shelter space or sanctioned camping to be utilized only when necessary to supplement available capacity at established emergency shelters.

Any expanded temporary emergency shelter space or sanctioned camping location shall be subject to approval by the City Council ~~and generally situated outside Burlington's downtown core, waterfront, shared use path network, and heavily utilized public parks~~ and shall be selected with due consideration for surrounding neighborhoods, public infrastructure, environmental impacts, and the availability of supportive services. To best serve individuals able to utilize this location or locations, efforts will be made to designate locations with access to drinking water, toilets, shower facilities and handwashing stations, laundry, electricity, and

dumpsters. To that end, the City Council acknowledges that while temporary emergency shelter space is preferable to sanctioned camping, neither should be considered a permanent housing solution and should be utilized only for the duration necessary to transition individuals to more appropriate ~~placements~~housing options.

Prior to approving any designated locations under this Section, the City Council will expect that the location will adopt and enforce operational standards governing admission, sanitation, security, storage of belongings, code of conduct, outreach, behavioral health services, treatment referrals, housing navigation, transportation, case management, and ongoing program evaluation.

The City Council asks that the Administration establish measurable performance standards for any expanded temporary emergency shelter space or sanctioned camping and shall publish the resulting performance data in an anonymized, publicly accessible format on the City's website no less frequently than monthly. At a minimum, the publicly reported data shall include:

- A. The number of individuals served during the reporting period and cumulatively;
- B. The average daily occupancy and utilization rate;
- C. The number and percentage of participants successfully transitioned to emergency shelter, treatment, recovery programs, permanent supportive housing, permanent housing, or other stable housing placements;
- D. The average length of stay for participants;
- E. The number of emergency service responses to a location; and
- F. Such additional performance measures as the Administration determines are appropriate to evaluate whether a location is functioning as a temporary intervention that promotes health, safety, and successful transitions to more appropriate placements.

Section 3.05. Unauthorized Encampments.

The City Council finds that unauthorized encampments located in areas where camping is specifically prohibited are inconsistent with the policies established by this Resolution.

Consistent with applicable legal requirements and in accordance with the City's Sheltering on Public Lands Policy, the City Council requests that the Administration act more promptly upon discovery of a prohibited encampment, generally within twenty-four (24) hours, to provide notice of a specified date on which the encampment will face ticketing, no trespass orders,

~~other legal action,~~ and removal of any remaining items. This date should be as soon as reasonably practicable following the provision of notice, allowing sufficient time for affected individuals to make alternative arrangements while protecting public health, public safety, environmental resources, and the public's continued use and enjoyment of Burlington's public spaces.

Prior to removal, the City shall make reasonable efforts to identify and offer accessible alternatives, provide adequate notice consistent with applicable law, protect and store personal property, and connect individuals with housing and services. In accordance with the City's policy regarding Ssheltering on Ppublic Llands Policy, encampments noticed for removal will be provided contact information from local social service organizations serving unsheltered residents, the State of Vermont's Coordinated Entry Screening Form with instructions, information on other available community resources, information on the officials responsible for an encampment that is not removed, and details on where any collected personal property will be stored.

For the purposes of this Article, the City Council notes that Section 22-7 of the Burlington Code of Ordinances provides that "[i]t shall be unlawful for any person to camp in any public park in the city." Section 22-1 enumerates the City's parks and Section 22-23 further provides that "the land known as Urban Reserve ... shall be considered a city park subject to this chapter."

To the extent the City does not have sufficient staffing capacity to comply with this Section, the City Council asks that the Mayor's Administration act within sixty (60) days following enactment of this Resolution to present recommendations to the Council detailing how it will promptly increase the number of personnel authorized and trained to provide notices of removal and conduct associated outreach. The recommendations shall identify the staffing, organizational changes, funding, and implementation timeline necessary to ensure that notices of removal are issued consistently throughout the City.

~~The City Council requests that the Administration establish measurable performance standards governing the City's response to prohibited encampments and shall publish the resulting performance data in a publicly accessible format on the City's website no less frequently than monthly. At a minimum, the publicly reported data shall include:~~

~~A. The number of prohibited encampments identified during the reporting period;~~

~~B. The average time between identification of a prohibited encampment and issuance of a notice of removal;~~

~~C. The average time between issuance of notice and removal of the encampment;~~

~~D. The number and percentage of individuals contacted who accepted referrals or were successfully connected to shelter, a sanctioned camping location, coordinated entry, behavioral health services, treatment, recovery services, or other supportive services prior to or following removal of the encampment; and~~

~~E. Such additional performance measures as the Administration determines are appropriate to evaluate the effectiveness of the City's outreach and enforcement efforts.~~

Section 3.06. Accountability and Enforcement.

The City Council reaffirms that every individual is entitled to dignity, due process, and meaningful opportunities to obtain treatment, recovery services, shelter, and supportive services. The City further reaffirms its commitment to prevention, treatment, recovery, and other evidence-based public health interventions.

The City Council rejects the notion that enforcing our laws and ordinances in response to unlawful conduct is an uncaring or unempathetic act, or that tolerance of unlawful conduct is itself an act of compassion. Effective public policy requires meaningful opportunities for treatment and recovery together with consistent enforcement of criminal laws that protect the public and preserve Burlington's shared public spaces.

Accordingly, the City Council declares that Burlington will not tolerate drug trafficking, violent crime, or illegal activity that impacts ~~the unlawful open use of controlled substances, retail theft and other property crimes that frequently support substance use disorder, or other criminal conduct that threatens~~ public safety or ~~unreasonably interferes with~~ the public's use and enjoyment of shared public spaces.

The City Council further declares that enforcement of local and state~~these~~ laws shall remain a priority of the City. The Council supports proactive investigation, lawful detention where appropriate, arrest when supported by the facts and authorized by law, and referral for prosecution of individuals engaged in such criminal activity. Nothing in this Resolution shall be construed to discourage law enforcement officers from taking appropriate enforcement action authorized by law in response to these offenses.

The City shall continue pursuing treatment and recovery for those willing to accept assistance while supporting the investigation, arrest where authorized by law, prosecution, and appropriate proportionate and lawful consequences~~punishment for~~ individuals whose criminal conduct perpetuates addiction, victimizes residents and businesses, or undermines the safety and vitality of Burlington's public spaces, including treatment, diversion, restorative

justice, or other alternatives where appropriate. Refusal or failure to participate in options offered shall not result in the City ceasing efforts to address criminal conduct.

Furthermore, the City Council notes that both the Situation Table and City Circle initiatives were implemented to improve outcomes for individuals at elevated risk of involvement with the criminal justice system, behavioral health crises, substance use, and homelessness, including by reducing emergency department utilization, overdoses, and other preventable harms, while also providing a more immediate and consistent system of accountability for individuals who repeatedly violate municipal ordinances.

The City Council is particularly concerned that the City Circle initiative, which was previously identified by the Mayor's Administration as a key component of Burlington's strategy to improve public safety and accountability, appears to have been substantially curtailed or discontinued. The Council further understands that this change may have been attributable, in whole or in part, to reductions in available funding, and seeks clarification regarding the status of the initiative, the reasons for any changes in its implementation, and whether alternative funding sources or program models have been considered. The Council is also concerned that, to its knowledge, the accountability mechanisms contemplated by the City Circle model, including prosecution or other consequences for participants who failed to comply with restorative justice requirements, have not been meaningfully utilized, and requests information sufficient to evaluate whether the program has operated as originally intended.

Within thirty (30) days of the adoption of this Resolution, the City Council's Public Safety Committee shall prepare and deliver a list of questions to the Mayor's Administration, the City Attorney's Office, and the Community Justice Center, the responses to which shall provide the Council with a comprehensive update regarding the Situation Table and City Circle initiatives, including, at a minimum: (i) the current operational status of each initiative; (ii) participation levels and measurable outcomes for individuals served; (iii) data concerning compliance with restorative justice requirements and any enforcement or prosecutorial actions taken in response to noncompliance, to the extent permitted by law; (iv) the funding sources supporting each initiative, including any reductions or anticipated funding gaps; and (v) recommendations for the continuation, modification, expansion, or replacement of these initiatives based on their first year of implementation.

Section 3.07. Request for Ongoing Assistance From State Public Safety Personnel

Recognizing Burlington's ongoing public safety resource challenges, the City Council calls upon the Vermont State Police to continue partnering with the Burlington Police Department by providing supplemental law enforcement resources in and around the City's downtown and

other locations where additional law enforcement presence is necessary to protect public safety, address criminal activity, and restore public confidence in Burlington's public spaces.

Separately, the City Council calls upon the Vermont Department of Motor Vehicles Enforcement Division to expand traffic enforcement efforts within the City of Burlington's principal transportation corridors, including the new Champlain Parkway, where speeding, reckless driving, excessive engine noise, and other traffic violations have become persistent public safety and quality-of-life concerns.

The City Council affirms that, to the fullest extent permitted by applicable law, it welcomes and consents to the enforcement of both the laws of the State of Vermont and the ordinances of the City of Burlington by duly authorized State law enforcement officers operating within the City, consistent with their statutory authority and any applicable intergovernmental agreements governing such enforcement. In addition, state and local law enforcement agencies should coordinate to ensure consistent standards, accountability, community engagement, and compliance with racial equity and civil rights protections.

ARTICLE IV

Public Health Policy and Permitted Uses

Section 4.01. Statement of Intent.

The purpose of this Article is to establish the City's policy regarding the implementation of significant public health initiatives, to reaffirm the City Council's legislative role in establishing zoning policy, and to strengthen collaboration between the City of Burlington and the State of Vermont in addressing public safety, behavioral health, and substance use challenges.

Section 4.02. Public Health Policy and Zoning.

The City Council continues to support accessible, evidence-based public health initiatives that improve individual and community health while recognizing that the location, operation, and long-term impacts of significant public health services should be considered through transparent public processes consistent with the City's Comprehensive Development Ordinance and adopted zoning policy. Zoning decisions shall also consider potential disparate impacts on historically marginalized communities.

The City Council finds that significant public health services ~~with~~ that may have substantial neighborhood impacts should not be established through administrative interpretation where

doing so effectively creates a new principal use not expressly identified within the Comprehensive Development Ordinance.

Section 4.03. Overdose Prevention Centers.

The City Council finds that overdose prevention centers are not presently identified as expressly permitted principal uses within the Comprehensive Development Ordinance.

Accordingly, the City Council declares that any proposal to authorize overdose prevention centers within the City of Burlington should proceed only through amendment of the Comprehensive Development Ordinance following public notice, public hearing, and legislative action by the City Council.

The City Council further declares that, should such an amendment be proposed, overdose prevention centers should not be permitted within Burlington's Downtown Improvement District, as defined by the City's Charter.

The Council stands by its previous acknowledgments that overdose prevention centers may serve populations experiencing significant health disparities. They may also help reduce the amount of public drug use occurring in our shared public spaces. Any consideration of a potential overdose prevention center location shall include an evidence-based assessment of public health outcomes, anticipated community impacts, equity, accessibility, and the potential benefits and risks to people who use drugs and the broader community.

Section 4.04. Syringe Service Programs.

The City Council finds that syringe service programs are a valuable public health strategy but are not presently identified as expressly permitted principal uses within the Comprehensive Development Ordinance and should not be deemed to constitute any currently permitted principal use absent express legislative authorization.

Accordingly, the City Council declares that any proposal to authorize syringe service programs as a principal use should proceed only through amendment of the Comprehensive Development Ordinance through the City's legislative zoning amendment process.

The City Council further declares that while syringe service programs should continue to be supported in Burlington, they should not be permitted within Burlington's Downtown Improvement District. The City Council ~~opposes the continued operation or establishment of syringe service programs within Burlington's downtown core and~~ calls upon the Vermont Department of Health to work collaboratively with the City and local operating partners to

identify an accessible alternative location that better advances public health objectives while supporting the restoration and preservation of Burlington's public spaces.

The City Council further calls upon the Vermont Department of Health to consult and collaborate with the City before establishing, relocating, or materially expanding significant public health services within Burlington so that public health objectives, zoning policy, neighborhood compatibility, and impacts upon public spaces may all be appropriately considered. The Mayor's Administration shall promptly notify the City Council upon learning of State-sanctioned efforts to expand public health services within Burlington.

Additionally, within sixty (60) days following enactment of this Resolution, the City Council's Community Development & Neighbor Revitalization Committee shall begin meeting to develop a resolution that reaffirms, revises, or develops new recommendations from its previously developed report on syringe litter that will further the goals of this Section.

The City Council affirms that the positions taken in this Article regarding an Overdose Prevention Center or Syringe Service Programs are in alignment with Burlington's current comprehensive municipal plan, which acknowledges the difficulties associated with the proximity of drug trafficking and use to those in recovery, and provides in pertinent part that:

[H]igh concentration of social service providers can become easily unmanageable if all stakeholders are not working together, keeping an eye on some of the larger interactions and their implications. For example, the downtown is arguably not the best environment for people recovering from alcohol and drug addiction. The presence of active drug dealing and the highest concentration of drinking establishments in the state create serious challenges for those in recovery.

ARTICLE V

Implementation, Accountability, State Partnership, and Continuing Oversight

Section 5.01. Statement of Intent.

The purpose of this Article is to ensure that the policies established by this Resolution are translated into coordinated action through measurable implementation, public accountability, regular reporting, and continuing oversight by the City Council.

Section 5.02. Partnership with the State of Vermont.

The City Council appreciates the Governor's most recent efforts to support Burlington with additional public safety resources and calls upon the Governor to establish a sustained partnership with the City of Burlington to continue addressing the unique public safety, behavioral health, homelessness, and substance use challenges confronting Vermont's largest municipality.

The City Council requests that the Mayor invite representatives of the Governor's Office and appropriate State agencies to meet annually with the Administration, City Council, State legislators, and other regional leaders to evaluate regional progress, identify barriers to collaboration, and recommend additional actions to strengthen the partnership between the City of Burlington, surrounding communities, and the State of Vermont.

The City Council specifically refers back to the requests included in its August 2025 resolution on City Hall Park and its asks for the following specific actions by the State of Vermont and Governor to support Burlington in addressing chronic safety and health challenges: (1) Convene a county-wide committee of local, county and state law enforcement agencies to develop a coordinated response to drug trafficking and related crimes; (2) Convene youth service providers, schools, and staff from the Agency of Human Services to specifically examine trends among juveniles engaged in violence, drugs, and gun possession to identify strategies to interrupt these trends for at-risk juveniles; and (3) Convene a public health strategy discussion between members of the Department of Health and Department of Mental Health to examine how to remove barriers to treatment and address limited capacity to existing drug treatment centers to support people living with substance use disorder finding easier pathways to treatment and recovery.

The City Council further recognizes the substantial progress achieved through the Chittenden County Accountability Docket, which demonstrated that dedicated judicial resources could promote more timely case resolution, meaningful accountability, improved access to treatment and services, and greater confidence in the administration of justice for harm done to our communities. Accordingly, the City Council requests that the Governor, in coordination with the Chief Justice of the Vermont Supreme Court and other appropriate State officials, continue and, as appropriate, institutionalize this model in Chittenden County by supporting the continued assignment of a dedicated judge, prosecutor, public defender, and necessary court personnel and resources to ensure the prompt adjudication of cases involving repeat offenders and individuals with multiple pending criminal matters.

Section 5.03. Legislative Partnership with the Vermont General Assembly.

The City Council calls upon the members of the Chittenden County Senate and House delegations, together with members of the Vermont General Assembly representing communities throughout the State, to support the enactment and strengthening of laws that advance the purposes of this Resolution.

The City Council further calls upon the General Assembly to work collaboratively with municipalities, public safety agencies, healthcare providers, service organizations, and other stakeholders to enact legislation that:

- A. Strengthens public safety while protecting ~~individual civil~~ rights, advancing equity, and ensuring due process and equal protection under the law;
- B. Expands access to and investment in behavioral health, substance use treatment, recovery services, and permanent supportive housing throughout Vermont;
- C. Promotes equitable regional responsibility for addressing homelessness and behavioral health challenges while ensuring that individuals are not denied access to essential services based on race, ethnicity, disability, income, housing status, or place of origin;
- D. Provides municipalities with appropriate ~~legal authority and~~ resources to restore and preserve public spaces;
- E. ~~Encourages~~Supports timely access to appropriate support intervention for individuals experiencing behavioral health crises or substance use disorder;
- F. Improves coordination among State agencies and municipalities; and
- G. Otherwise advances the purposes of this Resolution.

The City Council further directs the Mayor and the City's legislative representatives to advocate for legislation consistent with these principles and to report to the City Council regarding significant legislative developments affecting implementation of this Resolution.

Section 5.04. Continuing Commitment.

The City Council adopts this Resolution not merely as a response to current conditions, but as a continuing statement of municipal policy intended to guide future legislative decisions, strengthen public confidence in local government, and ~~restore and~~ preserve Burlington's public spaces for future generations.

The City Council believes that the strength of a community is measured not only by how it responds to those in crisis, but also by how faithfully it preserves the public spaces that belong

to everyone. Through this Resolution, Burlington recommits itself to both responsibilities and affirms that they are inseparable from one another. A community is strongest when every person can participate in public life with dignity, safety, and a meaningful sense of belonging.