

VILLAGE OF SWANTON

ORDINANCE REGULATING FREE PILES WITHIN VILLAGE LIMITS

Section I. Authority

This Ordinance is enacted pursuant to 24 V.S.A. § 2291(14) and 24 App. V.S.A. ch. 279, § 21, which grant the Village of Swanton Trustees the authority to make, amend, and enforce ordinances for the protection of the public health, safety, and welfare.

Section II. Purpose

The purpose of this Ordinance is to regulate the placement of “free piles” within the Village in order to:

- Protect public health and safety,
- Prevent the creation of nuisances and blight,
- Maintain the appearance of Village streets, and
- Ensure proper disposal of waste materials.

Section III. Definitions

- a. “Free pile” means any collection of goods, furniture, appliances, clothing, or other items placed outside at or near the curb, edge of roadway, or in public view, with the intent of giving them away at no cost.
 - (1) Free piles do not include:
 - (a) Items placed for scheduled trash or recycling collection in compliance with solid waste rules,
 - (b) Items offered during an attended yard sale (meaning the property owner or resident remains present with the goods for the duration of the sale), or
 - (c) Lawn furniture temporarily placed outside for use by the property owner, provided it is not located within the public right-of-way, except

during official Village events such as Memorial Day Parade or Homecoming.

- b. "Public view" means visible from any public roadway, sidewalk, or adjacent property.
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Section IV. Regulation of Free Piles

1. Free piles may not remain outside for more than 72 consecutive hours.
 2. After 72 hours, all items must be removed from public view and disposed of properly by the property owner.
 3. Free piles shall not obstruct sidewalks, roadways, or create a hazard to pedestrians or vehicles.
 4. Property owners are responsible for ensuring compliance with this Ordinance, regardless of who placed the items.
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Section V. Enforcement and Penalties

1. The Village Trustees, or their designated enforcement officer, shall be responsible for enforcement of this Ordinance.
 2. Any property owner who violates this Ordinance shall be subject to civil penalties as follows:
 - o First offense: \$150
 - o Second offense: \$300
 - o Third offense: \$450
 - o Fourth and subsequent offenses: \$500 each
 3. Each day a violation continues beyond the 72-hour limit shall constitute a separate offense.
 4. The Village may remove items at the owner's expense if violations persist beyond notice and penalty.
 5. Civil enforcement shall be pursuant to 24 V.S.A. §§ 1974a and 1977.
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Section VI. Exceptions

The Village Trustees may authorize temporary exemptions to this Ordinance for community events, clean-up initiatives, or other public purposes.

Section VII. Severability

If any provision of this Ordinance is found to be invalid, the remaining provisions shall remain in full force and effect.