

Ordinance 04-14

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand Thirteen

Be it ordained by the City Council of the City of Franklin that a new Chapter be added to the Franklin City Code as follows:

City Property

- A: In order to protect, and provide for, the health, safety, and welfare of the citizens of Franklin and all visitors to the City, The Franklin City Council hereby establishes provisions for the use of City-owned properties, and the restrictions for certain uses that might compromise the health, safety, and welfare of all persons.

- B: As the definition of “city property” encompasses many different types of land areas, rights-of-way, and structures, there already exists a variety of City Codes that addresses the use of these areas. The existing codes include, but are not limited to, the following Chapters:

101 Alcoholic Beverages	107 Animals	113 Bicycles
125 Moving of Buildings	143 Curfew	149 Driveways
155 Public Entertainment	170 Floodplain Management	180 Hazardous Substances
203 Littering and Public Cleanliness	215 Noise	219 Nuisances
222 Parks and Beaches	230 Peddling and Soliciting	245 Sewers
252 Skates and Skateboards	257 Solid Waste	262 Streets and Sidewalks
284 Vehicles and Traffic	289 Water	294 Weapons
309 Community Center	321 G.A.R. Hall	

- C: In addition to the applicable City Codes, the City may adopt policies for the use of specific structures, parks, parking areas, sidewalks, or similar properties. The application and interpretation of the policies shall be carried out by the specific department responsible for the property. For certain proposed uses, the department head, in consultation with the City Manager, is permitted to apply some discretion to allow for certain uses that might not be included in the list of allowed uses but are determined to be consistent with, and similar to, the enumerated uses. All policies shall be adopted by the applicable committee of the City Council, or by the Council itself as deemed appropriate by the Committee.

- D: No camping or any overnight use of any City property is allowed unless it meets the following requirements:
 - 1) The proposed use is being carried out by an organization which must have a recognized goal of community assistance, education, or other recognizable focus of community support. Eligible organizations may seek approval on a yearly, or a use-by-use, basis.

- 2) Prior to approval by the appropriate City department [Parks and Recreation, Conservation, Municipal Services, etc.] the organization shall outline the proposed use and duration, and the number of individuals involved.
- 3) Any City property used for any camping or overnight activities shall be cleaned after the activity and shall be left in its original condition. All trash or debris shall be removed from the property and disposed of properly.
- 4) The appropriate Department Head, or the City Manager, retains the right to deny any camping or overnight use if a determination is made that the request did not adequately describe the planning or management of the activity, or the proposed use will not protect and provide for the general health, safety and welfare of the City.

Roll Call Vote:

Councilor Clarenbach	_____	Councilor Dzujna	_____
Councilor Giunta	_____	Councilor Cournoyer	_____
Councilor Boyd	_____	Councilor Feener	_____
Councilor Desrochers	_____	Councilor Trudel	_____
Councilor Starkweather	_____		

A True Copy Attested _____
City Clerk

Passed: _____
Date

Approved: _____
Mayor