



**REGISTRATION INFORMATION:**

1. Register your Short-Term Rental 60 days before the Short-Term Rental is occupied by an occupant(s).
2. Register your Short-Term Rental no later than the 1<sup>st</sup> of April in every calendar year in which the property is occupied as a Short-Term Rental.
3. Be sure to submit all items listed on the Registration Form. Missing items will result in an incomplete registration and is likely to be time sensitive for occupancy.
4. Notification of an incomplete application will be sent via email. The applicant will have 7 calendar days from the date of notification to respond with the resolution of the incomplete application.
5. WHEN CHANGING A PRIVATE HOME INTO A SHORT-TERM RENTAL:
  - a. Obtain a Change of Use permit from the DFS website; complete on-line and submit with the \$125 fee.
  - b. Schedule a site visit for inspection with the DFS Assistant Fire Marshall listed below.
  - c. Obtain a Change of Use permit from the Village website; complete and submit with \$100 Fee plus \$15 recording fee to the Zoning Administrator.

**REGISTRATION FEE:**

\$300.00 Non-refundable registration fee.

**ATTACHMENT CHECKLIST:**

All following items must be attached to this form to be considered complete:

- Proof of satisfactory compliance and/or inspection with a Vermont Division of Fire Safety; Assistant State Fire Marshal: Matt Jakubowski; [Matthew.Jakubowski@Vermont.gov](mailto:Matthew.Jakubowski@Vermont.gov); 802-786-0075
- VTDFS Short Term Rental Safety, Health, and Financial Obligations Form; all sections completed
- Proof of a Vermont tax account for meals and rooms and/or sales tax
- Proof of homeowner's insurance with a short-term rental endorsement
- Photographs of adequate waste receptacles for occupant waste storage
- Photographs or site plan depicting all on-site parking, including guest parking
- Photograph of placement of Required Information to Occupants poster
- Copy of any STR rules you have required in connection with the STR
- Completed Registrant/Operator Information Form
- If applicable, a copy of the written property management services agreement or contract
- Registration Fee of \$300

**OCCUPANCY BASED FIRE SAFETY REQUIREMENTS:**

- 9-15 Occupants:
  - o Fire Alarms,
  - o Smoke Alarms,
  - o Horn Strobes
  - o Pull Stations
- 16+ Occupants:
  - o Sprinkler System

Zoning Office  
45 Union Street  
PO Box 482  
Manchester, VT 05254

Ph: (802) 362-1515  
[ZONING@villageofmanchester.com](mailto:ZONING@villageofmanchester.com)  
Hours: Mon – Thu 9:00 am - 3:00 pm



**INSPECTION:**

The Short-Term Rental Officer may contact you for an inspection prior to the approval of your registration form.

**ATTACHMENTS:**

- Registrant/Operator Information Form
- Short Term Rental Safety, Health, and Financial Obligations Form & Fire Safety Information Sheet
- Short Term Rental Ordinance
- Noise Ordinance
- Outdoor Lighting Ordinance

**SIGNATURE AND SUBMITTAL**

I acknowledge that I have read and understand the Village of Manchester Short Term Rental Ordinance. I will comply with all provision of applicable laws and ordinances. I hereby attest that I am the owner of the subject property and that the information contained within and attached to this form is true and correct to the best of my knowledge.

\_\_\_\_\_

\_\_\_\_\_

*Applicant Signature*

*Date*

**ADMINISTRATIVE INFORMATION**

Decision:	Approved		Denied	
Inspection Date:				
Notes:				

\_\_\_\_\_

\_\_\_\_\_

*Short-Term Rental Officer Signature*

*Date*



## 2026 STR Registrant/Operator Information Form

One Registrant form is required to be submitted per rental unit being registered.  
Submit the following information:

**Property Owner**  
 Name: \_\_\_\_\_  
 Mailing address: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Phone number: Land: \_\_\_\_\_ Cell: \_\_\_\_\_

**Property Manager** (if different),  
 Name: \_\_\_\_\_  
 Mailing address: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Phone number: Land: \_\_\_\_\_ Cell: \_\_\_\_\_

**STR property address:** \_\_\_\_\_

**Access instructions for 9-1-1 responders:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Property relationship to Owner:**  
 Primary residence  
 Homestead Secondary residence  
 Vacation Home Investment (no personal use by owner)

**Year purchased by owner Age of STR unit (year built):** \_\_\_\_\_

**Expected rental activity this year:**  
 >180 rentable nights  
 91-180 rentable nights  
 15-90 rentable nights  
 <15 rentable nights (exempt from STR registration)

**Monthly rental of STR unit is allowed by owner:** ( Y/N )

**Type of structure:**  
 Complete Dwelling  
 Accessory Dwelling Unit  
 Attached Accessory Dwelling Unit  
 Detached Apartment building Condo/Townhouse  
 Single-family home Duplex or Triplex  
 Room or Guest suite within a single-family home 3-season or un-weatherized structure  
 RV or Tiny house Campsite  
 Other:

**2026 STR Registrant/Operator Information Form (cont.)**

**Dwelling Unit Capacity:**  
Number of bedrooms: \_\_\_\_\_  
Number of bathrooms: \_\_\_\_\_  
Number of guests allowed: \_\_\_\_\_  
ADA accessibility ( Y/N )

**Number of designated off-street parking spaces:** \_\_\_\_\_

**Safety Features:**  
Number of smoke alarms: \_\_\_\_\_  
Number of CO alarms: \_\_\_\_\_  
Number of fire extinguishers: \_\_\_\_\_  
Date of last fire safety inspection: \_\_\_\_\_

**OCCUPANCY BASED FIRE SAFETY REQUIREMENTS:**

9-15 Occupants:

- Fire Alarms,
- Smoke Alarms,
- Horn Strobes
- Pull Stations

16+ Occupants:

- Sprinkler System

**Type of STR Insurance:**  
 Homeowners insurance with rental/business activity endorsement  
 Landlord insurance plus liability umbrella policy  
 Commercial STR insurance  
 Other: \_\_\_\_\_

**Type of Wastewater Management used by STR:**

- Municipal sewer system
- Private septic system
- Composting toilet
- Outhouse
- Other: \_\_\_\_\_

**Pet-friendly rental:** (Y/N)

**Property owner is a member of and receives educational materials from the Vermont Short-Term Rental Alliance:** (Y/N)

**STR Listing Sites:** Check all that apply

- Airbnb
- Vacasa
- VRBO
- WeChalet
- Stayclass
- Other: \_\_\_\_\_

## Short Term Rental Safety, Health and Financial Obligations

<b>Contact Information</b>	<b>Instructions</b>
<b>Department of Health: 802-863- 7221</b> <b>Division of Fire Safety: 802 479-7561</b>	The short term rental operator shall post within the unit a telephone number for the persons responsible for the unit and the contact information for the Vermont Department of Health and the Vermont Division of Fire Safety. This form shall be completed by the short-term rental operator and retained on site. The form need not be filed with the department.

SHORT TERM RENTAL OPERATOR INFORMATION		
Operator(s) Name (Print):	Number of Rooms Rented:	
Physical 911 Address of Property:	Type of Heating System:	
Mailing Address:	Public or Private Water:	
Cell phone number:	E- Mail:	Tax Account Number:

Division of Fire Safety General Checklist ( <a href="http://www.firesafety.vermont.gov">www.firesafety.vermont.gov</a> )
<input type="checkbox"/> Smoke and carbon monoxide alarms are provided in accordance with the attached fire safety info sheet.
<input type="checkbox"/> GFI Outlets are provided in locations identified on the attached fire safety info sheet.
<input type="checkbox"/> Every sleeping room is provided with a secondary means of escape (see attached fire safety info sheet).
<input type="checkbox"/> Heating systems (fuel and wood) have been inspected by a certified fuel service technician (see info sheet).
<input type="checkbox"/> Landings, decks, porches and balconies higher than 30 inches from grade are provided with guards and rails.
<input type="checkbox"/> Stairs must be provided with graspable handrails (see attached fire safety info sheet).

Health Department General Checklist ( <a href="http://www.healthvermont.gov">www.healthvermont.gov</a> )
<input type="checkbox"/> Appliances are operational and in good repair and hot and cold potable water have been supplied.
<input type="checkbox"/> Guest rooms have been serviced and cleaned before each new guest.
<input type="checkbox"/> Refuse containers are available and emptied at least once each week or more frequently, if necessary.
<input type="checkbox"/> Swimming pools, recreational water facilities, and hot tubs are kept sanitary and in good repair.
<input type="checkbox"/> Sewage system and toilets function and are in good repair.
<input type="checkbox"/> Toxic cleaning supplies are properly labeled, safely stored and used according to the manufacturer's directions.
<input type="checkbox"/> Guest rooms are free of any evidence of insects, rodents, and other pests.

Tax Department General Checklist ( <a href="http://www.tax.vermont.gov">www.tax.vermont.gov</a> )
<input type="checkbox"/> Meals and rooms taxes are filed and paid by a third party. I do not need a Vermont tax account.
<input type="checkbox"/> Meals and rooms taxes are <b>NOT</b> filed and paid by a third party. I have a Vermont tax account.
<input type="checkbox"/> The Vermont Meals and Rooms Tax license is displayed in each rental unit.
<input type="checkbox"/> My income from these activities is included on my income tax return.
<input type="checkbox"/> I file and pay Vermont Sales Tax for any tangible items I sell.

<b>Signature of Short Term Rental Operator</b>	<b>Date</b>



## Fire Safety Considerations for Short-Term Rental Operators

For detailed information on providing and maintaining a safe short-term rental, please visit our home page [www.firesafety.vermont.gov](http://www.firesafety.vermont.gov)

### Smoke Alarms

- Photoelectric type smoke alarms are required in the immediate vicinity of sleeping rooms, inside each sleeping room, and on all floor levels including the basement. All newly installed smoke alarms must be hard wired into the buildings electrical system.
- Smoke alarms in sleeping rooms of buildings constructed prior to 1994, may be of the 10-year photoelectric lithium powered tamper resistant type.

### Carbon Monoxide Alarms

- Outside each sleeping area in the immediate vicinity of the bedrooms. An additional detector shall be installed in each sleeping room that contains a fuel- burning appliance.
- Carbon Monoxide alarms installed or replaced in a dwelling after July 1, 2005 must be directly wired to the building electrical service and have a battery backup.
- Existing One and Two family dwellings constructed prior to July 1, 2005 may use plug in style alarm with battery backup or battery power or you may hardwire.

### Guard and Handrails

- Landings, decks, porches or platforms more than 30 inches of grade must be provided with guards and intermediate rails spaced no more than 4 inches apart.
- Graspable handrails must be provided on all stairs.

### Electrical Safety:

Ground Fault Current Interrupters (GFCI) are required in the following areas;

- Bathrooms, garages and accessory buildings having a floor located at or below grade level, not intended as a habitable room and limited to storage. Work areas, outdoors, crawl spaces, unfinished portions or areas of the basement not intended as a habitable room. Kitchen, where the receptacles are installed to serve countertop surfaces and sinks and where the receptacles are installed within 6ft from the top inside edge of the bowl of the sink. Boathouses and bathtubs or shower stalls, where receptacles are installed within 6ft of the outside edge of the bathtub or shower stall and laundry areas.

### Secondary Means of Escape from Sleeping Rooms

- Every sleeping room must be provided with a primary and secondary means of escape.
- A window meeting rescue and ventilation requirements can satisfy the secondary means of escape.

### Heating System Safety

- Oil, gas, wood, wood pellet and kerosene fuel fired heating systems shall be cleaned and maintained in accordance with manufacturer's installation instructions and shall be inspected at least once during any 2-year period by a certified fuel service technician or Chimney sweep in the case of solid fuels.

For additional details and information, visit the Code Information & Hot Topic Fire Safety Sheet section of our web page.

<https://firesafety.vermont.gov/buildingcode/codesheets>

# VILLAGE OF MANCHESTER

## SHORT-TERM RENTAL ORDINANCE

The Trustees of the Village of Manchester, Vermont, acting under the authority of 24 V.S.A. 2291(29), hereby adopts and ordains this ordinance regulating certain Short-Term Rentals in the Village of Manchester.

### SECTION 1: PURPOSE

- (1) This Ordinance is adopted to protect and preserve the character of the Village of Manchester; to promote health, safety, and welfare; to further the purposes of the Village Plan; and 24 V.S.A. Chapter 117.
- (2) This Ordinance may be referred to as the “Short-Term Rental Ordinance” for the Village of Manchester, Vermont.
- (3) This Ordinance is designated as a civil ordinance under 24 V.S.A. § 1971 and shall be enforced in accordance with the provisions of 24 V.S.A. § 1974a and other applicable provisions of law.

### SECTION 2: DEFINITIONS

As used in this Ordinance:

- (1) “Short-term rental” means in accordance with 24 V.S.A. § 2291(29), as “a furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year.”
- (2) “Owner” means an owner of property meeting the definition of a short-term rental stated in this Ordinance.
- (3) “Occupant” means (i) a person who rents a property as a short-term rental, and (ii) each person who is present at a short-term rental by permission or invitation of a person renting the property as a short-term rental.
- (4) “STRO” means the Short-Term Rental Officer serving pursuant to Section 3 of this Ordinance.

### SECTION 3: SHORT-TERM RENTAL OFFICER

The Short-Term Rental Officer (“STRO”) of the Village of Manchester shall be appointed by the Board of Trustees (“BOT”) and may be removed at-will by action of the Trustees at any time, with or without cause.

### SECTION 4: REGISTERING A SHORT-TERM RENTAL

- (1) Every short-term rental shall be registered by its owner with the STRO on or before the later of (i) 90 days after the effective date of this Ordinance; or (ii) 60 days before the first day the short-term rental is occupied by an occupant. Thereafter, the owner shall register the short-term rental annually, no later than April 1 in every calendar year in which the property is occupied as a short-term rental. Registrations shall be completed on a form approved by the Trustees.

- (2) The fee for registration shall be \$300, provided that the fee may be increased from time to time by the Trustees.

### **SECTION 5: RULES FOR SHORT-TERM RENTALS**

**(1) Fire Safety.** A short-term rental is a “public building” as defined by 20 V.S.A. § 2730, subject to inspection and regulation by the Vermont Division of Fire Safety.

(a) The owner shall provide proof of satisfactory compliance with inspections as may be required by the Vermont Division of Fire Safety prior to the first occupancy by the occupant as defined by this ordinance.

(b) Additionally, each owner shall provide to the STRO a copy of the Vermont Division of Fire Safety, Short Term Rental Safety, Health, and Financial Obligations Form which has been completed by the owner and posted at the rental location

**(2) Trash and Waste.**

(a) An owner shall provide for disposal of trash, food waste, and recyclable material utilizing bear proof receptacles, and shall provide one or more adequate metal containers for disposal of ash and coals if there is a fireplace, fire pit, wood burning stove, wood or charcoal grill, or other source of ash or coals at the short-term rental.

(b) An occupant shall dispose of all trash, food waste, recycling materials, ash, and coals in receptacles provided for such purposes in accordance with this subsection, and in a reasonably safe and secure manner.

**(3) Maximum Occupancy.**

(a) An owner shall not advertise or permit occupancy by more than (a) two persons per bedroom plus (b) an additional two persons (the “occupancy limit”).

(b) Each occupant who remains overnight in a short-term rental in excess of the occupancy limit imposed by this subsection shall be in violation of this Ordinance and shall be subject to separate and individual liability.

**(4) Caretakers.** An owner shall provide for a caretaker who is available (a) 24 hours per day (or two or more caretakers who together provide 24 hour per day coverage) during the occupancy period of each short-term rental, and (b) located within a 30 minute drive of the short-term rental. An owner shall provide all occupants and the STRO with contact information for the caretaker. An owner shall provide updated caretaker’s contact information to the STRO upon any change in such information, prior to any subsequent occupancy of the short-term rental.

**(5) Inspection.** A short term-rental shall be made available by the owner for inspection within one week of a request by the STRO.

**(6) Required Information to Occupants.** An owner shall prominently display one or more posters with the following information at the short-term rental:

(a) The caretaker’s contact information and, if more than one caretaker is used, a schedule showing the dates and hours at which each caretaker may be contacted.

- (b) Phone numbers and directions to two or more of the nearest hospitals to the property.
- (c) Instructions on the location and proper use of bear-proof trash receptacles, use of containers for ash and coals, and reasonable instructions for parking consistent with any applicable law. The instructions required by this paragraph shall include a notice in substantially the following form:

***Be advised that any person who violates Vermont State Law against unnecessary and offensive noise between sunset and sunrise MAY BE FINED under 13 V.S.A. § 1022. Any occupant of this short-term rental property MAY BE LIABLE FOR A CIVIL PENALTY for violation of applicable provisions of the Short-Term Rental Ordinance and/or the Noise Ordinance of the Village of Manchester, including, without limitation, restrictions on the placement of trash, food waste, recyclable materials ash and coal, and restrictions on maximum occupancy limits. The Ordinance is available at [www.villageofmanchester.com](http://www.villageofmanchester.com).***

**5.2. Violation of Ordinance.** The STRO may revoke or deny the registration of a short-term rental if, within the preceding twelve-month period, three or more violations of any Village of Manchester Ordinance regulating short-term rentals or noise have occurred. For purposes of this subsection, a violation shall be deemed to have occurred if a person is charged with a violation of such ordinance and (i) the person waives a hearing on the charge or otherwise responds in a manner not contesting the charge; or (ii) the Vermont Judicial Bureau, or another court or tribunal having jurisdiction, enters a judgment or decision against the person on such charge and such judgment or decision becomes final.

A short-term rental owner may contest a determination by the STRO to revoke or deny registration of the short-term rental under this subsection at any time by appealing to the Board of Trustees for the Village of Manchester to grant or reinstate registration of the short-term rental. Upon receipt of such an application, the Board of Trustees shall review the determinations of the STRO de novo and shall otherwise apply the provisions of this Ordinance to the application. The decision of the Board of Trustees shall be appealable in accordance with Title 24, Chapter 117, Subchapter 11 of the Vermont Statutes.

## **SECTION 6: PENALTIES; ENFORCEMENT**

**6.1. Civil Penalty.** This is a civil ordinance. Pursuant to 24 V.S.A. § 1974a, a civil penalty of up to \$800 may be imposed for a violation of this ordinance. Each day the violation continues shall constitute a separate violation. The STRO, Town of Manchester Police Department, The Vermont State Police, The Bennington County Sheriff's Department, and such other enforcement officers as the Village Trustees may appoint from time to time, are authorized to enforce this ordinance.

### **(7) Multiple Owners or Occupants.**

(a) In the event that a short-term rental has more than one owner, each owner shall be subject to individual and separate liability and enforcement action for any violation of a requirement or restriction imposed by this Ordinance on an owner or owners, in an amount up to the full penalty authorized by Section 6.1 of this Ordinance.

(b) In the event of a violation of a requirement or restriction imposed by this Ordinance on an occupant or occupants, each occupant of the short-term rental who (i) is present at the short-term rental at a time that the violation exists or occurs, or (ii) knows or should reasonably know that a violation exists or has occurred and fails to take reasonable action to remedy the violation, shall be subject to individual and separate liability and enforcement action for the violation in an amount up to the full penalty authorized by Section 6.1 of this Ordinance.

(c) The individual and separate liability imposed by paragraphs (a) and (b) of this subsection 6.2 shall not be affected by whether liability or enforcement action is imposed, prosecuted, or proven against one or more other owners or occupants for the same violation.

**(8) Complaints.** The STRO is designated and authorized as a “municipal official” to sign a complaint for violation of this Ordinance in accordance with 24 V.S.A. § 1977.

**(9) Order to Cease Violation.** In addition to any other remedy provided in this Ordinance or available at law or in equity, the Village may apply to the Judicial Bureau under 24 V.S.A § 1974a(c) for an order that a violation of this Ordinance cease.

**SECTION 7: CONSTRUCTION WITH OTHER LAW**

This Ordinance shall not be construed as waiving the Village’s rights of enforcement with regard to any State statute or any bylaw, regulation, rule, ordinance or other provision of law. This Ordinance is in addition to and not a substitution for, and shall not operate to the exclusion of, any such other law.

This action is taken by the Trustees of the Village of Manchester and shall be printed in full in the minutes of the Trustees, posted in 3 (3) conspicuous places within the Village of Manchester and a summary published in the Bennington Banner within fourteen (14) days of its adoption and shall become in full force and affect sixty (60) days after the date of adoption to the right of petition provided by law.

_____	_____
Tom Deck President	Date
_____	_____
Trustee	Date
_____	_____
Trustee	Date
_____	_____
Trustee	Date
_____	_____
Trustee	Date

# VILLAGE OF MANCHESTER

## NOISE ORDINANCE

### 1. Authority and Purpose

This Noise Ordinance is adopted under authority granted in 24 V.S.A. §2291(14) and (15) and 24 V.S.A. Chapter 59. The purpose of this Ordinance to protect, preserve and promote the public health, safety, comfort, welfare, peace and quiet for the citizens of the Village of Manchester through the reduction, control, and prevention of Unreasonable Noise.

### 2. Definitions

For purposes of this Ordinance, the following words and phrases shall apply:

**Plainly Audible:** Any sound that can be detected by a person using his or her unaided hearing faculties.

**Unreasonable Noise:** Any sound which, because of its loudness and frequency, unreasonably disturbs, injures or endangers the comfort, repose, or safety of reasonable persons of ordinary sensitivity, or unreasonably interferes with the peace and comfort of neighbors or their guests, or detrimentally or adversely affects such residences, or is plainly audible from another property or from the street between the hours of 9 pm and 7 am.

### 3. Prohibitions

#### A. General prohibitions

It shall be unlawful for any person to make or cause to be made any Unreasonable Noise. Without limitations, the commission of one or more of the following acts, if done in such manner, shall be deemed a violation.

#### B. Express Prohibition

(a) **Music Devices.** It shall be unlawful to use or operate a device to project music, including any loudspeaker, stereo, megaphone, radio, or musical instrument, in such a manner as to create an Unreasonable Noise.

(b) **Social Events.** It shall be unlawful for the host of, or participant in, a social event to make, or cause to be made, an Unreasonable Noise. For purposes of this section:

1. "Social event" includes any party, concert, or other gathering upon the premises by one or more persons not residing at the premises.

2. "Host" includes any person or business that receives or entertains people at a social event as guests or customers.

There is a rebuttable presumption that the host and all persons residing at the premises have allowed such social event to occur in or about the premises. The host and all persons residing at the property are responsible for such Unreasonable Noise made, each having joint and several liability.

(c). Personal Mobile, or Portable Sound-producing Devices. The playing or use of a personal mobile, or portable sound-producing device in such manner or with such volume at any time and place to create an Unreasonable Noise

(d) Vocal Disturbances. Yelling, shouting, whistling, singing, or making any other loud vocal noise that creates an Unreasonable Noise.

(e) Keeping any animal which howls, barks, or makes other sounds continuously for over 10 minutes, or intermittently for over 20 minutes and creates a noise disturbance across a real property boundary in a residential zone.

(f) Construction and Maintenance Sounds: The excavation, erection, demolition, alteration, or repair of any buildings, structure, property, or street between the hours of 6:00 pm and 7:00 am, on all days of the week, Sundays when work may only take place between 12 noon and 6:00 pm. Exceptions will be made for necessary emergency construction and maintenance to protect property or persons.

(g) Operating equipment for lawn maintenance and grounds outside of the hours of 7:00 am until 9:00 pm Monday through Saturday, and 8:00 am until 9:00 pm on Sunday (including but not limited to lawn mowers, hedge trimmers, weed whackers, chain saws, and leaf blowers).

(h) Outside musical performances, either amplified or non-amplified, at a public or private event as follows: (1) Before 7 am and after 9 PM Sunday through Thursday, and (2) Before 7 am and after 10 pm Friday, Saturday, and Official Holidays.

#### **4. Evidence of violation**

For the purposes of subsections (a), (b), (c), (d), (e), (f), (g) and (h) a noise or disturbance of such magnitude so as to be plainly audible in another building, or in the street or public way shall be deemed prima facie evidence of a violation.

#### **5. Landlord culpability**

The violation of this Ordinance by a tenant of a rental housing unit shall also be deemed a violation by the property owner, if the owner has received written notice of the tenant's prior violation and the owner has failed to take reasonable steps to prevent subsequent violation of the Ordinance. In such case, the owner and tenant shall each have joint and several liability.

Owners of rental property, including short-term rentals, shall provide a copy of this Ordinance to each tenant at the start of the tenancy. However, failure of an owner to provide a copy of the Ordinance shall not be a defense to a violation of this Ordinance.

## 6. Enforcement

A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Sections 1974a and 1977 et. seq. and prosecuted in the Vermont Judicial Bureau. Any person who violates a provision of this Ordinance shall be subject to a civil penalty of up to \$800.00 per day. Each day on which a violation occurs or continues after receiving a violation complaint shall be considered a separate violation of this Ordinance.

Any certified Vermont law enforcement officer or other person authorized by the Village of Manchester Board of Trustees shall be permitted to enforce this Ordinance as an issuing municipal official. Such person may issue complaints and may be the appearing officer at any hearing. An issuing municipal official is authorized to recover civil penalties in the following amounts for each violation:

First Offense	\$500.00
Second Offense	\$600.00
Third and Subsequent Offenses	\$800.00

An issuing municipal official is authorized to recover a waiver fee, in lieu of a civil penalty, in the following amounts, for any person who declines to contest a municipal complaint and pays the waiver fee:

First Offense	\$150.00
Second Offense	\$300.00
Third and Subsequent Offenses	\$500.00

## 7. Variances

Any person may apply to the Village Board of Trustees for a Special Events Permit to allow for a Variance from the requirements of this chapter for a planned future event. The applicant shall provide a list of the names and addresses of the owners and/or tenants of all adjoining properties together with any additional owners/tenants of properties within two hundred fifty (250) feet of the site(s) where the activity is to occur ("List"). Prior to any hearing called to address the request for the Special Events Permit, the applicant must provide proof that a Thirty (30) day advance notice of the hearing was provided to all property owners/tenants appearing on the List. After hearing, for good cause shown, the Board of Village Trustees may, in its sole discretion, either grant or deny the variance. If the variance is granted, reasonable conditions may be imposed on it.

## 8. Exemptions

Sounds from the following sources shall be exempt from the prohibitions specified herein and shall not be included in any measurements performed to determine compliance:

- (a) All safety signals and warning devices or any other device used to alert persons to any emergency or used during the conduct of emergency work including but not limited to police, fire and medical/rescue vehicle sirens.

- (b) The repair and maintenance of municipal facilities, services or public utilities when such work must be accomplished outside of daytime hours.
- (c) Snow removal equipment operated within the manufacturer's specifications and in proper operating condition.
- (d) Events conducted by or permitted by the Village. Persons operating an event under the authority of an entertainment permit, parade, street event, or special use permit shall comply with all conditions of such permits with respect to noise control issues.
- (e) Normal and reasonable noise associated with school, sporting or fund-raising activities conducted by and on the site of a school or education institution.
- (f) Construction or repair work which must be done to address an emergency health or safety concern and that cannot be accomplished during daytime hours, and which is not work which includes normal maintenance and repair.
- (g) Normal and reasonable noise associated with refuse and recycling collection which occurs after 3:00 A.M. by commercial trash haulers.
  
- (h) Normal and reasonable noise associated with keeping and maintaining a golf course

## 9. Effective Date

After notice of adoption has been provided to the citizens of the Village as required in accordance with 24 V.S.A. Chapter 59, this Ordinance shall become effective 60 days after approval by the Board of Trustees. If a petition is filed under 24 V.S.A. § 1973, the effective date of this Ordinance shall be governed by that statute.

Adopted this 5th day of July, 2022.

Village of Manchester Board of Trustees

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Orland Campbell, Jr, President

# VILLAGE OF MANCHESTER LIGHTING ORDINANCE

## 8.14.1 Purpose

The purpose of these outdoor lighting standards is to ensure safety and security while protecting against excessive glare, light pollution, and unnecessary energy use. Specifically, these outdoor lighting standards are intended to:

- (1) Provide lighting in outdoor public places where public health, safety and welfare are potential concerns.
- (2) Protect drivers, bicyclists, and pedestrians from the glare of non-vehicular light sources that shine into their eyes and thereby impair safe traverse.
- (3) Protect neighbors and the night sky from nuisance glare and stray light from poorly aimed, placed, applied, maintained, or shielded light sources.
- (4) Promote energy conservation and efficient lighting design and operation.
- (5) Protect and retain the unique historic charter of the village.

## 8.14.2 Applicability

All public and private outdoor lighting installed in the Village of Manchester shall be subject to these outdoor lighting standards. All proposed lighting plans shall contain information sufficient to demonstrate energy efficiency and conformity with these standards.

## 8.14.3 Standards

- (1) Lighting fixtures installed or aimed to project output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward, or onto a public roadway, walkway, or bicycle way, are prohibited.
- (2) Fixtures shall be of a type and design appropriate to the lighting application and in conformance with the design standards of Section 7.
- (3) Luminaries shall be equipped or modified to incorporate light directive devices such as shields, visors, skirts, or hoods to be downcast and prevent offending light distribution or to reduce direct or reflected glare.
- (4) All lighting shall be aimed, designed, fitted, and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse, and to create a nuisance by projecting or reflecting objectionable light onto a neighboring use of property.

- (5) Flood and spot luminaires, where specifically approved by the Development Review Board or administrative officer, shall be installed so that they do not project their output onto adjacent or neighboring property or uses, skyward, or onto a public road.
- (6) Any luminaire with a lamp or lamps rated at a total of more than 1800 lumens, and any flood or spot luminaire with a lamp or lamps rated at a total of more than 900 lumens, shall not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire, and shall be mounted at a height equal to, or less than, the value  $3' + (D/3)$ , where D is the distance in feet to the nearest property boundary.
- (7) Color temperature of any LED lamp shall not exceed 4000 Kelvin.
- (8) The height of any freestanding luminaire shall not exceed 8 feet. The height of any attached luminaire shall not exceed 10 feet.
- (9) Under-canopy lighting, for such applications as hotel porta cocheres, theater marquees, or covered porches shall be accomplished using flat-lens full cut-off fixtures, aimed straight down, and shielded in such a manner that the lowest opaque edge of the fixture shall be below the light source at all lateral angles.
- (10) Directional fixtures, for such applications as façade, fountain, or architectural or landscape feature illumination, shall be aimed so as not to project their output beyond the objects intended to be illuminated.
- (11) Blinking or flashing lights are prohibited.

#### **8.14.4 Hours of Illumination**

Unless otherwise permitted by the Development Review Board, or the administrative officer, for safety or security purposes, lighting for commercial, recreational, or institutional applications shall be controlled by automatic switching devices, such as time clocks or combination motion detectors and photocells, to extinguish such light sources after 10:00 P.M. to mitigate nuisance glare and sky-lighting consequences. Except as provided for flags and signs below, all outdoor lighting shall be extinguished between the hours of 10:00 P.M. and dawn.

Exceptions to the 10:00 P.M. limit are the following landmarks:

- (1) Burr and Burton Academy tower
- (2) First Congregational Church
- (3) Bennington County Court House
- (4) Equinox Hotel

#### **8.14.5 Flag Lighting**

The United States and the Vermont state flag may be illuminated from dusk until dawn. Flag lighting sources shall not exceed 5000 lumens per flagpole. The light source shall have a beam spread no greater than necessary to illuminate the flag.

#### **8.14.6 Sign Lighting**

Sign lighting shall not exceed 1000 lumens per sign face, and the source of the illumination shall be shielded, and directed solely at the sign to eliminate glare to the traveling public, nuisance light on neighboring properties, and sky glare.

All sign lighting shall be extinguished by the earlier of 10 P.M. or within one hour after the close of business.

#### **8.14.7 Temporary Lighting**

- (1) An applicant for temporary lighting shall submit a detailed description of the proposed lighting to the administrative officer, who shall consider the request in accordance with the standards set forth in Section 8.12 and may refer the application to the Development Review Board.
- (2) Temporary residential lighting for a specific, limited, holiday or seasonal period shall be allowed, without a permit, provided such lighting is consistent with the standards established in Section 8.12.
- (3) Temporary outdoor lighting for nonresidential uses may be permitted by the Development Review Board or the administrative officer, for a specified time period, if it is determined that:
  - (a) The lighting complies with the standards of Section 8.12.
  - (b) Public or private benefits will result from the temporary lighting.
  - (c) No nuisance or safety problems will result from the temporary lighting.