

NOTICE OF ADOPTION OF ORDINANCE

TOWN OF TOWNSHEND

The following Ordinance was adopted by the Townshend Board of Selectmen on January 19, 1981:

SECTION 1. -- Title

This ordinance shall be known as the "TOWNSHEND FISSIONABLE SOURCE MATERIALS ORDINANCE OF 1981."

SECTION 2. -- Nuisance Defined

The Townshend Board of Selectmen, in the exercise of their powers and pursuant to 24 VSA Section 2291 (14), define public nuisance as an activity that disrupts the comfort and convenience of the general public by adversely affecting some general interest or common rights, of which injures or endangers life and health, or which interferes with the reasonable use of property of the public in general.

SECTION 3. -- Findings

The Townshend Board of Selectmen has reviewed information concerning the mining and milling of fissionable source materials in the Nation. The Townshend Board of Selectmen, as a result, finds and declares that the mining and milling of fissionable source materials, whether conducted singly or together, constitutes a public nuisance in and near where such activities are conducted, for the following reasons:

The mining and milling of fissionable source materials releases radioactive substances into the air and underground water supplies. These substances expose humans to radioactivity both directly and indirectly through the air they breathe, the agricultural products they eat, and the milk and water they drink. Such exposure of humans to radioactivity is harmful to them. Additionally, such mining and milling activities present a substantial risk of despoiling the landscape, limiting the usefulness and financial value of property for other activities, and increasing local highway expense burdens.

SECTION 4. -- Prohibition

The mining and milling of fissionable source materials, whether conducted singly or together is prohibited within the borders of the Town of Townshend.

For the purpose of this ordinance, "Fissionable Source Materials" shall mean: a) mineral ore which is extracted or processed into fuel for nuclear fission reactors or weapons; or b) ores which contain by weight one one-hundredth of one percent (0.01%) or more of uranium, or

thorium, or any combination thereof, in any physical or chemical form or any concentrations which might reasonably be expected to permit economically profitable or successful conversion or processing into fuel for nuclear reactors or weapong.

SECTION 5. -- ENFORCEMENT

Any person who violates this Ordinance shall be fined not more than \$500 or be imprisoned for not more than one year. Each week the violation continues shall constitute a separate offense.

SECTION 6. -- CONSTRUCTION

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid or pre-empted, the remainder of this Ordinance and the application of such provisions to other persons or circumstances shall be construed to be not affected thereby.

SECTION 7. -- EFFECTIVE DATE

This Ordinance shall be effective sixty days after the date of its adoption unless a petition pursuant to 24 VSA Section 1973 is filed.

Copies of the foregoing Ordinance may be inspected at the office of the Townshend Town Clerk on Route 30 in Townshend, Vermont. Any questions regarding the foregoing Ordinance may be directed to the Town Clerk at above address or by telephone (802) 365-7300.

Under the provisions of 24 VSA Section 1973, a petition for a vote on the foregoing Ordinance at an annual or special Town Meeting, signed by not less than five percent of the qualified voters of the Town of Townshend, may be presented to the Town Clerk within forty-four days following the date of adoption of the Ordinance, which date was January 19, 1981.

TOWN OF TOWNSHEND
BOARD OF SELECTMEN

Received for record 19, January, A.D. 1981

Francis A. Lucier (signed)
Assist. Town Clerk

