

# **TOWN OF EAST MONTPELIER, VERMONT**

## **TRAFFIC ORDINANCE**

Pursuant to the provisions of Title 23, Vermont Statutes Annotated, Section 1007 and 1008, and Title 24, Vermont Statutes Annotated, Sections 1971 and 2291 (1) (4) and (5), and such other general enactments as may be material hereto, it is hereby ordained by the Selectboard of the Town of East Montpelier that the following Traffic Ordinance is adopted for the Town of East Montpelier, Vermont.

### **ARTICLE I DEFINITIONS**

The definitions of Title 23, Vermont Statutes Annotated, Section 4 are incorporated by reference.

### **ARTICLE II SCOPE**

The ordinance establishes special traffic regulations on public highways within the Town of East Montpelier, Vermont.

### **ARTICLE III CIVIL ORDINANCE**

This ordinance is designated as a civil ordinance pursuant to 24 V.S.A. Section 1971 (b).

### **ARTICLE IV TRAFFIC CONTROL DEVICES**

Section 1. It shall be unlawful for any person to disobey the direction of a traffic control device except in response to the direction of a law enforcement officer.

Section 2. It shall be unlawful for any person to intentionally remove, injure, obstruct, deface, alter or tamper with any traffic control device.

Section 3. It shall be unlawful for any person to install any sign or device which may resemble or be mistaken for an official traffic control device, without prior approval of the Town of East Montpelier Selectboard.

### **ARTICLE V SPEED REGULATIONS**

On the basis of engineering and traffic investigations, the following speed limits are hereby established:

~~T.H. #1 (County Road)~~ County Road (Class 2 TH #1):— A maximum speed of 40 m.p.h. for the entire length.

~~T.H. #2 (Towne Hill Road)~~ Towne Hill Road (Class 2 TH #2):— A maximum speed of 40 m.p.h. for its entire length.

~~T.H. #3 (Center Road)~~ Center Road (Class 2 TH #3):— A maximum speed of 35 m.p.h. from the intersection of ~~T.H. #1~~ County Road northeasterly to a point 0.15 miles southwest of the intersection with ~~of T. H. #26~~ Bliss Road (Class 3 TH #48) and Barnes Road (Class 3 TH #44). From that point northeasterly to a point 0.10 miles north of the intersection with Dodge Road (Class 3 TH #26), a maximum speed of 25 m.p.h. For the remainder of Center Road north to the Calais town line, a maximum speed of 35 m.p.h. and thence extending northerly a distance of .5 mile.

~~T.H. #5 (Gallison Hill Road)~~ Gallison Hill Road (Class 2 TH #5): A maximum speed of 35 m.p.h. for its entire length.

Muddy Brook Road (Class 2 TH #6): A maximum speed of 35 m.p.h. for its entire length.

~~T.H. #25 (Quaker Hill Road and Vincent Flats Road)~~ Quaker and Vincent Flats Roads (Class 2 TH #7): A maximum speed of 35 m.p.h. ~~from the intersection of VT Route 14/U.S. Route 2, extending westerly a distance of .5 mile to the intersection with T.H. #46 (Cherry Tree Hill Road), thence extending northerly a distance of 1.1 miles to the intersection with T.H. 26 (Dodge Road & Snow Hill Road);~~ for the entire length of the roads.

Based on consideration of neighborhood character, abutting land use, bicycle and pedestrian use and physical characteristics of the unpaved highways in East Montpelier, the speed limit of 35 m.p.h. is hereby established for all unpaved highways unless otherwise posted.

The above speed limits shall be posted in accordance with the standards set forth in the Manual of Uniform Traffic Control Devices and shall be in effect when so posted.

## ARTICLE VI STOP AND YIELD INTERSECTIONS

Section 1. The following intersections shall be designated as “STOP” intersections, and shall be so signed:

~~T.H. #3 (Center Road) entering T.H. #1 (County Road)~~  
Center Road (Class 2 TH #3) entering County Road (Class 2 TH #1)

~~T.H. #4 (Haggett Road) entering T. H. #1 (County Road)~~  
Haggett Road (Class 2 TH #4) entering County Road (Class 2 TH #1)

~~T.H. #5 (Gallison Hill Road) entering T.H. #2 (Towne Hill Road)  
Gallison Hill Road (Class 2 TH #5) entering Towne Hill Road (Class 2 TH #2)~~

~~T.H. #22 (Lyle Young Road & Templeton Road) entering T.H. #3 (Center Road)  
Lyle Young Road (Class 2 TH #7) entering Center Road (Class 2 TH #3)  
Templeton Road (Class 2 TH #7) entering Center Road (Class 2 TH #3)~~

~~T.H. #22 (Templeton Road) entering T.H. #1 (County Road)  
Templeton Road (Class 2 TH #7) entering County Road (Class 2 TH #1)~~

~~T.H. #22 (Lyle Young Road) entering T.H. #26 (Dodge Road)  
Lyle Young Road (Class 2 TH #7) entering Dodge Road (Class 2 TH #7 & Class 3 TH #26)~~

~~T.H. #25 (Putnam Road) entering T.H. #26 (Dodge Road & Snow Hill Road)  
Putnam Road (Class 3 TH #25) entering Dodge & Snow Hill Roads (Class 3 TH #26)~~

~~T.H. #25 (Vincent Flats Road) entering T.H. #26 (Dodge Road & Snow Hill Road)  
Vincent Flats Road (Class 3 TH #25) entering Dodge & Snow Hill Roads (Class 3 TH #26)~~

~~T.H. #26 (Dodge Road) entering T.H. #3 (Center Road)  
Dodge Road (Class 3 TH #26) entering Center Road (Class 2 TH #3)~~

~~T.H. #42 (Cummings Road) entering T.H. #1 (County Road)  
Cummings Road (Class 3 TH #42) entering County Road (Class 2 TH #1)~~

~~T.H. #44 (Barnes Road) entering T.H. #1 (County Road)  
Barnes Road (Class 3 TH #44) entering County Road (Class 2 TH #1)~~

~~T.H. #46 (Cherry Tree Hill Road) entering T.H. #2 (Towne Hill Road)  
Cherry Tree Hill Road (Class 3 TH #46) entering Towne Hill Road (Class 2 TH #2)~~

~~T.H. #50 (Brazier Road) entering T.H. #2 (Towne Hill Road)  
Brazier Road (Class 3 TH #50) entering Towne Hill Road (Class 2 TH #2)  
Brazier Road (Class 3 TH #50) entering Center Road (Class 2 TH #3)~~

~~T.H. #54 (Schoolhouse Road) entering T.H. #2 (Towne Hill Road)  
Schoolhouse Road (Class 3 TH #54) entering Towne Hill Road (Class 2 TH #2)~~

~~T.H. #54 (Schoolhouse Road) entering T.H. #5 (Gallison Hill Road)  
Wheeler Road (Class 3 TH #54) entering Gallison Hill Road (Class 2 TH #5)~~

Church Street (Class 3 TH #74) entering Kelton Road (Class 3 TH #39)

East Hill Road (Class 3 TH #52) entering Clark Road (Class 3 TH #52 & 59)

Pine Ridge Road (Class 3 TH #70) entering Carleton Blvd (Class 3 TH #43)

Sibley Road (Class 3 TH #11 entering Center Road (Class 2 TH #3)

Sanders Circle (Class 3 TH #19) entering Horn of the Moon Road (Class 3 TH #18)  
at both easterly and westerly intersections

Section 2. The following intersections shall be designated as “YIELD” intersections and shall be so signed:

T.H. #23 (connector road between T.H. #25 & T.H. #26) entering T.H. #26 (Dodge Road & Snow Hill Road) Unnamed connector road between Vincent Flats Road and Dodge Road (Class 2 TH #7) entering Dodge Road (Class 2 TH #7 & Class 3 TH #26)

T.H. #23 (connector road between T.H. #25 & T.H. #26) entering T.H. #25 (Vincent Flats Road)  
Vincent Flats Road (Class 3 TH #25) from north entering Vincent Flats Road and unnamed connector road (Class 2 TH #7)

T.H. #46 (Cherry Tree Hill Road) entering T.H. #25 (Quaker Hill Road & Vincent Flats Road)  
Cherry Tree Hill Road (Class 3 TH #46) entering Quaker & Vincent Flats Roads (Class 2 TH #7)

Center Road (Class 2 TH #3) from south entering Lyle Young & Templeton Roads (Class 2 TH #7)

## **ARTICLE VII PARKING REGULATIONS**

Section 1. It shall be unlawful to park at any time:

- ~~On either side of County Road (Class 2 TH #1) T.H. #1~~ for its entire length;
- ~~and a~~ Adjacent to the Old Meeting House on Center Road (Class 2 TH #3) T.H. #3 as posted;
- On any side of Center Road (Class 2 TH #3) within 100 yards of its intersection with County Road (Class 2 TH #1) as posted;
- On either side of Vincent Flats Road (Class 2 TH #7) for the entire length of the East Montpelier Elementary School and the East Montpelier Recreation Field properties as posted.

Section 2. Overnight parking on or adjacent to Church Street is prohibited. It shall be unlawful to park from 10 p.m. until 6 a.m. on either side of Church Street for its entire length including in the parking slots along Church Street.

Section 3. Any vehicle parked in violation of the provisions of this article may be summarily removed at the owner's expense, by order of any law enforcement officer, road commissioner, or selectman.

Section 4. If the owner of a vehicle summarily removed under section 3 hereof does not claim such vehicle and pay all towing and storage expenses within thirty (30) days of the date of such removal, the title to such vehicle shall be forfeited to the Town and the vehicle may be sold or otherwise disposed of in accordance with Title 27, Vermont Statutes Annotated, Section 11.

Section 5. Parking areas designated as parking for persons with disabilities.

A. It shall be unlawful for any motor vehicle to park in a space designated as parking for persons with disabilities except when the motor vehicle is equipped with a valid handicapped registration plate(s) or a properly displayed handicap permit from the Vermont Department of Motor Vehicles in accordance with 23 V.S.A. § 304(a), or as otherwise provided by the law of the state in which the vehicle is registered, and an occupant is a person with a disability.

Section 6. Penalties.

A. The penalty for illegally parking in an area designated as parking for persons with disabilities shall be \$50 for each offense.

B. The penalty for violating all other provisions of this ordinance shall be: \$25 for the first offense; and \$50 for the second or subsequent offenses within 30 days of previous offense.

All penalties for violation of this ordinance shall be paid to the East Montpelier Treasurer within seven (7) days of the offense.

Section 7. Administrative appeal and enforcement.

Within 15 days of the date of the ticket date, a person receiving a parking ticket may appeal the violation by submitting a statement of objections to the Selectboard or its designee. The Selectboard or its designee will review the objections and respond in writing within 15 days. The Selectboard or its designee shall have the authority, in its discretion, to uphold the parking ticket, to overturn the parking ticket, or to reduce the amount of the fine. If, after exhausting this administrative appeal process, the violator has not paid the penalty assessed for the violation of this ordinance, the Town Attorney, at the direction of the Selectboard, shall institute an action on behalf of the Town against the violator in District Court accordance with Rule 80.9 of the Vermont Rules of Civil Procedure.

Section 58. Nothing in this Article shall be construed to make vehicular stops unlawful in obedience to the direction of a law enforcement officer or for other causes beyond the control of the operator.

## **ARTICLE VIII GENERAL PROVISIONS**

Section 1. Separate Offenses: Each violation of a provision of this ordinance shall be deemed a separate offense.

Section 2. Penalties: The provisions of this ordinance shall be cumulative to the fullest extent permitted by law with respect to all other statutes or ordinances now or hereafter adopted regardless of their order of passage or enactment.

Section 3. Issuing Municipal Officials: All officers of the Vermont State Police and the Washington County Sheriff's Department shall be recognized under this ordinance as issuing municipal officials.

Section 4. Severability: The provisions of this ordinance are declared to be severable and if any provision hereof be adjudged invalid such judgment shall not affect the validity of any other provision.

Section 5. Designation: This ordinance may be referred to as the East Montpelier Traffic Ordinance and in a prosecution hereunder a copy of such ordinance, certified by the Town Clerk shall be prima facie evidence thereof. An allegation that the act constituting the offense charged is contrary to a specified provision of this ordinance shall be a sufficient reference hereto.

Section 6. Repeal of Prior Ordinances: Any other ordinance or traffic regulation heretofore adopted by the Town of East Montpelier is hereby repealed.

Section 7. Publication and Posting: This ordinance shall be published in the Barre-Montpelier Times Argus on the 7<sup>th</sup> day of December, 1994 and shall be filed with the East Montpelier Town Clerk on the 1<sup>st</sup> day of December, 1994.

Adopted by the East Montpelier Selectboard at its meeting held on the 30<sup>th</sup> day of November, 1994.

As amended by the East Montpelier Selectboard: October 15, 2001; June 16, 2003; April 12, 2004; October 17, 2011; [September 19, 2016](#)