

Traffic Ordinance

Town of Stratton, Vermont

(Revision of 2013)

Adopted by the Board of Selectmen
this 26th day of August, 2013

Pursuant to the provisions of Title 23, VSA §§1007 and 1008, and Title 24, VSA §§1971 and 2291 (1), (4) and (5), and such other general enactments as may be material hereto, it is hereby ordained by the Board of Selectmen of the Town of Stratton that the following Traffic Ordinance is adopted for the Town of Stratton.

**ARTICLE I
DEFINITIONS**

The definitions of Title 23, VSA §4 are incorporated by reference.

**ARTICLE II
SCOPE**

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

**ARTICLE III
AUTHORITY OF LAW ENFORCEMENT OFFICERS**

Section 1: Law Enforcement to Direct Traffic

It shall be the duty of any law enforcement officer to enforce the provisions of this ordinance. Law Enforcement Officers are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of this ordinance providing that in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, law enforcement officers or officers of the fire department may direct traffic, as conditions may require, notwithstanding the provisions of this ordinance.

Section 2: Obedience to Law Enforcement.

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a law enforcement officer, and in the event of a fire or other emergency, of any officer of the fire department directing traffic.

Section 3: Exemption to Authorize Emergency Vehicles.

The provisions of this ordinance regulating the movement, parking and standing of vehicles shall not apply to emergency vehicles while the driver of such vehicle is operating the same in an emergency in the performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

**ARTICLE IV
LIST OF TOWN AND STATE HIGHWAYS**

Town Highway No.	Name
4	North Rd.
5	County Rd. (north east section)
7	County Rd. (southwest section) and Stone Chimney Rd.
9	Forrester Rd. (Half Mile Rd.)
10	West Jamaica Rd. (east of Mountain Rd.)
11	Shepardson Rd.
12	Ball Farm Rd.
13	Canedy Rd.
14	Grout Pond Rd.
15	Old Forrester Rd.
16	Knowlton Farm Rd.
17	Willis Cemetery Rd.
18	Pike Hollow Rd. (main section)
20	Penny Ave.
23	Dini Ln.
24	Pikes Falls Rd. (northwest section)
26	Pike Hollow Rd. (offshoot west of Pike Hollow Cemetery)
27	Pleasant Valley Rd.
28	Town Garage Rd.
State Aid Highway No.	Name
1	Stratton-Arlington Rd.
2	Stratton Mountain Access Rd., Brazers Way and Pikes Falls Rd. (southeast section).
3	West Jamaica Rd. (west of Mountain Rd.) and Mountain Rd.

**ARTICLE V
TRAFFIC CONTROL DEVICES**

Section 1: Disobeying Official Traffic Signs and Signals

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: Tampering with Official Traffic Signs and Signals

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

Section 3: Installation of Unauthorized Traffic Control Devices

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 Selectmen.

Section 4: Location of Traffic Control Signals

Traffic control signals or flashing signals and painted stop lines in connection therewith shall be maintained at the following locations:

- (a) A "STOP" sign on State Aid Highway #3 (West Jamaica Rd.) at the intersection with State Aid Highway #1 (Stratton-Arlington Rd.)
- (b) A "STOP" sign on Town Highway #20 (Penny Avenue) at the intersection of Vermont Route #100.
- (c) A "STOP" sign on Town Highway #18 (Pike Hollow Rd.) at the intersection with State Aid Highway #1 (Stratton-Arlington Rd.)
- (d) Three "STOP" signs (a THREE-WAY STOP) at the intersection of Town Highway #24 (Pikes Falls Rd.) and State Aid Highway #2 (Brazers Way).
- (e) A "STOP" sign on State Aid Highway #3 (Mountain Rd.) at the intersection with State Aid Highway #2 (Stratton Mountain Access Rd. / Brazers Way).
- (f) A "STOP" sign on Sunbowl Rd. (Private) at the intersection with State Aid Highway #3 (Mountain Rd.).
- (g) A "STOP" sign along State Aid Highway #3 at the intersection of Mountain Rd. and the West Jamaica Rd. (both are segments of State Aid Highway #3).
- (h) A "YIELD" sign on Town Highway #9 (Forrester Rd. / Half Mile Rd.) at the intersection with State Aid Highway #3 (Mountain Rd.).
- (i) "STOP" signs shall be placed on all private roads and town roads at all intersections with Town Highways and/or State Aid Highways, where such roads provide access to three or more dwellings.
- (j) "NO THRU TRUCKS" signs shall be placed at either end of Town Highways #5 and #7 (County Rd. section only) and Town Highway #20 (Penny Ave.).

Section 5: Proceeding Through Intersections and Crosswalks

It shall be unlawful for the operator of any vehicle to enter or proceed through an intersection or crosswalk without due regard to the safety of other persons, regardless of what indications may be given by traffic lights.

**ARTICLE VI
PEDESTRIANS**

Section 1: Location of Crosswalks

Crosswalks shall be located at the discretion of the Selectmen and shall be approximately six feet wide and shall cross streets in the places and in the manner designated by the Selectmen.

Section 2: Marking of Crosswalks

Crosswalks shall be marked by parallel painted lines or parallel rows of colored markers and where such crosswalk borders upon curbing, such curbing shall be painted between such parallel lines.

**ARTICLE VII
SPEED REGULATIONS**

Section 1: Basis

The following speed limits established herein are based on engineering and traffic surveys made pursuant to Title 23, VSA Section 1007.

Section 2: Speed Limits

It shall be unlawful to operate a vehicle within the Town limits of Stratton at a speed greater than the posted limits.

It shall be unlawful to operate a vehicle on any of the Town Highways or State Aid Highways at a speed greater than thirty-five (35) miles per hour except on the following highways.

- (a) State Aid Highway #1. The speed limit on this road shall be forty (40) miles per hour.
- (b) State Aid Highway #2 (Stratton Mountain Access Road) from the Winhall town line to its intersection with East Birch Rd. (a private road). The speed limit on this section of road shall be twenty-five (25) miles per hour.
- (c) State Aid Highway #2 (Stratton Mountain Access Road) from intersection of East Birch Rd. (a private road) to Brazers Way, for the length of Brazers Way and all of Pikes Falls Rd.. The speed limit on this section of road shall be forty (40) miles per hour.
- (d) State Aid Highway #3 (West Jamaica Rd. [west of Mountain Rd.] and Mountain Rd.). The speed limit on this section of road shall be forty (40) miles per hour.

Section 3: Signage

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

Section 4: Operating Vehicles where Children are Gathered or Apparent Danger is Present

It shall be unlawful to operate a vehicle at an unreasonable rate of speed at any time in any area where children are gathered or where there exists any condition of apparent danger.

**ARTICLE VIII
THROUGH WAYS, DANGEROUS INTERSECTIONS
and NO THROUGH TRUCKS**

Section 1: Through Ways

It shall be unlawful for the operator of a vehicle to enter or cross a through way from an intersecting street without bringing the vehicle to a full stop.

The following streets or portions of streets are designated as through ways:

- (a) State Aid Highway #1, the Stratton-Arlington Rd.
 - (b) State Aid Highway #2, the Stratton Mountain Access Rd., Brazers Way and Pikes Falls Rd. (southeast section).
 - (c) State Aid Highway #3, the W. Jamaica Rd. (west of Mountain Rd.) and Mountain Rd..
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Section 2: No Through Trucks

It shall be unlawful for a vehicle with a registered or gross vehicle weight rating (GVWR) of 18,000 pounds or more to enter and pass through the following town roads, unless the vehicle is providing a specific service for a property upon said road:

The following streets or portions of streets are designated "No Thru Trucks:"

- (a) Town Highway #5, County Rd. (north east section)
- (b) Town Highway #7, County Rd. (southwest section)
- (c) Town Highway #20, Penny Ave.

**ARTICLE IX
PARKING OF VEHICLES**

Section 1: Method of Parking

It shall be unlawful for any person to park a vehicle on a public street otherwise than parallel with the curb or shoulder of such street, headed in the direction of traffic proceeding on the side of the street where such vehicle is parked, and with the curbside wheels of such vehicle within eighteen (18) inches from the curb or shoulder of such street.

Section 2: Stopping on a Curve, Hill or the Traveled Portion of a Street

Except as otherwise provided in this ordinance, it shall be unlawful for any person to stop or park a vehicle within one hundred fifty (150) feet of a curve or on the brow of a hill, or to park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or the traveled portion of any street, so as to interfere with traffic on such street.

Section 3: General Parking Restrictions

It shall be unlawful to park a vehicle at any time:

- (a) within twenty (20) feet of a fire hydrant.
- (b) within twenty (20) feet of a private driveway
- (c) on a crosswalk
- (d) on a sidewalk
- (e) abreast of another vehicle
- (f) along the side or opposite any street excavation or obstruction
- (g) within twenty-five (25) feet of a driveway of a fire station
- (h) upon any bridge
- (i) within twenty-five (25) feet of an intersection or on that part of any street opposite the junction of one street with another.
- (j) At any point on a street, including a designated parking space, when the presence of such vehicle in conjunction with any other condition then existing will obstruct the free passage of other vehicles upon the street.
- (k) On a private roadway or highway, which is used by two or more landowners in common, or by the public, which parking, in the discretion of any Law Enforcement Officer or Fire Department official blocks or in any way impairs the free entry of emergency vehicles and passage of the same.
- (l) In designated fire lanes or fire zones.

Section 4: Abandoned Vehicles or Vehicles Parked so as to Amount to a Nuisance.

- (a) It shall be unlawful to leave a vehicle on property owned, leased or maintained by the Town, or parked on a street within the Town, for twelve hours or more continuously.
- (b) It shall be unlawful to park any vehicle on a street in a manner to interfere with the removal of snow from the streets.
- (c) Whenever a vehicle is parked on a street contrary to this ordinance or so as to interfere with the policing, construction or maintenance of the street, including but not limited to the removal of snow, authorized law enforcement may cause the vehicle to be towed away at the expense of the owner in accordance with VSA 23 §§1753 and 1754 in an amount not to exceed \$500.00, for removal of such vehicle, and an amount not to exceed \$50.00 per day for storage charges, for which a lien may be imposed against the vehicle and/or its owner. These charges shall be in addition to any penalty imposed under Article XII.
- (d) It shall be unlawful to park a vehicle without authorization on public, municipal, or private parking lots, drives and ways. Authorized law enforcement may cause the vehicle to be towed away at the expense of the owner, in accordance with VSA 23 §§1753 and 1754 in an amount not to exceed \$500.00 for removal of such vehicle, and an amount not to exceed \$50.00 per day for storage charges, for which a lien may be imposed against the vehicle and/or its owner. These charges shall be in addition to any penalty imposed under Article XII.

Section 5: Parking for Display Purposes

It shall be unlawful to park a vehicle on any street for a period in excess of fifteen (15) minutes for the purpose of displaying for sale such vehicle or any merchandise thereon.

Section 6: Repairs

It shall be unlawful to assemble or dismantle any vehicle while parked on a street, or to perform repairs thereon except emergency minor repairs or the servicing of such vehicles with gasoline, oil or water.

Section 7: Parking Within Lines

Where lines are marked on the streets for parking, all drivers must park their vehicles or leave them standing within said lines.

Section 8: Exceptions

Nothing standing in this Article shall be construed to make unlawful vehicular stops in obedience to a signal by a law enforcement officer, stops to clear the way for emergency vehicles, or stops made necessary by causes beyond the control of the operator.

**ARTICLE X
OPERATION OF VEHICLES**

Section 1: Approaching Bus or Public Conveyance

Any operator of a vehicle on approaching a bus stopped for the purpose of taking on or discharging passengers shall slow down so as to safeguard passengers who are entering or alighting.

Section 2: Driving Through Processions Prohibited

It shall be unlawful for the operator of any vehicle to drive the same so as to interfere with or break into a funeral procession or any authorized civic, military or public procession while such procession is in action.

Section 3: Prevention of Nuisances

No vehicle shall be driven or moved on any street, roadway or highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, shifting, leaking or otherwise escaping there from.

**ARTICLE XI
LITTERING ALONG THE ROADWAYS**

Section 1: Littering

It shall be unlawful to discard litter or any object that can be construed as trash or refuse along the Town Roadways.

**ARTICLE XII
GENERAL PROVISIONS**

Section 1: Enforcement: A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24VSA 1974a and 1977 et seq., as amended, or through any Vermont court having proper jurisdiction.

Section 2: Penalties

Traffic Violations: Penalties for violations of any of the above traffic violations shall be those set by the Schedule of Fines established by the State of Vermont.

Littering: Penalties for violations of Article XI shall be \$200.00 per offense (waiver fee - \$100.00 per offense).

Section 3: Enforcement Officials: This ordinance may be enforced by the Vermont State Police, the Windham County Sheriff's Dept., and the Winhall Police Dept., or any other law enforcement agency hereafter authorized by the Selectmen of the Town of Stratton, who are properly qualified law enforcement officers in the State of Vermont.

Section 4: Separate Offenses

Each violation of a provision of this ordinance shall be deemed a separate offense.

Section 5: Construction

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 6: 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 of this ordinance.

Section 7: Designation

This ordinance may be referred to as the *Stratton Traffic Ordinance, Revision of 2013* and in a prosecution hereunder a copy of such ordinance, certified by the Town Clerk of Stratton 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 8: Repeal of Prior Ordinances

Any other traffic ordinance or traffic regulation heretofore adopted by the Town of Stratton is hereby repealed.

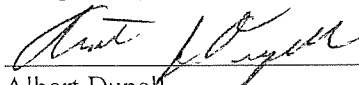
Section 9: Publication and Posting

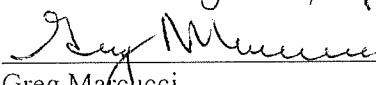
(This ordinance shall be: 1) entered into the Selectmen's minutes; 2) posted appropriately within the Town of Stratton and 3) a concise summary of it published in the Brattleboro Reformer not more than fourteen days following the adoption of the ordinance.

This ordinance or a summary thereof was published in the Brattleboro Reformer on August 31, 2013 and filed with the Stratton Town Clerk on August 26, 2013 and shall become effective on October 25, 2013.
(60 days from adoption)

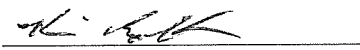
Section 9: Adoption


Adopted by the Board of Selectmen of the Town of Stratton on August 26, 2013


Albert Dupell


Greg Marucci


Lawrence Bills


Kevin Robinson


Christopher Liller