

**TOWN OF PAWLET TRAFFIC ORDINANCE**  
**Town of Pawlet, Vermont**

Pursuant to the provisions of Title 23, Vermont Statutes Annotated, Sections 1007, 1008, 1042 and 3510 and Title 24, Vermont Statutes Annotated Chapter 59, 24 V.S.A. Sections 1971, 1974a, 1977 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 Pawlet that the following Traffic Ordinance is adopted for the Town of Pawlet, Vermont.

**ARTICLE I: DEFINITIONS**

The definitions of 23 V.S.A. § 4 are incorporated by reference.

**ARTICLE II: SCOPE**

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

**ARTICLE III: 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 uniformed, 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 that may resemble or be mistaken for an official traffic control device, without prior approval of the Town of Pawlet, Board of Selectmen.

**ARTICLE IV: SPEED REGULATIONS<sup>1</sup>**

Section 1. Twenty-five mile speed limit

On the basis of the engineering and traffic investigations, an operator of a motor vehicle shall not operate or drive a motor vehicle at a rate of speed greater than twenty-five miles per hour on the following designated highways, streets or back roads:

---

<sup>1</sup>All speed regulations on Town Highways were determined after traffic investigations performed by the Rutland County Sheriffs Department in 2002 except the extension of the 40 mph zone on Route #153 which was based on a 2008 traffic investigation performed by the Rutland County Sheriffs Department.

1. School Street, Town Highway #24, beginning at the intersection with Vermont State Route 30, extending .09 miles and terminating at the Town of Pawlet Bridge #23.
2. New Street, Town Highway #33, beginning at the intersection with Route #153 (Town Highway #1) and extending .20 miles south and terminating at the intersection with Route #153 (Town Highway #1).
3. Railroad Avenue, Town Highway #18, beginning at the New York (Washington County) Route 29 town line extending .07 miles west into the Village of West Pawlet and terminating at the intersection with Route 153, Town Highway #1.

Section 2. Thirty mile speed limit on Class II Highways

On the basis of the engineering and traffic investigations, an operator of a motor vehicle shall not operate or drive a motor vehicle at a rate of speed greater than thirty miles per hour on the following designated highways, streets or back roads:

1. Egg Street, Town Highway #19, beginning at the New York (Washington County) Route 31 town line extending .08 miles south into the Village of West Pawlet, terminating at the intersection with Route #153, Town Highway #1.
2. Bullfrog Hollow Road, Town Highway #6, beginning at the intersection of Vermont State Route #149, extending .23 miles and terminating at the Wells Town Line.
3. Route 153, Town Highway #1, beginning at the West Pawlet Village Town Line North extending 1.7 miles south through the village and terminating at the West Pawlet Village Town Line South.

Section 3. Thirty mile speed limit on Class III Highways

In consideration of neighborhood character, abutting land use, bicycle and pedestrian use and physical characteristics of the highways, the following speed limits are hereby established. An operator of a motor vehicle shall not operate or drive a motor vehicle at a rate of speed greater than thirty miles per hour on the following designated highways, streets or back roads:

1. Waite Hill Road, Town Highway #15, beginning at the intersection of State Route 30, extending 2.48 miles and terminating at the intersection of Route 133.

2. Switch Road, Town Highway #10, beginning at the intersection with Route #153, TH #1 and extending 1.74 miles to the New York state line.
3. Briar Hill Road, Town Highway #11, beginning at the intersection with the Switch Road and extending 1.19 miles to the intersection with Button Falls Road, TH #2.
4. Sawmill Road, Town Highway #22, beginning at the intersection with Route #153 and extending .6 miles and terminating at the New York state line.
5. Rupert Mountain Road, Town Highway #24, beginning at the intersection of School Street in Pawlet Village and extending 2.7 miles and terminating at the Rupert Town Line.
6. Herrick Brook Road, Town Highway #30, beginning at the intersection of Route 133 and extending 2.94 miles and terminating at the Rupert Town Line.
7. Towslee Hill Road, Town Highway #28, beginning at the intersection of Herrick Brook Road, Town Highway #30, extending 1.25 miles and terminating at the intersection of State Route 30.
8. Kelly Hill Road, Town Highway #14, beginning at the intersection of Route 133, extending 1.37 miles and terminating at the Danby Town Line.

Section 4. Forty mile speed limit

On the basis on the engineering and traffic investigations, an operator of a motor vehicle shall not operate or drive a motor vehicle at a rate of speed greater than forty miles per hour on the following designated highways, streets or back roads:

1. Button Falls Road, Town Highway #2, beginning at the intersection with Vermont State Route #30 extending 1.72 miles and terminating at the Granville, New York state line.
2. River Road, Town Highway #3, beginning at the intersection with Vermont Route #30, extending 1.61 miles and terminating at intersection with Town Highway #3, Route #153.
3. Route #153, Town Highway #1, beginning at the intersection of Vermont State Route #30, extending 2.26 miles south and terminating at the West Pawlet Village Town Line South.

4. North Pawlet Road, Town Highway # 5, beginning at the intersection of Vermont State Route #30, extending 1.76 miles and terminating at the Wells Vermont Town Line.

Section 5. Speed limits on State Highways

The maximum speed limit permitted for any vehicle traffic on Vermont Routes 30, 133 and 149 within the Town of Pawlet shall be the same as those limited established and posted by the State of Vermont.

Section 6. Signs

Signs indicating the speed limits provided for in this ordinance shall be posted conspicuously within the highway limits at the point where such speed limits become effective under this ordinance.

Section 7. Police and Fire Vehicles

The speed limitations set forth in this ordinance shall not apply to vehicles when operated with due care for safety under the direction of law enforcement officers in the performance of their duties, nor to public or private ambulances when traveling in emergencies.

Section 8. Penalties

A person who violates any provision of this ordinance shall be fined in accordance with the Vermont Traffic Bureau current schedule of fines.

Section 9. Enforcement Officials

This ordinance may be enforced by the constable and any other properly qualified law enforcement officers in the State of Vermont.

**ARTICLE V: STOP AND YIELD INTERSECTIONS**

Section 1. Stop Signs

Every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

Section 2. Yield Sign

The driver of a vehicle approaching a yield sign shall in obedience to the yield sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

## **ARTICLE VI: PARKING REGULATIONS**

- Section 1. It shall be unlawful to park at any time in front of Pawlet Fire Department so as not to interfere with the movement of fire apparatus in its normal access to the public highway (Reference Pawlet Town Ordinance 71.1)
- Section 2. It shall be unlawful to park in front of the West Pawlet Fire Department so as not to interfere with the movement of fire apparatus in its normal access to the public highway (Reference Pawlet Town Ordinance 71.1)
- Section 3. It shall be unlawful to park on T.H. #24 in front of the Old Railroad Station and the Village Park in the Village of Pawlet. (Reference Pawlet Town Ordinance 73-3)
- Section 4. It shall be unlawful to park on TH #2, Button Falls Road, in the vicinity of the bridge area.
- Section 5. It shall be unlawful to park on TH #24, Rupert Mountain Road, in the vicinity of the bridge.
- Section 6. It shall be unlawful to park within 10 feet of a highway intersection or within 5 feet of a private drive or within 8 feet of a fire hydrant.
- Section 7. A person shall not park or leave standing any motor vehicle, whether attended or unattended, upon a paved or improved, or the used or traveled part of any highway in the Town of Pawlet, so as to interfere with traffic or SNOW REMOVAL on such highway. A Selectman or a duly designated official of the Town of Pawlet, or a Constable, State Police Officer or Deputy Sheriff shall cause any motor vehicle found in violation of this regulation to be removed at the expense of the owner.
- Section 8. 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 9. If the owner of a vehicle summarily removed under Article VI hereof does not claim such vehicle and pay all towing and storage expenses within 30 days of the date of such removal, the title to such vehicle shall escheat to the Town and the vehicle may be sold or otherwise disposed of in accordance with Title 27, Vermont Statutes Annotated, Section 11.

Section 10. Nothing in this Article shall be construed to make unlawful vehicular stops in obedience to the direction of a law enforcement officer or for causes beyond the control of the operator.

## **ARTICLE VII: TEMPORARY USE OF PUBLIC STREETS**

### **Section 1. Parade/Private Use**

Any parade, public, or private function involving the limitation or restriction of traffic flow must obtain a written permit from the Select Board or their duly designated official and if deemed necessary the Select Board may condition said permit with any necessary requirements to maintain the public safety.

### **Section 2. Solicitation**

Any solicitation such as a coin drop involving the limitation or restriction of traffic flow must obtain a written permit from the Select Board or their duly designated official and if deemed necessary the Select Board may condition said permit with any necessary requirements to maintain the public safety.

## **ARTICLE VIII: RESTRICTED HIGHWAYS**

The following street or portion of said street is hereby designated as having restricted access:

Section 1. TH #2, Button Falls Road, shall be restricted and all through truck traffic shall be prohibited.

Section 2. TH #3 River Road shall be restricted and all through truck traffic shall be prohibited.

## **ARTICLE IX: SNOWMOBILE TRAFFIC**

Section 1. A snowmobile shall not be operated on a public highway unless said highway is not being maintained and plowed for use by motor vehicles during the snow season.

Section 2. Notwithstanding the foregoing, on all regularly plowed town highways snowmobile traffic is restricted to going or coming from one trail to another. There is to be no indiscriminate travel or "PLEASURE RIDING" on regularly plowed town highways.

Section 3. The operator of a snowmobile involved in any accident causing injury or property damage (other than the snowmobile he or she is operating) in excess of \$100.00

shall notify an enforcement officer at once and file an accident report within 72 hours.

Section 4. Any snowmobile operator causing or involved in an accident resulting in injury or property damage (other than the snowmobile he or she is operating) shall stop and render assistance necessary. He or she shall give their name, residence, registration number and name of the snowmobile owner to the party whose person or property is injured.

#### **ARTICLE X: ALL-TERRAIN VEHICLE USE ON TOWN HIGHWAYS**

Section 1. The purpose of this ordinance is to protect the health and safety of operators of all-terrain vehicles and of the residents of the Town and to protect the animals, property and environment of the Town.

Section 2. Definitions.

- A. "All-terrain vehicle" or "ATV" means any non-highway recreational vehicle, except snowmobiles, having no less than three low pressure tires (10 pounds per square inch, or less), not wider than 60 inches, and having a dry weight of less than 1,700 pounds, when used for cross-country travel on trails or on any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland, and natural terrain. An ATV on a public highway shall be considered a motor vehicle, as defined in Section 4 of this title, only for the purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U), (Y), (FF), (GG), (II), and (ZZ); (2)(A) and (B); (3)(A), (B), (C), and (D); (4)(A), and (B) and (5) of this title and as provided in Section 1201 of this title. An ATV shall not include an electric personal assistive mobility device.
- B. "Operate" shall include any attempt to operate and shall be construed to cover all matters and things connected with the presence and use of all-terrain vehicles whether they are in motion or at rest.
- C. "VASA" means the Vermont All Terrain Vehicle Association.

Section 3. Operation of ATVs

- A. All ATVs must be registered and operated according to the requirements of 23 V.S.A. Chapter 31.
- B. A valid VASA plate must be attached to the front of the ATV.
- C. All-terrain vehicles may be operated on the following town highways:

1. Town Highway #30, Herrick Brook Road, for 0.8 miles southerly from Town Highway #28.
  2. Town Highway #28, Towsley Hill Road, 1.6 miles from Route 30 to Town Highway #30.
- D. All-terrain vehicles shall not be operated on public bike paths or hiking trails or on V.A.S.T. snowmobile trails unless property owner has signed a VASA Landowner Permission form.
  - E. All speed limits and traffic control devices apply to the operation of ATVs on Town highways unless otherwise posted.
  - F. ATVs may not be operated on Town highways between 10:00 PM and 6:00 AM.
  - G. ATVs may not be operated on Town highways between December 1 and April 1.
  - H. All Town highways open for ATV travel must be appropriately signed.

Section 4. Penalties

First offense	\$50.00, waiver fee \$35.00
Second offense	\$100.00, waiver fee \$70.00
Third and each subsequent offense	\$250.00, waiver fee \$225.00

**ARTICLE XI: LOADED VEHICLES**

No vehicle shall be driven or moved on any street unless such vehicle is so constructed or loaded so as to prevent its contents from dropping, sitting, leaking or otherwise escaping therefrom in a dangerous and unsafe manner.

**ARTICLE XII: GENERAL PROVISIONS**

Section 1. Enforcement

This is a civil ordinance and shall be enforced by the Town Constables or the Town Grand Juror through the Judicial Bureau.

Section 2. Separate Offenses

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

Section 3. 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 4. Severability

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

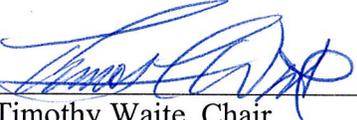
Section 5. Designation

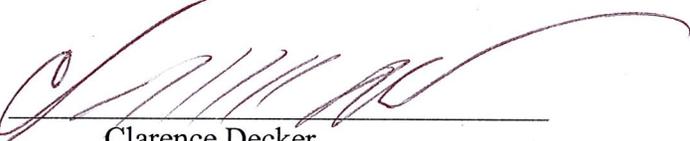
This ordinance may be referred to as the Pawlet Traffic Ordinance and in a prosecution hereunder a copy of such ordinance, certified by the Town Clerk shall be prima facie evidence thereof. An allegation that the act constituting the offense charged is contrary to a specified provision of this ordinance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

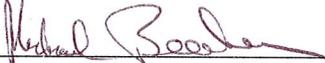
Section 6. Repeal of Prior Ordinances

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

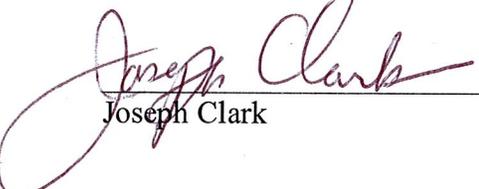
Adopted by the Pawlet Select Board on the 1<sup>st</sup> day of June, 2010.

  
\_\_\_\_\_  
Timothy Waite, Chair

  
\_\_\_\_\_  
Clarence Decker

  
\_\_\_\_\_  
Michael Beecher

  
\_\_\_\_\_  
Susan LaPorte

  
\_\_\_\_\_  
Joseph Clark

ADOPTION HISTORY:

1. Agenda item at regular Select Board Meeting Held on 4th of May, 2010.
2. Read and approved at regular Select Board Meeting on 18th of May, 2010 and entered in the minutes of that meeting which were approved on 1st of June, 2010.
3. Posted in three public places on 2nd of June, 2010.
4. Notice of adoption published in the Lakes Region Free- newspaper on 5th, June,  
2010.  
Press