

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 Board of Selectmen of the Town of Brandon that the following Traffic Ordinance is adopted for the Town of Brandon, 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 Brandon, 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 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 may be mistaken for an official traffic control device, without prior approval of the Town of Brandon Board of Selectmen.

ARTICLE IV SPEED REGULATIONS

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

Speed zones on State Highway Routes 7 and 73 shall be the same as posted by the State of Vermont and shall be enforceable under this regulation.[1][2][3]

T.H. #1. Grove Street, Conant Square, Center Street, Park Street (portion) and Franklin Street (otherwise known as U.S. Route-7), from the location on Grove Street, where the Town and

State highways end,(indicated by a State sign that says " THROUGH WAY BEGINS/ENDS HERE"), south 700 feet,a maximum speed of 35 MPH. Then, south on Grove Street,Conant Square,Center Street,Park Street (portion) and Franklin Street,(otherwise known as U.S. Route-7), to the location on Franklin Street,700 feet north of where the State and Town highways end (indicated by a State sign that says "THROUGH WAY BEGINS/ENDS HERE"), a maximum speed of 25 MPH. Then southerly 700 feet to the end of the Town highway. a maximum speed of 35 MPH.

T.H. #2. Park Street (portion) and Marble Street (otherwise known as Vermont Route-73), from the intersection of Park Street and Franklin Street,easterly on Park Street and Marble Street, to the location 700 feet south,of where the State and Town highways end,(indicated by a State sign that says "THROUGH WAY BEGINS/ENDS HERE"), a maximum speed of 25 MPH. Then easterly on Marble Street 700 feet,to where the Town highway ends and the State begins. A maximum speed of 35 MPH.

T.H. #3. Champlain Street. (Vermont Rt-73). From the location where the State and Town Highways end,(indicated by a State sign that says "THROUGH WAY BEGINS/ENDS HERE"),700 feet easterly on Champlain Street,a maximum speed of 35 MPH. Then a maximum speed of 25 MPH.

T.H. #4. Pearl Street, and Long Swamp Road. From the intersection of Pearl Street and U.S. Rt-7, westerly to the intersection of Pearl Street and Corona Street. A maximum speed of 25 MPH. Then a maximum speed of 35 MPH to the Brandon/Sudbury Town line.

T.H. # 5. Union Street and Florence Road. From the intersection of Union Street and U.S. Rt-7, westerly 1.5 miles to a point indicated by a 35 MPH sign on Clay Street. A maximum speed of 25 MPH. Then a maximum speed of 35 MPH to the Brandon/Pittsford Town line.

T.H. # 6. North Street (Vt. Rt-53). From the intersection of Vt. Rt-73 and Vt. Rt-53, northerly to the intersection of Furnace Road and Vt. Rt-53. A maximum speed of 25 MPH. Then a maximum speed of 35 MPH to the Leicester/Brandon Town line.

T.H. # 7. Arnold District Road. From the intersection of U.S. Rt-7, westerly .5 miles, a maximum speed of 35 MPH, then a maximum speed of 40 MPH to the Leicester/Brandon Town line.

T.H. # 8. McConnell Road.From the intersection of U.S. Rt-7, northerly 1000 feet, a maximum speed of 30 MPH. Then a maximum speed of 40 MPH, to a location 1000 feet from the intersection of Vermont Route 73 and McConnell Road, a maximum speed of 30 MPH

T.H. # 9. High Pond Road. From the intersection of Union Street/Florence Roads, northerly to the Sudbury/Brandon Town line, a maximum speed of 35 MPH

T.H. #21. Newton Road. From the intersection of North Street (Vermont Rt-53), westerly .5 miles, a maximum speed of 25 MPH. Then a maximum speed of 35 MPH to the intersection of Town Farm Road and Newton Road.

T.H. #42. Carver Street. From the intersection of Park Street and Center Street (U.S. Rt-7), southerly to the intersection of Nickerson Road, a maximum speed of 25 MPH. Then a maximum speed of 35 MPH to the Pittsford/Brandon Town line.

The following Town Highways shall have a maximum speed of 25 MPH their entire length:

- T.H. #25.** Furnace Road
- T.H. #26.** Middle Road
- T.H. #43.** Nickerson Road (portion)
- T.H. #47.** Prospect Street
- T.H. #52.** Mill Lane
- T.H. #54.** Briggs Lane
- T.H. #58.** Nickerson Road (portion)
- T.H. #59.** Old Farm Road
- T.H. #60.** North Railroad Avenue
- T.H. #61.** Cedar and Walnut Streets
- T.H. #62.** High Street
- T.H. #63.** Highland Avenue and Dyer Streets
- T.H. #64.** Case Street
- T.H. #65.** North Seminary Street
- T.H. #66.** West Seminary Street
- T.H. #67.** East Seminary Street
- T.H. #68.** East Prospect Street
- T.H. #69.** River Street and Seminary Hill
- T.H. #70.** Rossiter Street
- T.H. #71.** Church Street
- T.H. #72.** Goldspink Avenue
- T.H. #73.** Church Street
- T.H. #74.** Railroad Avenue
- T.H. #75.** North Railroad Avenue
- T.H. #76.** Russell Lane
- T.H. #77.** Barlow Avenue
- T.H. #78.** Maple Street
- T.H. #79.** Stephen Douglas House Road
- T.H. #80.** Mt. Pleasant Drive
- T.H. #81.** Conant Drive and Ormsby Street
- T.H. #82.** Deer Run Road

T.H. #83. Leonard Lane
T.H. #84. Fox Road
T.H. #85. Sunset Drive
T.H. #87 Town Line Drive
T.H. #88. Mulcahy Drive
Jones Drive

New Road

T.H. #89. Robert Wood Drive
T.H. #90. Neshobe Lane

The following Town Highways shall have a maximum speed of 35 MPH for their entire length:

T.H. #10. Adams Road
T.H. #11. Steinberg Road and Hollow Road (portion)
T.H. #13. Hollow Road (portion)
T.H. #15. Wheeler Road
T.H. #16. Lovers Lane
T.H. #17. Richmond Pond Road
T.H. #18. Town Farm Road
T.H. #20. Stone Mill Dam Road
T.H. #22. Churchill Road
T.H. #23. Fay Road
T.H. #24. Wagner Road
T.H. #27. Paint Works Road
T.H. #28. Frog Hollow Road
T.H. #29. Basin Road
T.H. #30. Van Courtland Road
T.H. #31. Country Club Road
T.H. #32. Chapel Road
T.H. #33. Park Street
T.H. #34. Smalley Road
T.H. #35. Wood Lane
T.H. #36. Birch Hill Road (portion)
T.H. #37. North Birch Hill Road (portion)
Birch Hill Road (portion)

- T.H. #38.** Corona Street
- T.H. #39.** Marshall Phillips Road/Hacks Saw Mill Road
- T.H. #40.** Short Swamp Road
- T.H. #44.** Old Brandon Road
- T.H. #45.** Delisle Road
- T.H. #53.** Ray Forrest Road
- T.H. #55.** Kennedy Road
- T.H. #86.** Hawk View Road

ARTICLE V STOP AND YIELD INTERSECTIONS

Section 1.

The following intersections shall be designated as STOP intersections and shall be so signed:

T.H. #2 entering T.H. #1

Park Street entering Franklin Street

T.H. #2 entering T.H. #62

Park Street entering High Street

T.H. # 3 entering T.H. #1

Champlain Street entering Grove Street

T.H. #4 entering T.H. #1

Pearl Street entering Grove Street

DESIGNATED AS STOP AND YIELD INTERSECTIONS CONTINUED

T.H. #5 entering T.H. #42

Union Street entering Carver Street

T.H. #6 entering VT. Route 73 (State)

North Street entering Forest Dale Road

T.H. #7 entering U.S. Route 7 (State)

Arnold District Road entering Grove Street

T.H. #8 entering U.S. Route 7 (State)

McConnell Road entering Franklin Street

T.H. #8 entering VT. Route 73 (State)

McConnell Road entering Forest Dale Road

T.H. #9 entering T.H. #5

High Pond Road entering Florence Road/Union Street

T.H. #10 entering T.H. #7

Adams Road entering Arnold District Road

T.H. #11 entering U.S. Route 7 (State)

Steinberg Road entering Grove Street

T.H. #11 entering T.H. #7

Hollow Road entering Arnold District Road

T.H. #13 entering VT. Route 73 (State)

Hollow Road entering Champlain Street

T.H. #16 entering U.S. Route 7 (State)

Lover's Lane entering Grove Street

T.H. #16 entering T.H.#15

Lover's Lane entering Wheeler Road

T.H. #17 entering T.H. #15

Richmond Road entering Wheeler Road

T.H. #17 entering T.H. #18

Richmond Road entering Town Farm Road

T.H. #18 entering VT. Route 73 (2) (State)

Town Farm Road entering Route 73

T.H. #20 entering T.H. #15

Stone Mill Dam Road entering Wheeler Road

T.H. #20 entering VT. Route 73 (State)

Stone Mill Dam Road entering Forest Dale Road

T.H. #21 entering T.H. #18

Newton entering Town Farm Road

T.H. #21 entering T.H.# 6

Newton-Thompson entering North Street

T.H. #22 entering Vt. Route 73 (State)

Churchill Road entering Forest Dale Road

T.H. #24 entering Vt. Route 73 (State)

Wagner Road entering Forest Dale Road

DESIGNATED AS STOP AND YIELD INTERSECTIONS CONTINUED

T.H. #25 entering Vt. Route 73 (State)

Furnace Road entering Forest Dale Road

T.H. #25 entering T.H. #6

Furnace Road entering North Street

T.H. #26 entering T.H. #6

Middle Road entering North Street

T.H. #26 entering VT. Route 73 (State)

Middle Road entering Forest Dale Road

T.H. #27 entering Vt. Route 73 (2) (State)

Paint Works Road entering Forest Dale Road

T.H. #27 entering T.H. #8

Paint Works Road entering McConnell Road

T.H. #28 entering VT. Route 73 (State)

Frog Hollow Road entering Forest Dale Road

T.H. #29 entering T.H. #8

Basin Road entering McConnell Road

T.H. #30 entering T.H. #8

Van Cortland Road entering McConnell Road

T.H. #31 entering VT. Route 73 (2)

Country Club Road entering Forest Dale Road

T.H. #31 entering U.S. Route 7 (State)

Country Club Road entering Franklin Street

T.H. #32 entering T.H. #6

Chapel Road entering North Street

T.H. #33 entering T.H. #2

Park Street entering Marble Street

T.H. #33 entering T.H. #31

Park Street entering Country Club Road

T.H. #34 entering T.H. #31

Smalley Road entering Country Club Road

T.H. #34 entering T.H. #8

Smalley Road entering McConnell Road

T.H. #35 entering U.S. Route 7 (State)

Wood Lane entering Franklin Street

T.H. #35 entering T.H. #8

Wood Lane entering McConnell Road

T.H. #36 entering T.H. #8

Birch Hill Road entering McConnell Road

T.H. #37 entering T.H. #8

North Birch Hill Road entering McConnell Road

T.H. #37 entering T.H. #36

North Birch Hill Road entering Birch Hill Road

DESIGNATED AS STOP AND YIELD INTERSECTIONS CONTINUED

T.H. #38 entering T.H. #14

Corona Street entering Pearl Street

T.H. #39 entering T.H. #9

Hack's Sawmill Road entering High Pond Road

T.H. #40 entering T.H. #4

Short Swamp Road entering Long Swamp Road

T.H. #40 entering T.H. #39

Short Swamp Road entering Marshall Phillips Road

T.H. #42 entering T.H. #5

Carver Street entering Union Street (both directions)

T.H. #5 entering T.H. #1

Union Street entering Franklin Street

T.H. #43 entering U.S. Route 7 (State)

Nickerson Road entering Franklin Street

T.H. #44 entering T.H. #43

Old Brandon Road entering Nickerson Road

T.H. #42 entering T.H. #2

Carver Street entering Park Street

T.H. #43 entering U.S. Route 7 (State)

Nickerson Road entering Franklin Street

T.H. #44 entering T.H. #43

Old Brandon Road entering Nickerson Road

T.H. #47 entering T.H. #1

Prospect Street entering Conant Square

T.H. #49 entering T.H. #26

School House Road entering Middle Road

T.H. #49 entering T.H. #25

School House Road entering Furnace Road

T.H. #52 entering T.H. #1

Mill Lane entering Center Street

T.H. #53 entering VT. Route 73 (2) (State)

Ray Forest Road entering Forest Dale Road

T.H. #54 entering T.H. #1

Briggs Lane entering Conant Square

T.H. #55 entering Vt. Route 73 (State)

Kennedy Road entering Forest Dale Road

T.H. #58 entering T.H. #42

Nickerson Road entering Carver Street

T.H. #59 entering T.H. #66

Old Farm Road entering Prospect Street

T.H. #61 entering T.H. #47

Cedar Street entering Prospect Street

DESIGNATED AS STOP INTERSECTIONS CONTINUED:

T.H. #62 entering T.H. #1

High Street entering Franklin Street

T.H. #62 entering T.H. #2

High Street entering Park Street

T.H. #63 entering T.H. #64

Dyer Street entering Case Street

T.H. #64 entering T.H. #66

Case Street entering West Seminary Street

T.H. #65 entering T.H. #66

North Seminary Street entering West Seminary Street

T.H. #65 entering T.H. #68

North Seminary Street entering East Prospect Street

T.H. #67 entering T.H. #65

East Seminary Street entering North Seminary Street

T.H. #67 entering T.H. #69

East Seminary Street entering River Street

T.H. #69 entering T.H. #66

River Street entering West Seminary Street

T.H. #70 entering T.H. #42

Rossiter Street entering Carver Street

T.H. #70 entering T.H. #73

Rossiter Street entering Church Street

T.H. #71 entering T.H. #42

Church Street entering Carver Street

T.H. #72 entering T.H. #71

Goldspink Avenue entering Church Street

T.H. #73 entering T.H. #5

Church Street entering Union Street

T.H. #74 entering T.H. #5

Railroad Avenue entering Union Street

T.H. #75 entering T.H. #5

North Railroad Avenue entering Union Street

T.H. #76 entering T.H. #78

Russell Lane entering Maple Street

T.H. #77 entering T.H. #5 (2)

Barlow Avenue entering Union Street

T.H. #78 entering T.H. #5

Maple Street entering Union Street

T.H. #79 entering T.H. #1

Stephen Douglas Drive entering Grove Street

T.H. #79 entering T.H. #3

Stephen Douglas Drive entering Champlain Street

DESIGNATED AS STOP INTERSECTIONS CONTINUED:

T.H. #47 entering T.H. #80

Prospect Street Drive entering Mt. Pleasant[4]

T.H. #81 entering T.H. #80

Conant Drive entering Mt. Pleasant Drive

T.H. #82 entering T.H. #6

Deer Run Road entering North Street

T.H. #15 entering T.H. #12

Wheeler Road entering Marble Street

T.H. #78 entering T.H. #4

Maple Street entering Pearl Street

T.H. #86 entering U.S. Route 7

Hawk View Road entering Franklin Street

T.H. #87 entering U.S. Route 7

Townline Road entering Grove Street

T.H. #88 entering T.H. #7

Mulcahy Drive entering Arnold District Road

T.H. #88 entering T.H. #88

New Road entering Mulcahy Drive

T.H. #89 entering T H. # 7

Robert Wood Drive entering Arnold District Road

T.H. #90 entering T.H. #66

Neshobe Lane entering West Seminary Street

Section 2.

The following intersections shall be designated as yield intersections and shall be so signed:

T.H. #79 entering T.H. #4

Stephen Douglas Drive entering Pearl Street

ARTICLE VI PARKING REGULATIONS

Section 1. Stopping prohibited

No person shall stop or park any vehicle, whether attended or unattended, upon the paved or traveled portion of any highway.

Section 2. Parking restrictions

Except in compliance with law or at the direction of an law enforcement officer or traffic-control device or sign, no person shall park:

- a. on a sidewalk.
- b. within an intersection.
- c. on a crosswalk.
- d. upon a bridge.
- e. at any place where official signs prohibit parking.
- f. within 6 feet of a fire hydrant.
- g. in front of fire station.
- h. in front of a public or private driveway.
- i. on any railroad tracks.
- j. on or over markings of designated parking areas.

Section 3. Winter Parking Restrictions.

a. No person shall park a motor vehicle on any street, or in any public parking area, or town highway right-of-way within the Town of Brandon, or in any manner which may interfere with the removal of snow from such streets or parking areas between the hours of 12:01 am to 06:00 am from November 1, to April 1, inclusive.[5]

b. Exception-Winter parking restrictions shall not apply to motor vehicles owned by transit guests of hotels, motels or Inns, if parked in legal parking areas immediately in front of the aforementioned hotel, motel or Inn, or in any area bounded by the elongated lines of the outside walls of the buildings.

Section 4. Penalties

Any person who violates any of Sections 1, 2 or 3, shall be fined not more than \$5.00 for each violation.

Section 5. Handicapped Parking Areas

Except for those authorized by the Department of Motor Vehicles, It shall be unlawful to park anytime in any area designated for the handicapped. Vehicles parked in violation of this section shall be removed at the owners expense by any law enforcement officer.

Section 6. Penalties

Any person who violates Section 5, shall be fined not more than \$35.00, T.18 VSA s1324(c)

Section 7. 2 hour parking - October 12, 1996

Section 8. Diagonal parking

Vehicles shall be parked diagonal, or parallel marked spots only within that portion of the business district as defined in Section 2. (c) of this Ordinance where markings and/or signs indicate such.

Section 9. No-parking areas

- a. It shall be unlawful to park at any time, in any areas designated No-Parking, or in any area other than a designated parking space within the business district as defined in Section 2. (c).
- b. Library Parking – Only patrons of the Library are permitted to use parking spaces during library hours. During non-Library hours, the parking is open to the general public on a first come first serve basis. Violators may be towed at their own expense.[6]
- c. No parking between signs at 28 Conant Square.
- d. No parking between signs at 23 Conant Square and 27 Conant Square.[7]
- e. *No parking between signs at 232 Grove Street.*
- f. *No parking between signs at 3 Pearl Street.*

Section 10. Penalties

Any person who violates Sections 7 or 8, shall be fined not more than \$5.00.

Section 11. Commercial Deliveries

- a. No tractor, semi-trailer or other truck, making commercial deliveries, shall stop by parking whether attended or unattended upon the paved or traveled portion of a highway between the hours of 10:00 am and 05:00 pm, weekdays Monday through Friday. Weekends and holidays are excluded.
- b. Exception. Momentary pick-up or deliveries of ten (10) minutes or less are allowed providing however, it does not cause public or motorist inconvenience. Drivers of these commercial vehicles immediately move their vehicles upon request.
- c. Any person who violates this ordinance shall be fined not more than \$10.00.
- d. Any law enforcement officer is authorized to remove any vehicle in violation of the above section at the owners expense.

ARTICLE VII SIGNS

Section 1. Authority

The Superintendent of Public Works, The Chief of Police or any other person authorized by the Town Manager, shall cause signs to be posted in all areas where parking, traffic movement and/or speed is to be limited or prohibited, indicating such limitations or prohibitions. These signs shall conform to M.U.T.C.D. standards as required by the State of Vermont.

Section 2. Removal or damage

It shall be unlawful for any person to intentionally remove,alter,obstruct,deface or tamper with in any way, any traffic or parking sign authorized and installed by the Town of Brandon.

Section 3. Penalties

Any person who violates Section 2. shall be fined not more than \$50.00, and/or the cost of repair and/or replacement.

ARTICLE IX REMOVAL AND STORAGE

Section 1. Removal

Any Law Enforcement Officer is authorized to have removed at the owners expense, any vehicle found in violation of any of the Sections of this Parking Ordinance.

Section 2. Storage Fees

Any vehicle legally removed for violation of State or Local Ordinance,and towed to the Town of Brandon's Impound Yard for storage shall, after 48 hours from date of tow:

- a. be charged a fee of \$5.00 a day for the first 7 days.
- b. then, \$1.00 each day there-after.

Section 3. Payment

No vehicle shall be released to the owner or agent of any vehicle towed to the Impound Yarduntil full payment for towing and storage is received by the Town of Brandon.

ARTICLE X ABANDONED VEHICLES

Section 1. Abandoned Vehicles

After 32 days from date of tow, all vehicles not removed or claimed by the owner or agent of such vehicle from the Town impound yard shall be declared abandoned. The Title to such vehicle shall escheat to the State of Vermont, and may be sold or otherwise disposed of in accordance with Title 27, of the Vermont Statutes Annotated, Section 11, by the Town of Brandon upon receipt of Title.

ARTICLE XI FINES, FAILURE TO PAY

Section 1. Fines, Failure to Pay

- a. The following notice shall be on all Parking Tickets:

Failure to pay fines for violation of any section of this ordinance within (7) days of issuance of parking ticket, shall result in a penalty double the amount of said fine. Thereafter the sum of (1) dollar a day shall be assessed until such fine is paid. **Warning:** failure to pay said fine is a criminal violation and criminal prosecution may be taken against you.

ARTICLE XII SPECIAL ROAD RESTRICTIONS

Section 1. Special Road Restrictions

1. It shall be unlawful for any person to operate a through truck on any portion of High Street.
2. It shall be unlawful for any person to operate a truck with more than two (2) axles on any portion of Prospect Street.

Section 2. Penalty

1. Violation of Article XII Section 1. shall result in a penalty for each violation of \$50.00.[8]

ARTICLE XIII LOADED VEHICLES

Section 1. Load spillage

a. No vehicle (excluding farm vehicles being used for agricultural purposes) shall be driven or moved on any street, unless such vehicle is so constructed or loaded so as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

It shall be prima facie evidence that the dropping or depositing of any substance onto the road from a motor vehicle was done by the operator of that vehicle.

b. Any person who violates this section shall be fined not more than:

1. \$5.00 for first offense.
2. \$10.00 second offense committed within one year of date of 1st violation.
3. \$25.00 for each subsequent offense.

ARTICLE XIV 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. Severability

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

Section 4. Designation

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

Section 5. Repeal of Prior Ordinance

Any other Ordinance or Traffic regulation heretofore adopted by the Town of Brandon is hereby repealed.

Section 6. Publication and posting

This Ordinance shall be published in the Brandon Dateline on April 16th, 1993 and shall be filed with the Brandon Town Clerk on June 11, 1993.

Adopted by the Board of Selectman, Town of Brandon at its meeting held on the 12th day of April ,1993.

Effective date June 11, 1993.

Amended November 10, 1997.

Amended August 23, 1999

[1] Adopted April 12, 1993 and to be effective June 11, 1993.

[2] Speed reduction by VAOT RT 73 East on 3/9/98

[3] Speed reduction by VAOT on RT 7 South 6/12/98

[4] Amended effective November 10, 1997.

[5] Added effective November 10, 1997

[6] Added effective November 10, 1997.

[7] Added effective October 26, 1998

[8] Adopted April 12, 1993 and to be effective June 11, 1993.