

POMFRET TRAFFIC AND PARKING ORDINANCE

Town of Pomfret, Vermont

1. Preamble: Pursuant to the provisions of 13 V.S.A. § 7251, 23 V.S.A. §§ 1007, 1008, 1753 and 2157, 24 V.S.A. §§ 1971, 1972, 1973 and 2291(1), (4), and (5), the Pomfret Selectboard adopts this Traffic and Parking Ordinance.
2. Scope; Civil Ordinance: This Ordinance establishes special traffic regulations applicable to public highways within the Town. In accordance with 24 V.S.A. §§ 1971 and 1974a, this Ordinance shall be designated a civil ordinance and violations thereof shall be enforced in accordance with the requirements of law relative to such ordinances.
3. Definitions: The definitions in 23 V.S.A. § 4 are incorporated by reference. See the Vermont General Highway Map of the Town of Pomfret, prepared by the Vermont Agency of Transportation, dated June 11, 2015, on file at the Pomfret Town Clerk's office, for town highway ("T.H.") numbers.
4. Traffic Control Devices:
 - 4.1 It shall be unlawful for any person to disobey the direction of a traffic control device except in response to the directions of a law enforcement officer.
 - 4.2 It shall be unlawful for any person to intentionally remove, injure, obstruct, deface, alter, or tamper with, any traffic control device.
 - 4.3 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 Pomfret Selectboard.
5. Speed Regulations: On the basis of traffic and engineering surveys, the following maximum speeds are hereby established for traffic in all directions on the following designated portions of town highways:
 - 5.1 On T.H. 1, Pomfret Road
 - 5.1.1 From the Woodstock town line through the center of Pomfret to the Hartford town line: 45 mph beginning at the Woodstock town line, extending northerly 0.90 miles; then 35 mph to 0.99 miles; then 25 mph extending northerly to 1.25 miles from the Woodstock town line; then 35 mph to 0.35 north of the junction of T.H. 60; then 45 mph extending northerly to 0.10 miles south of the junction of T.H. 24; then 40 mph extending easterly 4.43 miles to the Hartford town line.
 - 5.1.2 Speed limit between flashing light and "End School Zone" signs shall be as posted when light is flashing.
 - 5.2 On T.H. 2, Stage Road, from South Pomfret toward the Barnard town line: 25 mph beginning at the junction with T.H. 1, extending westerly 0.11 miles; then 35 mph to bridge B13.

- 5.3 On T.H. 3, Howe Hill Road, from the Hewittville corner to the Sharon town line: 35 mph beginning at the junction of T.H. 1 extending northerly 1.25 miles to 0.52 miles south of the Sharon town line; then 40 mph extending northerly 0.52 miles to the Sharon town line.
- 5.4 On T.H. 29, Bunker Hill Road, 25 mph for its entire length.
- 5.5 On T.H. 60, Library Street, 25 mph for its entire length.

6. Stop and Yield Intersections:

- 6.1 The following intersections are designated as STOP intersections and shall be so signed:
 - 6.1.1 T.H. 1 southbound at the junction of T.H. 2
 - 6.1.2 T.H. 3 entering T.H. 1
 - 6.1.3 T.H. 60 entering T.H. 1
 - 6.1.4 T.H. 60 entering T.H. 2
- 6.2 The following intersections are designated as YIELD intersections and shall be so signed:
 - 6.2.1 T.H. 7 entering T.H. 3

7. Parking Regulations.

- 7.1 It shall be unlawful to stop, park or leave standing any vehicle at any time in the right of way of any public highway within the Town of Pomfret in a manner that interferes with ordinary roadway maintenance (including winter plowing) or otherwise reduces the usable travelled way to less than twelve (12) feet.
- 7.2 It shall be unlawful to park any vehicle at any time on either side of T.H. 37 from 0.60 miles north of the Woodstock town line extending northerly to the junction of T.H. 5.
- 7.3 Any vehicle stopped, standing or parked in violation of this section may be summarily removed by order of any law enforcement officer, Pomfret Selectperson, the Pomfret Road Commissioner or his/her designee, or the Pomfret Road Foreman or his/her designee. Signs indicating that vehicles may be towed away at the owner's expense shall be posted conspicuously at or near all areas affected where parking is restricted.
- 7.4 All costs of vehicle removal, and any expenses incurred in securing removal, including, without limitation, towing and storage costs, may be charged against the owner of the vehicle, which charges shall be a lien against said vehicle, and the vehicle shall not be released to the owner, or person responsible for the vehicle, until all such costs have been paid.
- 7.5 If the owner of a vehicle removed under this section does not claim such vehicle and pay all towing and storage expenses within thirty (30) days of the date of such removal, said vehicle shall be deemed "abandoned" under this Ordinance, and the title to such vehicle shall escheat to the Town and the vehicle may be sold or otherwise disposed of by the

Town, as authorized by 23 V.S.A. § 2157.

7.6 Nothing in this section shall be construed to prohibit vehicular stops in response to the direction of a law enforcement officer or emergency services personnel, for causes beyond the operator's control, or to undertake a use described in 24 V.S.A. § 4413(d)(1).

8. Special Traffic Regulations:

8.1 The Pomfret Selectboard may adopt special traffic regulations from time to time as to the maximum speed, permitted direction or exclusion of motor vehicles as the public good requires, in accordance with 23 V.S.A. § 1010.

8.2 The Town shall conspicuously post and maintain signs indicating the special traffic regulations in and near all affected roadways or portions thereof during while such regulations are in effect. When feasible, the Town also shall disseminate such information via electronic means, such as on the discussion list for Pomfret sponsored by Vital Communities.

8.3 A special traffic regulation adopted in accordance with this section shall take precedence over any other traffic regulation to the contrary.

9. Enforcement; Violations and Penalties; Other Remedies:

9.1 Those enforcement officers identified in 23 V.S.A. § 4(11)(A) shall be issuing and appearing officials for the purpose of enforcing any and all provisions of this Ordinance. In addition, those persons identified in § 7.3 of this Ordinance shall be issuing and appearing officials for the purposes of enforcing those provisions of this Ordinance constituting civil Ordinance violations, and not constituting a traffic violation, as defined in 23 V.S.A. § 2302(a), but including violations relating to parking.

9.2 Except as otherwise required by State law or provided herein, any person who violates any provision of this Ordinance shall be liable for a civil penalty of not more than \$250.00 for each offense. The waiver penalty for each violation of this Ordinance shall be \$125.00 and such waiver penalty, if duly paid, shall be in lieu of the civil penalty.

9.3 Any person who commits a traffic violation, as defined in 23 V.S.A. § 2302(a), under this Ordinance shall be liable for the penalty amount required by law and/or set forth in the Vermont Judicial Bureau Waiver Penalty Schedule.

9.4 Nothing herein shall preclude the Town from pursuing any other civil remedies available by law for the purpose of enforcing this Ordinance, collecting penalties for violations thereof, or from pursuing any other any other remedy at law or in equity, including injunctive relief and process for contempt.

9.5 Each violation of a provision of this Ordinance shall be deemed a separate offense. Each day a violation continues shall constitute a separate offense.

9.6 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.

10. Severability: The provisions of this Ordinance are severable, and if any provision hereof be judged invalid, such judgment shall not affect the validity of any other provision.
11. Designation: This Ordinance may be referred to as the "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.
12. Repeal of Prior Ordinance: The "approved traffic ordinances" adopted December 21, 2016 and effective February 19, 2017 are hereby repealed.
13. Adoption: Pursuant to 24 V.S.A. § 1972 and such other provisions of law as set forth above, this Ordinance is adopted by the Pomfret Selectboard at its meeting on the 15th day of June 2022 and shall become effective on the 14th day of August 2022.


Emily Grube, Chair


John Peters Jr., Vice-Chair


Benjamin Brückner


Steve Chamberlin


Jonathan Harrington