

## TRAFFIC ORDINANCE

### Town of Jay, Vermont

Pursuant to the provisions of Title 23, Vermont Statutes Annotated, Sections 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 Town of Jay Select Board that the following Traffic Ordinance is adopted for the Town of Jay, Vermont.

#### ARTICLE I: DEFINITIONS

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

#### ARTICLE II: SCOPE

Section 1. The ordinance establishes special traffic regulations on public highways within the Town of Jay, Vermont. The speed, parking and other traffic control device regulations are established and set forth to promote health, welfare and overall public safety for all the residents of the Town of Jay as well as all who travel upon the town highways.

Section 2. With regard to speed limits, parking and other traffic control device regulations with the Town of Jay, the character of the roadways now in use, the character of neighborhoods and property, abutting land uses have all been considered to create this ordinance.

Section 3. It has been determined that the requirement set forth is that all vehicular traffic shall travel on town highways at a speed not to exceed **35 mph and / or 25 mph as specified below.**

Section 4. All signs posted are posted in accordance with the Manual of Uniform Traffic Control Devices and shall be in effect when so posted.

#### 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 and may be subject to fine.

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."

#### ARTICLE IV. ENFORCEMENT OF SPEED LIMIT ON STATE HIGHWAY

Section 1. The maximum speed limit permitted for any vehicular traffic on Vermont Routes 242 and 105, within the Town of Jay shall be as established and posted by the State of Vermont.

**ARTICLE V: ENFORCEMENT OF SPEED LIMIT ON TOWN HIGHWAY**

Section 1. The maximum speed limit for all motor vehicles, except for emergency vehicles, is hereby established as **35 mph** on the following town highways.

**Class 2 town highways: Cross Rd – Town Highway #1 and Jay Peak Road – Town Highway #43**

**Class 3 town highways:**

**Beadle Hill Road – Town Highway #20  
Gendron Road – Town Highway #19  
Mayhew Road – Town Highway #16  
Morse Road – Town Highway #12  
North Jay Road – Town Highway # 3  
West Jay Road – Town Highway #31**

**Section 2:** The maximum speed limit for all motor vehicles, except for emergency vehicles, is hereby established as **25 mph** on the following town highways.

**The following class 3 roads at a speed not to exceed 25 mph**

**Belle Vista Road – Town Highway #33  
Cemetery Road – Town Highway #29  
Green Mountain Drive – Town Highway # 23  
Loop Rd – Town Highway #30  
Marriner Drive – Town Highway #45  
Revoir Flats Road – Town Highway #4  
Sargents Way – Town Highway #34  
Shallowbrook Road – Town Highway # 40  
Stoney Path Road – Town Highway #510  
Wilderness Road – Town Highway #35**

**ARTICLE VI: STOP AND YIELD INTERSECTIONS fill in blanks**

**Section 1. The following intersections shall be designated as stop intersections and shall be so signed:**

Aikins Drive TH#38 @ Wilderness Rd TH#35  
Amos Road TH#13 @ Morse Rd TH#12  
Beadle Hill Rd TH#20 @ VT Rte 242  
Beadle Hill Rd TH#20 @ Gendron Rd TH#19  
Bear Crossing Rd TH#37@ Wilderness Rd TH#35  
Camp Rd TH#28 @ VT Rte 105  
Cemetery Rd TH#29 @ VT Rte 105  
Cemetery Rd TH#29 @ Cross Rd TH#1  
Cote Cove TH#50 @ FootHills Dr TH#51  
Cross Rd TH#1 @ Revoir Flats TH#4  
Green Mountain Drive TH#23 @VT Rte 242  
Jay Peak Road TH#34 @ VT Rte 242

Journey's End Road TH#6 @ North Jay Rd TH#3  
Loop Rd TH#30 @ VT Rte 105  
Lucier Rd TH#23 @ VT Rte 242  
Mayhew Road TH#16 @ Loop Rd TH#30  
Morse Road TH#12 @ VT Rte 105  
Morse Road TH#12 @ Cross Rd TH#1  
Morin Drive TH#46 @ VT Rte 105  
North Jay Rd TH#3 @ VT Rte 105  
Partridge Hollow Rd TH#11 @ North Jay Rd TH#3  
Revoir Flats TH#4 @ VT Rte 105  
Revoir Flats TH#4 @ Cross Rd TH#1  
Sargent's Way TH#34 @ Gendron Rd TH#19  
Sargent's Way TH34 @ Woodshed Rd TH27  
Shallowbrook Rd TH#40 @ VT Rte 242  
Stateside Rd TH#520 @ VT Rte 242  
Wilderness Rd TH#35 @ Beadle Hill Road TH#20  
Woodshed Road TH#27 @ VT Rte 242

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

- Belle Vista - TH#33 @ Revoir Flats - TH#4
- Foot Hills Drive – TH#51 @ Green Mountain Drive – TH#49
- Tuckaway West - TH#52 @ Green Mountain Drive – TH#49

**Section 3. The following roads shall have Dead End Signage:**

- |                       |                        |
|-----------------------|------------------------|
| Cyr Farm Rd TH#8      | Deer Path Road TH#36   |
| Hillside Road TH#10   | Journey’s End Rd TH#6  |
| Marriner Drive TH#45  | Poplar Drive TH#42     |
| Rabbit Run TH#39      | Sugarplace Rd TH# 17   |
| Tuckaway West TH#52   | Morin Drive TH# 46     |
| West Jay Road TH#31   | Tranquility Lane TH#44 |
| Wilderness Road TH#35 |                        |

**Section 4. The following roads shall have “No Crossing a Double Line” and “No Parking on Road” Signage – Jay Peak Road – TH#43**

**ARTICLE VII: PARKING REGULATIONS**

Section 1. It shall be unlawful to park any motor vehicle on any class 2 or class 3 town highway road with the exception of emergency and town of Jay maintenance vehicles.

Section 2 It shall be unlawful to park any motor vehicle on any class 4 roads making those roads unpassable to other property owners as well as emergency and town of Jay maintenance vehicles.

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 Select Board member.

Section 4. If the owner of a vehicle summarily removed 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.

**ARTICLE VIII: GENERAL PROVISIONS AND PENALTIES**

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

Section 2. Penalties: This is a civil ordinance which shall be enforced in accordance with the provisions in 24 V.S.A. §§ 1974a and 1977 et seq. The penalty for violation of any of the above speed limits shall be that set by the Schedule of Fines established by the State of Vermont.

Section 3. Severability: The provisions of this ordinance are declared to be severable and if any provisions here to for be adjudged invalid such judgment shall not affect the validity of any other provisions.

Section 4. Designation: This ordinance may be referred to as the Town of Jay Traffic Ordinance #1, and in a prosecution thereunder 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 here to.

Section 5. Repeal of Prior Ordinances: Any older ordinance or traffic regulation heretofore adopted by the Town of Jay is hereby repealed.

Section 6. Publication and Posting: This ordinance shall be published in the Newport Daily Express December 27, 2017 and shall be filed with the Jay Town Clerk on Tuesday, December 19, 2017.

ARTICLE IX: ENFORCEMENT OFFICIALS. The issuing officials shall include any certified law enforcement officer from the State of Vermont.

ARTICLE X: EFFECTIVE DATE. The above ordinance was adopted by the Select Board for the Town of Jay on Monday, December 18, 2017 and shall become effective pursuant to the provisions of Title 24 V.S.A., § 1971, et seq, sixty days from the date of its adoption, to wit, on Friday, February 16, 2018 unless a petition for a vote on the question of disapproving the same shall be filed in accordance with the provisions of Section 1973 (b) of Title 24, Vermont Statutes Annotated, which section provides that a petition for a vote on the question of disapproving an ordinance or rule shall be signed by not less than five percent of the qualified voters of the municipality, and presented to the legislative body or the clerk of the municipality within 44 days following the date of adoption of the ordinance or rule by the legislative body.

ARTICLE XI: ORDINANCE ADOPTION HISTORY

Section 1. This was an agenda item at regular Town of Jay Select Board meetings held on July 17 2017, August 21, 2017, September 18, 2017, October 16, 2017, November 20, 2017 and December 18, 2017. Public Hearings on October 16, 2017 (6pm) and December 18, 2017 (6pm).

Section 2 This ordinance was read and approved at regular Town of Jay Select Board Meeting and entered in the minutes on Monday, December 18, 2017.

Section 3 This Ordinance was posted in public places on Wednesday, December 27, 2017

Section 4 The notice of adoption was published in the Newport Daily Express on Wednesday, December 27, 2017 with a notice of the right to petition.

Signatures:

Date: 12/18/17

Margaret D. Hoop  
Amel Cole  
David R. Judson

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