

**TRAFFIC ORDINANCE**  
**TOWN OF NEWFANE, VERMONT**

Amended Date: May 20, 2010

Effective Date: July 19, 2010

**NEWFANE TRAFFIC ORDINANCE  
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**TRAFFIC ORDINANCE**  
**Town of Newfane, Vermont**

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)(5), and such other general enactments as may be material hereto, it is hereby ordained by the Board of Selectmen of the Town of Newfane that the following amended Traffic Ordinance be adopted for the Town of Newfane, Vermont.

**ARTICLE I**  
**DEFINITIONS**

As used in the Town Traffic Ordinance the following terms have the respective meanings here assigned to them. Other definitions may appear in Title 23, Vermont Statutes Annotated, Section 4 as incorporated by reference.

- (1) **Authorized emergency vehicle:** means vehicle of a fire department, police vehicle, public and private ambulance and a vehicle to which a permit has been issued pursuant to Section 1252(a)(1) or Section 1252(a)(2) of Title 23.
- (2) **Crosswalks:**
  - (A) That portion of a road which is designated by the Town Traffic Committee for pedestrian use in crossing from one side of the road to the other.
  - (B) Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- (3) **Edge of the roadway:** is the extreme right-hand limit of any improved area within the right of way of the highway.
- (4) **Emergency warning signal:** is a bell, siren, or light on an authorized emergency vehicle.
- (5) **Enforcement officers:** shall include sheriffs, deputy sheriffs, constables, police officers, state's attorneys, motor vehicle inspectors, state game wardens, state police and town fire chiefs, the latter only when at the scene of a fire or other emergency, and, for enforcement of offenses relating to parking of motor vehicles, meter checkers and other duly authorized employees of a municipality employed to assist in the enforcement of parking regulations.
- (6) **Highway, Road, Public Highway or Public Road:** shall include all parts of any bridge, culvert, roadway, street, square, fairground or other place open temporarily or permanently to public or general circulation of vehicles, and shall include a way laid out under authority of law.

- (7) **Intersecting highway:** shall mean any highway which joins another at an angle, whether or not it crosses the other for the general circulation of vehicles.
- (8) **Motor vehicle:** shall include all vehicles propelled or drawn by power other than muscular power, except tractors used entirely for work on the farm, vehicles running only upon stationary rails or tracks, motorized highway building equipment, road making appliances or snowmobiles, or implements of husbandry.
- (9) **Parking:** is the stopping or standing on a road of any vehicle whether occupied or unoccupied.
- (10) **Roadway:** is that travel portion of a highway improved, designed or ordinarily used for vehicular traffic, exclusive of shoulder.
- (11) **Sidewalk:** that portion of a street between the curb lines or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.
- (12) **Town Traffic Committee:** is the Board of Selectmen of the Town of Newfane.
- (13) **Traffic control device:** is any traffic light, blinker, sign, signal, or marking placed and authorized by the Town Traffic Committee for the regulation of vehicular or pedestrian traffic or of parking.

**ARTICLE II  
AUTHORITY OF ENFORCEMENT OFFICERS**

- Section 1. Directing Traffic**  
Any Enforcement Officer shall have authority to direct vehicular and pedestrian traffic in a manner consistent with or contrary to the direction of any sign.
- Section 2. Disobeying a Law Enforcement Officer**  
It shall be unlawful for any person to disobey a direction of a law enforcement officer made under this ordinance.
- Section 3.** Any enforcement officer shall have authority to direct vehicular and pedestrian traffic in a manner consistent with or contrary to the direction of any official sign, including any bona fide fireman acting for the fire chief at the scene of an emergency or fire.

**ARTICLE III  
SCOPE**

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

**ARTICLE IV  
PEDESTRIANS RIGHTS AND DUTIES**

**Section 1.** Notwithstanding the provisions of this ordinance every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway, shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person upon a roadway.

**Section 2. Pedestrians on roadways:**

(a) Where public sidewalks are provided no person may walk along or upon an adjacent roadway.

(b) Where public sidewalks are not provided any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing the direction of possible oncoming traffic.

**Section 3. Duties of pedestrians -** All pedestrians shall obey the instructions of all traffic control devices which are applicable to them, and all instructions of enforcement officers relating to control of traffic.

**ARTICLE V  
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 be mistaken for an official traffic control device, without prior approval for the Town of Newfane Board of Selectmen.

**Section 4. Warning Signs:** Advisory and cautionary traffic control signs may be placed by the Town Traffic Committee to assist motorists with road conditions that may be potentially hazardous. Warning signs to be installed according to the Manual on Uniform Traffic Control Devices. (MUTCD)

**Section 5. Full Stop Locations:** All vehicles shall come to a full stop at the locations listed below:

*Dover Road (TH#2(East bound traffic)/Depot Road (TH#2)*

*at BR#12 – Arch Bridge*

*Auger Hole Road (TH#3)/Dover Road (TH#2)*

*Parish Hill Road (TH#26/Dover Road (TH#2)*

*Baker Brook Road (TH#19/Dover Road (TH#2)*

*Parish Hill Road (TH#26/Baker Brook Road (TH#19)*  
*Adams Hill Road (TH#27)/Dover road (TH#2)*  
*Hunter Brook (TH#32)/Dover Road (TH#2)*  
*Penner Road (TH#30)/Dover Road (TH#2)*  
*Stratton Hill Road (TH#35)/Dover Road (TH#2)*  
*Jones Hill Road (TH#52)/Dover Road (TH#2)*  
*Timson Hill Road (TH#41)/Dover Road(TH#2)*  
*Duke Road (TH#66)/Depot Road (TH#2)*  
*Wiswall Hill Road (TH#11)/South Wardsboro Road (TH#1)*  
*Clark Farm Road (TH#12)/South Wardsboro Road (TH#1)*  
*Grout Road (TH#19)/South Wardsboro Road (TH#1)*  
*Old Stage Road (TH#9)/South Wardsboro Road (TH#1)*  
*Eddy Road (TH#71)/South Wardsboro Road (TH#1)*  
*Sir Isaac Newton Road (TH#7)/South Wardsboro Road (TH#1)*  
*Cushing Flats Road (TH#6)/South Wardsboro Road (TH#1)*  
*Vic Benjamin Road (TH#64)/South Wardsboro Road (TH#1)*  
*Timson Hill Road (TH#41)/Newfane Hill Road (TH#20)*  
*Steep Way (TH#21)/Newfane Hill Road (TH#20)*  
*Steep Way (TH#21)/Browns Road (TH#45)*  
*River Road (TH#19)/Radway Hill Road (TH#4)*  
*Joseph Lane (TH#78)/Newfane Hill Road (TH#20)*  
*At each end of the Covered Bridge (CB#17)*

**Section 6:** *Traffic Yield Locations. All vehicles eastbound on the Dover Road (TH#2) shall yield to traffic approaching on the Arch Bridge (BR#12)*

## ARTICLE VI SPEED REGULATIONS

### GENERALLY:

The Town of Newfane adopts the state regulated speed zones on State Highway Route 30 in the Town of Newfane, Vermont, pursuant to Vermont Statutes Annotated Title 23, Section 1007(a)(2) to allow the Town of Newfane to collect a percentage of the fines collected by the State for speeding violations that occur on State Highway Route 30 in the Town of Newfane, Vermont.

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

### **CLASS 3**

**Section 1.** A maximum speed of 30 mph shall be posted on all Class 3 gravel roads unless otherwise posted by the Town Traffic Committee.

**Section 2.** A maximum speed of 30 mph shall be posted on the Class 3 paved roads of Back Street (TH#18) and from Vermont Route 30 to the intersection of Bruce Brook (TH#45) and Steep Way (TH#21).

- Section 3.** The maximum speed of 25 mph shall be posted on Wild Wood Acres (TH#75), Loop Road (TH#76), White Pine Lane (TH#82), Duke Road (TH#66) and Wiswall Hill Road (TH#11).
- Section 4.** The maximum speed of 35 mph shall be posted on Old Vermont Route 30 (TH#83) from the intersection of the New Vermont Route 30 to the intersection of School Street (TH#70).
- Section 5.** The maximum speed of 15 mph shall be posted on School Street (TH#70) from the intersection with Vermont Route 30 to the school, during the time school is in session. Otherwise the maximum speed limit shall be posted at 25 mph.
- Section 6.** *The maximum speed of 25 mph for trucks shall be posted on Parish Hill Road (TH#26).*
- Section 7.** *The maximum speed of 25 mph for trucks shall be posted on Beetlestone Hill Road (TH#47).*
- Section 8.** *The maximum speed of 25 mph for trucks shall be posted on Baker Brook Road (TH#19) between the intersections with Dover Road (TH#2) and Beetlestone Hill Road (TH#47).*

**CLASS 2**

- Section 9.** The maximum speed of 35 mph shall be posted on the South Wardsboro Road (TH#1) from the Wardsboro/Newfane town line to one-tenth of a mile west of intersection with Vic Benjamin Road (TH#64).
- Section 10.** The maximum speed of 30 mph shall be posted on the South Wardsboro Road (TH#1) from one-tenth of a mile west of the intersection with Vic Benjamin Road (TH#64) to the intersection with Kenny Pond Road (TH#19).
- Section 11.** The maximum speed of 35 mph shall be posted on the South Wardsboro Road (TH#1) from the intersection with Kenny Pond Road (TH#19) to Bridge #11.
- Section 12.** The maximum speed of 35 mph shall be posted on Radway Hill (TH#4) from the Brookline Bridge (BR#19) to the intersection with Vermont Route 30.
- Section 13.** The maximum speed of 35 mph shall be posted on Grimes Hill Road (TH#5) from the intersection with Vermont Route 30 to one-tenth of a mile before the intersection with Dover Road (TH#2).
- Section 14.** The maximum speed of 40 mph shall be posted on Depot Road (TH#2) from the Dummerston/Newfane town line to one-tenth of a mile east of the intersection with Sunset Lake Road (TH#42).

- Section 15.** The maximum speed of 35 mph shall be posted one-tenth of a mile west of the Covered Bridge (CB#17) on Dover Road (TH#2) to one-tenth of a mile east of the Green Iron Bridge (BR#49).
- Section 16.** The maximum speed of 45 mph shall be posted on Dover Road (TH#2) from four-tenths of a mile west of the east side of Bridge #14 to three-tenths of a mile east of the intersection with Hunter Brook Road (TH#32).
- Section 17.** The maximum speed of 35 mph shall be posted on Dover Road (TH#2) from three-tenths of a mile east of the intersection with Hunter Brook Road (TH#32) to the Newfane/Dover town line.
- Section 18.** The maximum speed of 35 mph shall be posted on Marlboro Branch Road (TH#3) from one-tenth of a mile south of the intersection with Dover Road (TH#2) to the Newfane/Marlboro town line.

**VILLAGES**

**Newfane Village**

- Section 19.** The maximum speed of 25 mph shall be posted on West Street (TH#1) from Bridge #11 to Vermont Route 30.
- Section 20.** The maximum speed of 25 mph shall be posted on Cross Street (TH#14), Court Street (TH#1), Church Street (TH#55) and Jail Street (TH#56) for their entire length.
- Section 21.** The maximum speed of 25 mph shall be posted on Mantel Road (TH#16) from the Old Railroad Station to Vermont Route 30.

**Williamsville Village**

- Section 22.** The maximum speed of 25 mph shall be posted on Grimes Hill Road (TH#5) from one-tenth of a mile east of the intersection with Dover Road (TH#2).
- Section 23.** The maximum speed of 25 mph shall be posted on Depot Road (TH#2) from one-tenth of a mile east of the intersection with Sunset Lake Road (TH#42) to the intersection with Dover Road (TH#2).
- Section 24.** The maximum speed of 25 mph shall be posted on Sunset Lake Road (TH#42) from one-tenth of a mile before Depot Road (TH#2) to the intersection with Depot Road (TH#2).
- Section 25.** The maximum speed of 25 mph shall be posted on Timson Hill Road (TH#41) from one-tenth of a mile before the intersection with Dover Road (TH#2).
- Section 26.** The maximum speed of 25 mph shall be posted on Baker Brook Road (TH#19).



from two-tenths of a mile before the intersection with Dover Road (TH#2).

**Section 27.** The maximum speed of 25 mph shall be posted on Dover Road (TH#2) from one-tenth of a mile west of *the Covered Bridge (CB#17)* through the village to the intersection with Depot Road (TH#2).

### **South Newfane Village**

**Section 28.** The maximum speed of 25 mph shall be posted on Dover Road (TH#2) from one-tenth of a mile east of the Green Iron Bridge (BR#49) to four-tenths of a mile west of the east side of Bridge #14.

**Section 29.** The maximum speed of 25 mph shall be posted on Marlboro Branch Road (TH#3) from one-tenth of a mile before the intersection with Dover Road (TH#2) to the Dover Road (TH#2).

**Section 30.** The State of Vermont Traffic Committee shall post the speed zones on Vermont Route 30 passing through the Town of Newfane.

**Section 31.** The restrictions set forth in Sections 1 through 32 of this Article shall not apply to emergency vehicles while in use on emergency work and sounding and/or displaying their emergency signals.

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

## **ARTICLE VII PARKING REGULATIONS**

### **Section 1. Parking on the Improved Portion of the Road**

Except as otherwise provided in this Ordinance, it shall be unlawful for any person to park a vehicle upon the traveled portion of any road, so as to interfere with traffic or normal maintenance on such road.

### **Section 2. General Parking Restrictions**

At any time, it shall be unlawful to park a vehicle, other than police, fire department or emergency vehicles at any time:

- (a.) Within six feet (6') of a fire hydrant;
- (b.) So as to block a private driveway without permission of the owner;
- (c.) On a crosswalk;
- (d.) On a sidewalk;
- (e.) On a bridge;
- (f.) In front of the South Newfane/Williamsville Volunteer Fire Department;
- (g.) Within 30 feet from an intersection.

- Section 3. Abandoned Vehicles or Vehicles Parked so as to constitute a nuisance**  
It shall be unlawful to leave any vehicle on property owned, leased or maintained by the Town for twelve (12) hours or more continuously.
- Section 4.** Any vehicle in violation of the provisions of this Article may be summarily removed at the owners' expense, by order of any law enforcement officer, road commissioner, or selectman.
- Section 5.** If the owner of a vehicle summarily removed under section 4 hereof does not claim such vehicle and pay all towing and storage expenses within thirty (30) days of the date of removal, the title of 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 6.** 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 VIII  
ONE-WAY STREETS**

- Section 1. Traveling Wrong Way on One-Way Street**  
It shall be unlawful to operate a vehicle on a one-way road except in the legal indicated direction.
- Section 2. Designated One-Way Roads**  
One-way roads are those so designated and posted by the Town Traffic Committee.

**ARTICLE IX  
SNOWMOBILES AND ALL-TERRAIN VEHICLES**

- Section 1.** *Snowmobiles shall not be operated on or within five feet of a plowed public highway except when crossing such highway. Crossings must be made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing. The operator must bring the snowmobile to a complete stop before entering the traveled portion of the highway, and must yield the right-of-way to motor vehicles and pedestrians using the highway.*
- Section 2.** *All-terrain vehicles may not be operated on any public highway unless it is not being maintained during the snow season except when crossing such highway. Crossings must be made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing. The operator must bring the all-terrain vehicle to a complete stop before*

*entering the traveled portion of the highway and must yield the right-of-way to a motor vehicles and pedestrians using the highway.*

**ARTICLE X  
LOADED VEHICLES**

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

**ARTICLE XI  
ENFORCEMENT**

**Section 1. Enforcement:**

A violation of any provision of this Ordinance shall be a civil matter and may be enforced in accordance with 24 VSA § 1974a. and § 1977 et seq.

**Section 2. Penalties:**

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 VSA § 1974a. Each day that the violation continues shall constitute a separate violation of this ordinance.

**SPEEDING**

1 to 10 mph over	\$ 5.00 per mph plus state mandated surcharge (\$17.50)
11 to 20 mph over	\$ 6.00 per mph plus state mandated surcharge (\$17.50)
21 to 30 mph over	\$ 7.00 per mph plus state mandated surcharge (\$17.50)
31+ mph over	\$ 8.00 per mph plus state mandated surcharge (\$17.50)

**PARKING VIOLATION**

		<b>WAIVER FEE</b>
1 <sup>st</sup> Offense	Warning	
2 <sup>nd</sup> Offense within 6-month period	\$20.00	\$10.00
3 <sup>rd</sup> Offense within 6-month period	\$40.00	\$20.00

**OTHER VIOLATIONS**

		<b>WAIVER FEE</b>
1 <sup>st</sup> Offense	Warning	
2 <sup>nd</sup> Offense within 6-month period	\$ 50.00	\$25.00
3 <sup>rd</sup> Offense within 6-month period	\$100.00	\$50.00

Waiver fees may be paid in lieu of a court appearance.

**Section 3.** The custodial official of the Town's ticket books shall be the Administrative Assistant.

**Section 4.** The issuing officials shall be the town constable, any sheriff of the Windham County Sheriff's Department, police officer or State Police officer.

**Section 5.** The appearing officials shall be the town constable, any sheriff of the Windham County Sheriff's Department, police officer or State Police officer.

## **ARTICLE XII GENERAL PROVISIONS**

**Section 1. 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.

**Section 2. Designation:**

This ordinance shall be referred to as the Newfane 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 the specified provision of this ordinance shall be a sufficient reference hereto.

**Section 3. Repeal of Prior Ordinances:**

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

**Section 4. Amendments:**

All amendments to this ordinance shall be made in accordance with Title 24 VSA, Chapter 59.

**Section 5. Publication and Posting:**

This ordinance shall be: (1) entered into the Selectmen's minutes, (2) shall be posted in at least five (5) conspicuous places within the Town of Newfane, and (3) the full text of the Ordinance or a concise summary of it published in the Brattleboro Reformer not more than fourteen (14) days following the date specified below when this ordinance is adopted.

**Section 6. Effective Date of this Ordinance:**

This ordinance is hereby adopted by the Board of Selectmen of the Town of Newfane on this first day of June, 2006 and shall, unless a petition is filed as provided by law, become effective on July 31<sup>st</sup>, 2006, sixty (60) days after said date.

Citizens have the right to petition for a vote on this ordinance at an annual or special town meeting as provided in 24 VSA § 1973.

This adoption of the Traffic Ordinance contains all the changes made by prior selectboards and is a clarification and update of the changes made since 2006. No new changes were made that have not been previously warned.

Signed and dated as adopted by the Newfane Selectboard, Town of Newfane at its meeting held on the ~~14~~ day of ~~June~~, 2013.  
*July*

**NEWFANE SELECTBOARD**

  
\_\_\_\_\_  
Jon Mack, Chairman

  
\_\_\_\_\_  
Gloria Cristelli

  
\_\_\_\_\_  
Christine Druke

  
\_\_\_\_\_  
Mike Fitzpatrick

  
\_\_\_\_\_  
Todd Lawley

## AMENDMENT HISTORY

Amendments in Italics (Since June 1, 2006)

Amendment Date: October 18, 2007

Effective Date: December 17, 2007

Change: Article V Traffic Control Devices – Section 5 – Full Stop Locations

Added: Dover Road (TH#2)(East bound traffic) / Depot Road (TH#2) at BR#12 – Arch Bridge

Deleted: Section 6 – Traffic Yield Locations:

All vehicles eastbound on the Dover Road (TH#2) shall yield to traffic approaching on the Arch Bridge (BR#12).

Amended Date: September 18, 2008

Effective Date: November 17, 2008

Change: Article V Traffic Control Devices – Section 5 – Full Stop Locations

Added: Section 6 – Traffic Yield Locations

All vehicles eastbound on the Dover Road (TH#2) shall yield to traffic approaching on the Arch Bridge (BR#12).

Amended Date: July 16, 2009

Effective Date: September 15, 2009

Change: Article VI Speed Regulations

Class 3, Section 9

Deleted: Engine (“Jake”) Brakes. The use of engine brakes shall be restricted from the intersection of Baker Brook Road (TH#19) and Dover Road (TH#2) along the flats of Baker Brook Road (TH#19) to the intersection with Parish Hill Road (TH#26) at Bridge #41.

Amended Date: May 20, 2010

Effective Date: July 19, 2010

Change: Article VI – Speed Regulations

Added:

GENERALLY:

The Town of Newfane adopts the state regulated speed zones on State Highway Route 30 in the Town of Newfane, Vermont, pursuant to Vermont Statutes Annotated Title 23, Section 1007(a)(2) to allow the Town of Newfane to collect a percentage of the fines collected by the State for speeding violations that occur on State Highway Route 30 in the Town of Newfane, Vermont.