

TOWN OF DERBY, VERMONT
SPECIAL REGULATION OF THE SELECT BOARD

At a meeting of the Derby Select Board held on November 26, 2001 the Select Board adopted the following traffic ordinance.

This ordinance shall become effective January 26, 2002 unless petitioned by 5% of the registered voters of the Town of Derby by January 09, 2002. This ordinance has also been posted at the Derby Post Office, Derby Line Post Office, Shop & Save Food Markets, Derby Town Office, Beebe Post Office.

Pursuant to Title 24 VSA Sections 1971 and 2291, and Title 23 VSA Sections 1003, 1007 and 1008, the following Regulation is hereby adopted by the Select Board of the town of Derby.

The Select Board of the Town of Derby, Vermont deems that from Town Limit to Town Limit on US Route 5, Vermont Route 105, Vermont Route 111 and Vermont Route 5A, the maximum speed of all motor vehicles shall not exceed the limits established and posted by the State of Vermont under Title 23 Section 1003.

A. The maximum speed limit on US Route 5, Vermont Route 105, Vermont Route 111 and Vermont Route 5A are the same as that adopted/posted by the State of Vermont.

B. A person who violates the preceding section may be fined as set forth within the Vermont Statutes Annotated.

C. This Ordinance shall become effective sixty days after its adoption unless a petition signed by no less than 5% of the qualified voters of the Town of Derby asking for a vote on the question of disapproving the Ordinance is filed with the Town Clerk or Select Board within forty four days after the adoption of this Ordinance. If such a petition is filed, the Select Board shall call a special meeting to vote on that question, and the Ordinance shall become effective at the end of that meeting unless a majority of those voting on the question disapprove of the Ordinance or sixty days after its adoption, whichever is sooner.

Adopted by the Derby Select Board at its meeting held on the 26th day of November 2001

Thomas Bailey
Beula Jean Shattuck
Karen Jenne
Stephen Gendreau
Brian Smith

TOWN OF DERBY, VERMONT 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 Derby that the following traffic Ordinance is adopted for the Town of Derby, Vermont.

ARTICLE I DEFINITIONS

The definitions of Title 23, Vermont Statutes Annotated, Section 4 are incorporated by reference.

Section 1.

- (a) Road/Street: The whole area within the limits of a public highway.
- (b) Sidewalk: That portion of a street which is set apart for public pedestrian travel.
- (c) Crosswalk: That portion of a street which is designated for pedestrian use in crossing from one side to the other.
- (d) Vehicle: Any contrivance capable of being used for the conveyance of persons or goods on land, except light carriages for the use of children or invalids.
- (e) Parking: The stopping or standing on a street of any vehicle whether occupied or unoccupied.
- (f) Intersection: Any street which joins another at an angle, whether or not it crossed the other.
- (g) Official Traffic Control Devices: Any traffic light, flashing beacon, sign, signal or marking placed by the Select Board for the regulation of vehicular or pedestrian traffic or of parking, and any sign, signal or marking placed by a Police Officer to designate temporary regulations.

- (h) Emergency Vehicle: An ambulance or rescue vehicle or any vehicle of the Fire or Police Department when responding to an emergency.
- (i) Police Department: If no organized department, the term "Police Department" is to mean town police officers, constables, sheriffs, deputy sheriffs and state police.
- (j) Police Officials: Town police officers, town constables, sheriffs, deputy sheriffs and state police officers.
- (k) Town Highways: Same as defined in Title 19 Vermont Statutes Annotated § 1.
- (l) Manual on Uniform Traffic Control Devices for Streets and Highways: Publication of the United States Department of Transportation Federal Highway Administration setting forth standards for traffic control devices and which shall be the standards for all traffic control signs, signals and markings within the state, as set forth in Title 23, Vermont Statutes Annotated §1025.

ARTICLE II SCOPE

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

Section 1. It shall be the duty of any police official to enforce the provisions of this ordinance. Officers of the police department are hereby authorized to direct all traffic whether in person or by means of visible audible signal in conformance with the provisions of this ordinance providing that in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police or fire department may direct traffic, as conditions may require, notwithstanding the provisions of this ordinance.

**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 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 of the Town of Derby Select Board.

**ARTICLE IV
SPEED REGULATIONS**

Section 1. On the basis of engineering and traffic studies and increased traffic volume, it shall be unlawful to operate a vehicle within the Town Limits of Derby at a speed greater than the posted maximum limits.

TRD -CLASS 2 ROADS:

- #1 Holland Road - a maximum speed of 50 m.p.h from the Interstate to Holland Road Town Line.
- #2 Elm Street- a maximum speed of 30 m.p.h from the Beebe Road to Derby Line (Route 5).
- #3 Beebe Road - a maximum speed of 50 m.p.h from Route 5 to Interstate Bridge
Beebe Road - a maximum of 35 m.p.h from the Interstate Bridge to Beebe Customs.
- #4 Darling Hill Road - a maximum speed of 35 m.p.h. from Newport City Line to North Derby Road.
A maximum speed of 50 m.p.h from the North Derby Road to Prevost Road.
A maximum speed of 35 m.p.h. from Prevost Road to Beebe Road.

- #5 Hinman Settler Road - a maximum speed of 35 m.p.h. from Route 105 to the Brownington Town Line.
- #6 North Derby Road - a maximum speed of 35 m.p.h. from Darling Hill Road to the Beebe Customs.
- #7 Shattuck Hill Road - a maximum speed of 35 m.p.h. from Route 5 to Darling Hill Road.
- TRD CLASS 3 ROADS:**
- #8 Herrick Road - a maximum speed of 35 m.p.h. from Holland Road to Nelson Hill Road.
- #9 Community Drive - a maximum speed of 35 m.p.h from Route 5 to Shattuck Hill Road.
- #10 Lakewood Drive - a maximum speed of 25 m.p.h from Lindsay Beach Road to the end
- #11 Poulin Farm Road - a maximum speed of 35 m.p.h. from Darling Hill Road to the end.
- #12 Wood Farm Road - a maximum speed of 35 m.p.h. from Darling Hill Road to the end.
- #13 Canusa Avenue - a maximum speed of 35 m.p.h. from Beebe customs to Canada.
- #14 Lawson Road - a maximum speed of 25 m.p.h. from Beebe Road to the end.
- #15 Lakeview Extension - a maximum speed of 25 m.p.h. from Lakeview Drive to the end.
- #16 Palin Farm Road - a maximum speed of 25 m.p.h. from Route 5 to the end.
- #17 Eagle Point Drive - a maximum speed of 35 m.p.h from North Derby Road to the end.
- #19 Boucher Circle - a maximum speed of 25 m.p.h. from Route 5 to the end.

- #20 Birch Drive - a maximum speed of 25 m.p.h. from 4-H Road to the end.
- #21 Goodall Road - a maximum speed of 35 m.p.h from the Holland Road to the Holland town line.
- #22 Nelson Hill Road - a maximum speed of 35 m.p.h. from Route 5 to Holland Road.
- #23 Whittier Road - a maximum speed of 35 m.p.h. from Holland Road to the Holland town line.
- #24 Lindsay Beach Road - a maximum speed of 35 m.p.h from Darling Hill Road to the end.
- #25 Prouty Drive - a maximum speed of 25 m.p.h. from Darling Hill Road to Newport City line.
- #26 Whispering Pines - a maximum speed of 35 m.p.h. from North Derby Road to the end.
- #27 Quarry Road - a maximum speed of 35 m.p.h. from Route 5 to the Lower Quarry Road.
- #28 Lower Quarry Road - a maximum speed of 35 m.p.h from Quarry Road to Upper Quarry Road.
- #29 Upper Quarry Road - a maximum speed of 35 m.p.h. from Lower Quarry Road to end.
- #30 West Street - a maximum speed of 25 m.p.h. from Route 5 to Route 105.
- #31 Bridge Street - a maximum speed of 25 m.p.h. from Route 105 to the end.
- #32 Schuler Road - a maximum speed of 35 m.p.h. from Hinman Settler Road to the Access Road.
- #33 Christman Road - a maximum speed of 35 m.p.h. from Hinman Settler Road to the end.

- #34 4-H Road - a maximum speed of 25 m.p.h. from Route 111 to the end.
- #35 Derby Pond Road - a maximum speed of 35 m.p.h from Route 111 to Nelson Hill Road.
- #36 Ann Wilson Road - a maximum speed of 35 m.p.h. from Derby Pond Road to the end.
- #38 Bates Hill Road - a maximum speed of 35 m.p.h from Route 111 to Holland Town Line.
- #40 Dumas Road - a maximum speed of 35 m.p.h. form Route 111 to the Morgan Town Line.
- #41 Crawford Road - a maximum speed of 35 m.p.h. from Route 5 to the Access Road.
- # Pine Hill Road - a maximum speed of 35 m.p.h from the Access Road to the Coventry Town line.
- #42 Mount Vernon Street - a maximum speed of 35 m.p.h. from Newport City Line to Pine Hill Road.
- #44 Citizens Road - a maximum speed of 25 m.p.h. from the Access Road to Pine Hill Road.
- #45 Salem Derby Road - a maximum speed of 35 m.p.h. from Route 105 to Bushey Hill Road.
- #46 Tice Road - a maximum speed of 25 m.p.h. from Salem Derby Road to the end.
- #47 Glover Road - a maximum speed of 35 m.p.h from Salem Derby Road to the end.
- #49 Cross Road - a maximum speed of 35 m.p.h. from Salem Derby Road to Route 105.
- #50 Hayward Road - a maximum speed of 35 m.p.h. from Route 105 to Dumas Road.

- #53 Fontaine Road - a maximum speed of 35 m.p.h. from Hayward Road to Charleston Town line.
- #54 Bushey Hill Road - a maximum speed of 35 m.p.h. from Hayward Road to the Charleston Town Line.
- #55 Willard Road - a maximum speed of 25 m.p.h. from Bushey Hill Road to the end
- #56 Prevost Road - a maximum speed of 35 m.p.h. from Darling Hill Road to the end.
- #57 Joseph Street - a maximum speed of 25 m.p.h. from Route 5 to West Street.
- #58 Missionary Acres - a maximum speed of 25 m.p.h. from Darling Hill Road (Circle)
- #59 Wallace Road - a maximum speed of 35 m.p.h. from Route 5 to the End.
- #60 Tonis Road - a maximum speed of 35 m.p.h. from Nelson Hill Road to the end.
- #61 Fortin Road - a maximum speed of 35 m.p.h. from Nelson Hill Road to the Whittier Road.
- #62 Greenwood Drive - a maximum speed of 25 m.p.h from Missionary Acres to the end.
- #63 John Taplin Road - a maximum speed of 35 m.p.h. from Route 111 to the end.
- #64 Hammer Handle Road - a maximum speed of 25 m.p.h. from Route 5 to the end.
- #65 Batchelder Drive - a maximum speed of 25 m.p.h. from Bates Hill Road to the end.
- #66 Ridgehill Drive - a maximum speed of 35 m.p.h. from Shattuck Hill Road to Meadowbrook Drive.

- #67 Meadowbrook Drive - a maximum speed of 35 m.p.h. from Darling Hill Road to Ridgehill Drive.
- #70 Ledgewood Drive - a maximum speed of 25 m.p.h from Missionary Acres to the end.
- #78 Lynwood Drive - a maximum speed of 25 m.p.h. from Joseph Street to the end.
- #81 Hitchcock Drive - a maximum speed of 25 m.p.h. from Citizens Road to Pine Hill Road.
- #82 Salem View Heights - a maximum speed of 35 m.p.h. from Salem Derby Road (Circle).
- #83 Day Street - a maximum speed of 25 m.p.h. from Elm Street (Circle).
- #84 Mountain View Drive - a maximum speed of 25 m.p.h. from Elm Street to the end.
- #86 Roy Street - a maximum speed of 25 m.p.h. from Route 5 (Circle).
- #88 Sunset Acres - a maximum speed of 25 m.p.h from North Derby Road to the end.
- #89 Lakeview Drive - a maximum speed of 25 m.p.h. from the North Derby Road to the end.
- #90 Morin Drive - a maximum speed of 25 m.p.h. from Palin Farm Road (Circle).
- #91 Ashman Drive - a maximum speed of 35 m.p.h. from Salem Derby Road to Salem View Heights.
- #92 Terrice Drive - a maximum speed of 35 m.p.h. from Salem Derby Road to Salem View Heights.

Section 2. Signs indicating the speed limit provided above shall be posted conspicuously within the highway limits in accordance with the Manual on Uniform Traffic Control Devices.

ARTICLE V
STOP AND YIELD INTERSECTIONS

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

STOP SIGNS:

1. Elm Street Town Highway #2 at Beebe Road Town Highway #3
2. Beebe Road Town Highway #3 at Route 5
3. Darling Hill Road Town Highway #4 at North Derby Road Town Highway #6
4. Darling Hill Road Town Highway #4 at Beebe Road Town Highway #3.
5. Hinman Settler Road Town Highway #5 at Route 105
6. North Derby Road Town Highway #6 at Darling Hill Road Town Highway #4.
7. North Derby Road Town Highway #6 at Eagle Point Road to Town Highway #17.
8. North Derby Road Town Highway #6 at Beebe Road Town Highway #3.
9. Shattuck Hill Road Town Highway #7 at Darling Hill Road Town Highway #4.
10. Shattuck Hill Road Town Highway #7 at Route 5.
11. Herrick Road Town Highway #8 at Nelson Hill Road Town Highway #22
12. Herrick Road Town Highway #8 at Holland Road Town Highway #1
13. Community Drive Town Highway #9 at Shattuck Hill Road Town Highway #7.
14. Community Drive Town Highway #9 at Route 5.
15. Lakewood Drive Town Highway #10 at Lindsay Road Town Highway #24.
16. Poulin Farm Road Town Highway #11 at Darling Hill Road Town Highway #4.
17. Woods Farm Road Town highway #12 at Darling Hill Road Town Highway #4.
18. Lawson Road Town Highway #14 at Beebe Road Town Highway #3.

19. Lakeview Extension Town Highway #15 at Lakeview Drive Town Highway #89.
20. Palin Farm Road Town Highway #16 at Route 5.
21. Eagle Point Road Town highway #17 at North Derby Road Town Highway #6
22. Boucher Circle Town Highway #19 at Route 5.
23. Birch Drive Town Highway #20 (North End Drive) at 4-H Road Town Highway #34.
24. Goodall Road Town Highway #21 at Holland Road Town Highway #1.
25. Nelson Hill Road Town Highway #22 at Route 5.
26. Nelson Hill Road Town Highway #22 at Holland Road Town Highway #1.
27. Whittier Road Town Highway #23 at Holland Road Town Highway #1.
28. Lindsay Beach Road Town Highway #24 at Darling Hill Road Town Highway #5.
29. Prouty Drive Town Highway #25 at Darling Hill Road Town Highway #4.
30. Whispering Pines Town Highway #26 at North Derby Road Town Highway #6.
31. Quarry Road Town Highway #27 at Route 5.
32. Quarry Road Town Highway #27 at Lower Quarry Road Town Highway #28.
33. Lower Quarry Road Town Highway #28 at Quarry Road Town Highway #27.
34. West Street Town Highway #30 at Route 5.
35. West Street Town Highway #30 at Route 105.
36. Bridge Street Town Highway #31 at Route 105.
37. Schuler Road Town highway #32 at I-91.
38. Schuler Road Town Highway #32 at Hinman Settler Road Town Highway #5.
39. Christman road Town Highway #33 at Hinman Settler Road Town Highway #5.
40. 4-H Road Town highway #34 at Route 111.
41. Derby Pond Road Town Highway #35 at Route 111.
42. Derby Pond Road Town Highway #35 at Nelson Hill Road Town Highway #22.
43. Ann Wilson Road Town Highway #36 at Derby Pond Road Town Highway #35.
44. Bates Hill Road Town Highway #38 at Route 111.
45. Dumas Road Town Highway #40 at Route 111.
46. Crawford Road Town Highway at Route 5.

47. Crawford Road Town Highway #41 at Clyde Street Newport.
48. Pine Hill Road Town Highway #41 at Interstate I-91.
49. Pine Hill Road Town Highway #41 at Mt. Vernon Street Town Highway #42.
50. Citizens Road Town Highway #44 at Interstate I-91.
51. Citizens Road Town Highway #44 at Pine Hill Road Town Highway #41.
52. Salem Derby Road Town Highway #45 at Route 105.
53. Salem Derby Road Town Highway #45 at Bushey Hill Road Town Highway #54.
54. Glover Road Town highway #47 at Salem Derby Road Town Highway #45.
55. Cross Road Town Highway #49 at Route 105.
56. Cross Road Town Highway #49 at Salem Derby Road Town Highway #45.
57. Hayward Road Town Highway #50 at Dumas Road Town Highway #40.
58. Hayward Road Town Highway #50 at Route 105.
59. Driver Road Town Highway #52 at Derby Gore Road.
60. Bushey Hill Road Town Highway #54 at Hinman Settler Road Town Highway #5.
61. Bushey Hill Road Town Highway #54 at Route 105.
62. Prevost Road Town Highway #56 at Darling Hill Road Town Highway #4.
63. Joseph Street Town Highway #57 at Route 5.
64. Joseph Street Town Highway #57 at West Street Town Highway #30.
65. Missionary Acres Town highway #58 at Darling Hill Road Town Highway #4. (2)
66. Wallace Road Town Highway #59 at Route 5.
67. Tonis Road Town Highway #60 at Nelson Hill Road Town Highway #22.
68. Fortin Road Town Highway #61 at Nelson Hill Road Town highway #22.
69. Fortin Road Town Highway #61 at Whittier Road Town Highway #23.
70. John Taplin Road Town Highway #63 at Route 111.
71. Hammer Handle Road Town Highway #64 at Route 5.
72. Ridgehill Drive Town Highway #66 at Shattuck Hill Road Town Highway #7.
73. Ridgehill Drive Town Highway #66 at Meadowbrook Drive Town Highway #67.

74. Meadowbrook Drive Town Highway #67 at Darling Hill Road Town Highway #4.
75. Meadowbrook Drive Town Highway #67 at Ridgehill Drive Town Highway #66.
76. Lynwood Drive Town Highway #78 at Joseph Road Town Highway #57.
77. Hitchcock Drive Town Highway #81 at Citizens Road Town Highway #44
78. Hitchcock Drive Town Highway #81 at Hitchcock Drive Town Highway #81.
79. Hitchcock Drive Town Highway #81 at Pine Hill Road Town Highway #41 (2).
80. Salem View Heights Town Highway #82 at Salem Derby Road Town Highway #45.
81. Day Street Town Highway #83 at Elm Street Town Highway #2.
82. Mountain View Drive Town highway #84 at Elm Street Town Highway #2.
83. Roy Street Town Highway #86 at Route 5.
84. Roy Street Town Highway #86 at Roy Street Town Highway #86.
85. Sunset Acres Town Highway #88 at North Derby Road Town Highway #6.
86. Lakeview Drive Town Highway #89 at North Derby Road Town Highway #6 (2).
87. Morin Drive Town Highway #90 at Palin Farm Road Town Highway #16 (2).
88. Ashman Drive Town Highway #91 at Saelm Derby Road Town Highway #45.
89. Ashman Drive Town Highway #91 at Salem View Heights Town Highway #82.
90. Terrice Drive Town Highway #92 at Salem View Heights Town Highway #82.
91. Terrice Drive Town Highway #92 at Salem Derby Road Town Highway #45.

ARTICLE VI PARKING REGULATIONS

Section 1. It shall be unlawful to park at any time on either side of Lindsay Beach Road Town Highway #24 from the intersection of Town Highway #10 Lakewood Drive to the Pedestrian Path at end of road.

Section 2. Any vehicle parked in violation of the provisions of this Article may summarily removed at the owners expense by order of any law enforcement officer, road commissioner, or Select Board.

Section 3. If the owner of a vehicle summarily removed under section 5 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 4. Nothing in this Article shall be construed to make unlawful vehicular stops in obedience to the direction of a law enforcement officer or for caused beyond the control of the operator.

ARTICLE VII 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, sifting, leaking or otherwise escaping there from.

ARTICLE IX

SECTION 1. Separate Offenses:

Each violation of a provision of this ordinance shall be deemed a separated 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 provision hereof be adjudged invalid such judgement shall not affect the validity of any other provision.

SECTION 4. Designation:

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

SECTION 5. Repeal of Prior Ordinances:

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

SECTION 7. Publication and Posting:

This ordinance shall be published in the Newport Daily Express on 08/06/99 and shall be filed with the Derby Town Clerk on JULY 27, 1999

Adopted by the Board of Selectmen, Town of Derby at its meeting held on the 26 day of July, 1999

Thomas Bailey

THOMAS BAILEY

Stephen Gendreau

STEPHEN GENDREAU

Beula Jean Shattuck

BEULA JEAN SHATTUCK

Brian Smith

BRIAN SMITH

William Sumner

WILLIAM SUMNER

DERBY, VT

TOWN CLERK'S OFFICE
RECEIVED FOR RECORD

JULY 27 A.D. 1999

at 8 o'clock 00 minutes A M

and recorded in Book 12 Page 314 - 327

of DERBY TOWN Records.

Attest: *[Signature]*

Town Clerk