

PUBLIC NOTICE

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 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.

STATE HIGHWAYS:

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

TRD - CLASS 2 ROADS:

A maximum speed limit of 50 mph on the following roads:

TH #1 Holland Road

#3 Beebe Road - from Route 5 to Interstate Bridge

A maximum speed limit of 35 mph on the following roads:

TH #3 Beebe Road - from Interstate Bridge to Beebe Customs.

TH #4 Darling Hill Road

TH #5 Hinman Settler Road

TH #6 North Derby

TH #7 Shattuck Hill Road

TH #8 Schuler Road

A maximum speed limit of 30 mph on the following Road:

#2 Elm Street

TRD - CLASS 3 ROADS:

A maximum speed limit of 25 mph on the following roads:

TH #14/96 Lawson Road	TH #16 Palin Farm Road
TH #19 Boucher Circle	TH #20/39 Birch Drive
TH #25 Prouty Drive	TH #30 West Street
TH #31 Bridge Street	TH #34 4-H Road
TH #44 Citizens Road	TH #46 Tice Road
TH #55 Willard Road	TH #57 Joseph Street
TH #58 Missionary Acres	TH #62 Greenwood Drive
TH #64 Hammer Handle Road	TH #65 Batchelder Drive
TH #69 Quarry Circle	TH #70 Ledgewood Drive
TH #78 Lynwood Drive	TH #81 Mount Vernon Street
TH #81/87 Hitchcock Drive	TH #83 Day Street
TH #84 Mountain View Drive	TH #86 Roy Street
TH #88 Sunset Acres	TH #89 Lakeview Drive
TH #90 Morin Drive	TH #93 Lakewood Drive
TH #97 Lakeview Extension	

A maximum speed limit of 35 mph on the following roads:

TH #8/18 Herrick Road	TH #11 Poulin Farm Road
TH #12 Wood Farm Road	TH #13 Canusa Avenue
TH #17 Eagle Point Drive	TH #21 Goodall Road
TH #22 Nelson Hill Road	TH #23 Whittier Road
TH #24 Lindsay Beach Road	TH #27 Quarry Road
TH #27/56 Upper Quarry Road	TH #28 Lower Quarry Road
TH #29 Upper Quarry Road	TH #33 Christman Road
TH #35 Derby Pond Road	TH #36 Ann Wilson Road
TH #37 Robillard Road	TH #38 Bates Hill Road
TH #40 Dumas Road	TH #41/98 Crawford Road
TH #41 Pine Hill Road	TH #42 Mount Vernon Street
TH #45 Salem Derby Road	TH #47 Glover Road
TH #49 Cross Road	TH #50 Hayward Road
TH #51 Dumas Road	TH #52 Derby Gore Road
TH #53 Fontaine Road	TH #54 Bushey Hill Road
TH #56 Prevost Road	TH #59 Wallace Road
TH #60 Tonis Road	TH #61 Fortin Road
TH #63 John Taplin Road	TH #66 Ridgehill Drive
TH #67 Meadowbrook Drive	TH #82/91 Salem View Heights
TH #82 Ashman Drive	TH #92 Terrace Drive
TH #94 Whispering Pines	TH #95 Community Drive
TH #99 Commerce Way	

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. TH #2 Elm Street at TH #3 Beebe Road
2. TH #3 Beebe Road at US Route 5
3. TH #4 Darling Hill Road (South bound) at TH #6 North Derby Road
4. TH #4 Darling Hill Road at TH #3 Beebe Road
5. TH #5 Hinman Settler Road at VT Route 105
6. TH #6 North Derby Road at TH #4 Darling Hill Road
7. TH #6 North Derby Road (northbound) at TH #17 Eagle Point Road
8. TH #6 North Derby Road at TH #3 Beebe Road
9. TH #7 Shattuck Hill Road at TH #4 Darling Hill Road
10. TH #7 Shattuck Hill Road at US Route 5
11. TH #8 Schuler Road at 1-91
12. TH #8 Schuler Road at TH #5 Hinman Settler Road
13. TH #11 Poulin Farm Road at TH #4 Darling Hill Road
14. TH #12 Woods Farm Road at TH #4 Darling Hill Road
15. TH #16 Palin Farm Road at US Route 5
16. TH #18 Herrick Road at TH #1 Holland Road
17. TH #18 Herrick Road at TH #22 Nelson Hill Road
18. TH #19 Boucher Circle at US Route 5
19. TH #21 Goodall Road at TH #1 Holland Road
20. TH #22 Nelson Hill Road at US Route 5
21. TH #22 Nelson Hill Road at TH #1 Holland Road
22. TH #23 Whittier Road at TH #1 Holland Road
23. TH #24 Lindsay Beach Road at TH #4 Darling Hill Road
24. TH #25 Prouty Drive at TH #4 Darling Hill Road
25. TH #27 Quarry Road at UA Route 5
26. TH #27 Quarry Road (southbound & eastbound) at TH #28 Lower Quarry Road
27. TH #28 Lower Quarry Road (southbound) at TH #27 Quarry Road
28. TH #30 West Street at US Route 5
29. TH #30 West Street at VT Route 105
30. TH #31 Bridge Street at VT Route 105
31. TH #33 Christman Road at TH #5 Hinman Settler Road
32. TH #34 4-H Road at VT Route 111
33. TH #35 Derby Pond Road at VT Route 111
34. TH #35 Derby Pond Road at TH #22 Nelson Hill Road
35. TH #36 Ann Wilson Road at TH #35 Derby Pond Road
36. TH #38 Bates Hill Road at VT Route 111
37. TH #39 Birch Drive at TH #34 4-H Road
38. TH #40 Dumas Road at VT Route 111
39. TH #41 Crawford Road at US Route 5
40. TH #41 Crawford Road at Clyde Street Newport
41. TH #41 Pine Hill Road at Interstate 191 Access Road

42. TH #41 Pine Hill Road (southbound) at TH #42 Mt. Vernon Street
43. TH #44 Citizens Road at Interstate 191 Access Road
44. TH #44 Citizens Road at TH #41 Pine Hill Road
45. TH #45 Salem Derby Road at VT Route 105
46. TH #45 Salem Derby Road at TH #54 Bushey Hill Road
47. TH #47 Glover Road at TH #45 Salem Derby Road
48. TH #47 Cobb Rd at TH #5 Hinman Settler Road
49. TH #49 Cross Road at VT Route 105
50. TH #49 Cross Road at TH #45 Salem Derby Road
51. TH #50 Hayward Road at TH #53 Fontaine Road
52. TH #50 Hayward Road at VT Route 105
53. TH #52 Derby Gore Road at TH #53 Fontaine Road
54. TH #54 Bushey Hill Road at TH #5 Hinman Settler Road
55. TH #54 Bushey Hill Road at VT Route 105
56. TH #56 Prevost Road at TH #4 Darling Hill Road
57. TH #57 Joseph Street at US Route 5.
58. TH #57 Joseph Street at TH #30 West Street
59. TH #58 Missionary Acres at TH #4 Darling Hill Road (2)
60. TH #59 Wallace Road at US Route 5
61. TH #60 Tonis Road at TH #22 Nelson Hill Road
62. TH #61 Fortin Road at TH #22 Nelson Hill Road
63. TH #61 Fortin Road at TH #23 Whittier Road
64. TH #63 John Taplin Road at VT Route 111
65. TH #64 Hammer Handle Road at US Route 5
66. TH #66 Ridgehill Drive at TH #7 Shattuck Hill Road
67. TH #66 Ridgehill Drive at TH #67 Meadowbrook Drive
68. TH #67 Meadowbrook Drive at TH #4 Darling Hill Road
69. TH #67 Meadowbrook Drive at TH #66 Ridgehill Drive
70. TH #69 Quarry Circle at TH #27 Quarry Road
71. TH #78 Lynwood Drive at TH #57 Joseph Road
72. TH #81 Mount Vernon Street at TH #87 Hitchcock Drive
73. TH #81 Mount Vernon Street (westbound) at TH #41 Pine Hill Road
74. TH #81 Hitchcock Drive at TH #41 Pine Hill Road
75. TH #82 Salem View Heights at TH #45 Salem Derby Road
76. TH #82 Ashman Drive at TH #45 Salem Derby Road
77. TH #82 Ashman Drive at TH #91 Salem View Heights
78. TH #83 Day Street at TH #2 Elm Street
79. TH #84 Mountain View Drive at TH #2 Elm Street
80. TH #86 Roy Street at US Route 5
81. TH #86 Roy Street at TH #86 Roy Street
82. TH #87 Hitchcock Drive at TH #44 Citizens Road
83. TH #88 Sunset Acres at TH #6 North Derby Road
84. TH #89 Lakeview Drive at TH #6 North Derby Road (2)
85. TH #90 Morin Drive at TH #16 Palin Farm Road (2)
86. TH #91 Salem View Heights at TH #45 Salem Derby Road
87. TH #91 Salem View Heights (westbound) at TH #92 Terrace Drive
88. TH #92 Terrace Drive at TH #91 Salem View Heights
89. TH #93 Lakewood Drive at TH #24 Lindsay Road

90. TH #94 Whispering Pines at TH #6 North Derby Road
91. TH #95 Community Drive at TH #7 Shattuck Hill Road
92. TH #95 Community Drive at US Route 5
93. TH #96 Lawson Road at TH #3 Beebe Road
94. TH #97 Lakeview Extension at TH #89 Lakeview Drive
95. TH #98 Crawford Rd at TH #41 Crawford Road
96. TH #99 Commerce Way at US Route 5
97. TH #99 Commerce Way at TH #27 Quarry Road

ARTICLE VI PARKING REGULATIONS

Section 1. It shall be unlawful to park at any time on either side of TH #24 Lindsay Beach Road from the intersection of TH #93 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 be removed at the owner's 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 VIII GENERAL PROVISIONS

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 judgment 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. 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 6. Effective Date:

This ordinance shall become effective 60 days after its adoption by the Derby Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the effective date of this ordinance.

ADOPTED NOVEMBER 16, 2020 BY THE TOWN OF DERBY SELECTBOARD.

Grant Spates, Chair
Karen Chitambar
Stephen Gendreau
Brian Smith

CITIZENS' RIGHTS TO PETITION: 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.

Copies of the Derby Traffic Ordinance is available at the Derby Town Offices or online at www.derbyvt.org

Questions concerning this ordinance can be directed to:

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