

TRAFFIC ORDINANCE
Town of Benson, Vermont

Pursuant to the provisions of Title 23 Vermont Statutes Annotated, Section 1007, 1008 and 1753 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 Benson that the following Traffic Ordinance is adopted for the Town of Benson, Vermont.

ARTICLE I
DEFINITIONS

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

ARTICLE II
SCOPE

The ordinance is to establish special regulation on public highways within the Town of Benson, Vermont

ARTICLE III
TRAFFIC CONTROL DEVICES

- Section I.** 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 II.** It shall be unlawful for any person to intentionally remove, injure, obstruct, deface, alter or tamper with any traffic control device.
- Section III.** 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 Benson, Board of Selectmen.

ARTICLE IV
SPEED REGULATIONS

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

- **East Road:** A maximum speed limit of 35 mph for the entire length.
- **Hulett Hill Road:** A maximum speed limit of 30 mph for the entire length.
- **Route 144:** A maximum speed limit of 40 mph from the Hubbardton town line westerly a distance of 4.2 miles to the intersection of Route 22A.
- **Old North Lake Road:** A maximum speed limit of 25 mph from the intersection of Stage Road westerly a distance of approximately 0.5 miles to the Solid Waste Transfer Station.
- **Stage Road:** A maximum speed limit of 40 mph from the West Haven Town line northerly a distance of 2.2 miles to the 25 mph speed zone of Benson village. A maximum speed of 25 mph in Benson village from 2.2 miles north of the West Haven town line to the intersection with Hulett Hill Road. A maximum speed of 35 mph from the intersection of Hulett Hill Road northerly to the Orwell town line.
- **Lake Road:** A maximum speed limit of 35 mph from the intersection of Route 22A westerly a distance of 0.55 miles to the 25 mph speed zone of Benson village. A maximum speed of 25 mph in Benson village from 0.55 miles from the intersection of 22A to 0.95 miles from the intersection of 22A. A maximum speed of 35 mph from the westerly edge of the village 0.95 miles from the intersection of 22A, westerly to the end of Lake Road at the bridge located at Benson Landing.
- **Sunset Lake Road:** A maximum speed limit of 25 mph from the Orwell town line southerly a distance of 0.50 miles

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

ARTICLE V STOP AND YIELD INTERSECTIONS

Section I. Stop Signs

Vehicles are required to stop on the following roads at the locations indicated below:

- **East Road:** Intersection with Route 22A

Intersection with Route 144

- **Howard Hill Road:** Intersection with Mill Pond Road
Intersection with Route 144
- **Mill Pond Road:** Intersection with Route 22A
- **Sunset Lake Road:** Intersection with Route 144
- **Hulett Hill Road:** Intersection with Route 22A
Intersection with Stage Road
- **Route 144:** Intersection with Route 22A
- **Coates Hill Road:** Intersection with Route 22A
Intersection with Stage Road
- **North Cross Road:** Intersection with Route 22A
Intersection with Stage Road
- **Frazier Hill Road:** Intersection with Stage Road
- **Goodrich Cross Road:** Intersection with Stage Road
- **Park Hill Road:** Intersection with Lake Road
- **North Lake Road:** Intersection with Lake Road
- **Old North Lake Road:** Intersection with Stage Road
- **Lake Road:** Intersection with Route 22A
Intersection with Stage Road (East)
Intersection with Stage Road (West)
- **Stage Road:** Intersection with Lake Road (South)
Intersection with Lake Road (North)
Intersection with Hulett Hill Road (South)
- **Ledge Road:** Intersection with Route 144
- **Pleasant Valley Road:** Intersection with Route 144
- **Needham Hill Road:** Intersection with Route 22A
- **Perch Pond Road:** Intersection with 22A

The above stop signs shall be posted in accordance with the standards set forth in the Manual on Uniform Traffic Control Devices and shall be in effect when so posted.

Section II. Yield Signs

Vehicles on the following roads are required to yield to traffic on the intersecting roads at the indicated locations.

- **Frazier Hill Road:** Intersection with North Lake Road
- **Goodrich Cross Road:** Intersection with Park Hill Road
- **Money Hole Road:** Intersection with Park Hill Road
- **Money Hole Road:** Intersection with Carter Street
- **Carter Street:** Intersection with Lake Road
- **Ledge Road:** Intersection with Young Road
- **Root Pond Road:** Intersection with Money Hole Road
- **Turkey Farm Road:** Intersection with Frazier Hill Road
- **Mill Pond Road:** Intersection with East Road

The above yield signs shall be posted in accordance with the standards set forth in the Manual on Uniform Traffic Control Devices and shall be in effect when so posted.

ARTICLE VI PARKING REGULATIONS

I. PARKING AND SNOW REMOVAL. No person owning, operating, or controlling a motor vehicle shall park, or cause to be parked, said motor vehicle on the traveled portion of any street or highway within the Town of Benson from November 15th through April 15th inclusive. Any such motor vehicle may be removed at the owner's expense, by order of any law enforcement officer, road commissioner or select board member, as provided by state statutes (TITLE 23 VSA Section 1753). The primary purpose is to facilitate snow removal.

II. PARKING ON SUNSET LAKE ROAD.

A. Parking of cars and pickup trucks on the edge of the traveled portion of the highway right of way at the following locations is permitted in accordance with posted signs and the following provisions:

Allowed parking locations:

(1) From 450 feet from the Orwell town line to 700 feet from the Orwell town line.

(2) From 890 feet from the Orwell town line to 990 feet from the Orwell town line.

(3) From 1080 feet from the Orwell town line to 1140 feet from the Orwell town line.

Conditions:

(1) Vehicles must be parked within the marked parking boundary lines and to the maximum extent practical off the traveled portion of the right of way.

(2) Parking is only allowed during daylight hours (dawn to dusk).

(3) Parking duration is limited to three (3) hours.

(4) Parking on the edge of the traveled portion of the right of way is restricted to April 16th through October 31st.

B. Parking at unmarked locations. No person owning, operating or controlling a motor vehicle shall park or cause to be parked said motor vehicle on the traveled portion of Sunset Lake Road from the Orwell town line for a distance of one half mile southerly. Any such motor vehicle may be removed at the owner's expense by order of any law enforcement officer, road commissioner or select board member, as provided by state statutes (23 VSA Section 1753).

ARTICLE VII SUNSET LAKE ROAD RESTRICTIONS

Parking on the edge of the traveled portion of the right of way is authorized during certain months of the year on the Sunset Lake Road near the Orwell town line by Article VII of this Ordinance. At times, parking will restrict portions of the road to one lane traffic. Vehicles traveling from the South must stop and yield to the on-coming traffic when necessary on this 0.3 miles of highway. Suitable signs will be erected warning of the potential for one lane traffic and that southbound traffic has the right of way when the roadway is limited to one lane.

**ARTICLE VIII
ATV REGULATIONS
HIGHWAY USE OF ATVS & SNOWMOBILES**

Section I. Definitions

- “Snowmobile” means a self-propelled vehicle intended for off-road travel primarily on snow, having a curb weight of not more than 453.59 kg (1000 lbs); driven by track or tracks in contact with the snow and steered by a ski or skis in contact with the snow.
- “All-terrain vehicle” or “ATV” means any non highway recreational vehicle, except snowmobiles, when used for cross-country travel on trails or on any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland and natural terrain.
- “Operate” includes an attempt to operate and shall be construed to cover all matters and things connected with the presence and use of snowmobiles and all-terrain vehicles (ATVs) whether they be at motion or rest.

Section II. Operating Requirements

- No person shall drive a snowmobile or ATV on a public right of way, open to snowmobiling or ATVing, at a speed greater than is reasonable, safe and prudent under the conditions, having regard for the actual and potential hazards there existing. In every event, speed shall be controlled as necessary to avoid collision with any person, vehicle, snowmobile, ATV or other object on or adjacent to the trail system or highway.
- The operator of every snowmobile or ATV shall drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding trail and when a special hazard exists with respect to pedestrians or other traffic by reason of weather or trail conditions.
- Snowmobiles operating on a public right-of-way open to snowmobiling shall comply with the provisions established in sections 1003, 1007 and 1008 of Title 23.
- ATVs and snowmobiles shall be operated in a safe manner on town highways and shall obey all traffic regulations that apply to other motor vehicles permitted on the town highways. All ATVs and snowmobiles shall yield the right of way to all motor vehicles and pedestrians using the

highway. All ATVs and snowmobiles must operate to the far right of the highway when operating on a public highway.

- ATV and snowmobiles shall comply with all state statutes governing their operation.

Section III. Roads Permitted for ATV Use

- All gravel surfaced Town of Benson highways are permitted for ATV use when properly posted with signs.
- The paved portion of East Road is permitted for ATV use when properly posted with signs.
- The paved portion of Sunset Lake Road is permitted for ATV use when properly posted with signs.
- The paved portion of Lake Road westerly from the intersection of Carter Street to the end of the pavement is permitted for ATV use when properly posted with signs.
- The paved portion of Stage Road from the intersection of Old North Lake Road northerly to the end of the pavement.
- The paved portion of Stage Road southerly from Goodrich Crossroad to the end of the pavement.

ARTICLE IX 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 X GENERAL PROVISIONS

Section 1. Separate Offenses:

Each violation of a provision of this ordinance shall be deemed a separate 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:

This ordinance may be referred to as the Benson 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.

Section 5. Repeal of Prior Ordinances:

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

Section 6. Enforcement:

Traffic violations shall be enforced by any law enforcement officer in the Judicial Bureau. Violations of Parking Regulations, however, shall be enforced by any law enforcement officer in Vermont District Court.

Section 7I. Publication and Posting:

This ordinance shall be published in the Rutland Herald on Sept. 2, 2004, and shall be filed with the Benson Town Clerk on _____, 20__.

Adopted by the Board of Selectmen, Town of Benson at its meeting held on the ___30___ day of __Aug_____, 2004.

ADOPTED: ___8-30-04_____

POSTED & PUBLISHED: _____

EFFECTIVE DATE: _____

Select board:

_____, Chairman

_____, _____

_____, _____