

# **TRAFFIC AND PARKING ORDINANCE**

## **Town of Jamaica, Vermont**

Adopted Aug. 8, 2022 (effective \_\_\_\_\_, 2022)

Pursuant to the provisions of 19 V.S.A. § 304(a)(6) and (7), 24 V.S.A. §§ 1971 and 2291(1), (4) and (5) and Title 23 Chapter 13, Subchapter 1 of the Vermont Statutes Annotated, and to the Charter of the Town of Jamaica, and such other general enactments as may be material hereto, it is hereby ordained by the Selectboard of the Town of Jamaica that the following Traffic and Parking Ordinance is adopted for the Town of Jamaica, Vermont.

### **ARTICLE I. DEFINITIONS**

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

Parking: The stopping or standing on a street of any vehicle whether occupied or unoccupied.

Sidewalk: That portion of the public right-of-way which is set apart for public pedestrian travel.

Traffic Control Device: Any traffic light, blinker, sign, signal or marking placed by the Selectboard or Traffic Committee of the State of Vermont for the regulation of vehicular or pedestrian traffic or of parking, and any sign, signal or marking placed by a law enforcement officer having jurisdiction in the Town of Jamaica to designate temporary regulations.

Vehicle: Any contrivance capable of being used for the conveyance of persons or goods on land, except light carriages for use by children or disabled persons.

### **ARTICLE II. PURPOSE AND SCOPE**

In order to promote safety, provide good traffic flow, and assist the Town in the maintenance of streets and highways, this ordinance establishes special traffic and parking regulations on public highways within the Town of Jamaica, Vermont.

### **ARTICLE III. ENFORCEMENT**

The provisions of this ordinance may be enforced by any law enforcement officer having jurisdiction in the Town of Jamaica. In addition, the Selectboard may appoint municipal employees to issue citations for violations of the parking provisions of this ordinance.

## **ARTICLE IV. 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 having jurisdiction in the Town of Jamaica

**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 Jamaica Selectboard.

## **ARTICLE V. SPEED REGULATIONS**

### **Section 1. Speed Limits on Town Highways**

On the basis of engineering and traffic studies, or in accordance with 19 V.S.A. § 1007(e), the following speed limits measured in miles per hour (MPH) are hereby established for specific Town Highways (TH) and portions thereof:

1. TH 19 (Depot Street) - 25 MPH for its entire length
2. TH 18 (Water Street) – 25 MPH for its entire length
3. TH 1 (Pikes Falls Road) – 25 MPH from the intersection of VT Route 30 to a point 1,067 feet southerly of said intersection, then 35 MPH from that point to the Stratton Town Line
4. TH 41 (River Road) – 35 MPH for its entire length
5. TH 20 (Turkey Mountain Road) - 25 MPH for its entire length
6. TH 63 (Cole Pond Road) - 35 MPH from the intersection of VT Route 30 to the intersection of TH 67 (Pratt Bridge Road), then 25 MPH from that point to the terminus.

### **Section 3. State Highways**

Speed zones on State Highways in the Town of Jamaica shall be the same as posted by the State of Vermont and shall be enforceable under this ordinance. Speed limits on VT Route 30 and VT Route 100 shall be the same as posted by the State of Vermont and shall be enforceable under this ordinance.

#### **Section 4. Posting of Speed Limits**

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

### **ARTICLE VI. STOP AND YIELD INTERSECTIONS**

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

1. A “stop” sign at the junction of TH#30(West Jamaica road) entering TH 1 (Pikes Falls Road),
2. A “stop” sign on TH#63 west bound at junction with TH#67,
3. A “stop” sign at the junction of TH# 36 (Mowrey Road) entering TH# 35 (South Hill Road),
4. A “stop” sign at the junction of TH#24 (Dalewood Road) entering TH#1 (Pikes Falls Road),
5. A “stop” sign at the junction of TH#18 (Water Street) entering TH#19,
6. A “stop” sign on TH 1 (Pikes Falls Road), northbound, at the intersection of TH# 35 (South Hill Road).

### **ARTICLE VII. PARKING REGULATIONS**

#### **Section 1. No Parking zones**

It shall be unlawful to park a vehicle at any time within any part of the roadway or adjacent right-of-way within any designated “no parking” zone, except as otherwise specifically provided in this ordinance. Such zones shall be marked with traffic control devices in accordance with the standards set forth in the Manual of Uniform Traffic Control Devices (MUTCD) and shall be in effect when so marked. The following no parking zone is hereby designated:

1. West Windham Road – all of TH 12 (West Windham Road) from the Windham town line to the northerly abutment of the bridge crossing Cobb Brook (“Newton Bridge”), except for the segment of right-of-way outside of the travelled way, on the southerly side of the highway, beginning at a point 597 feet southerly and easterly of said bridge abutment and ending at a point 671 feet from said abutment, as measured along the center of the

roadway. Parking shall be permitted within the excepted area only when signs indicating that parking is permitted, installed by the adjacent landowner, the State of Vermont, are in place. Town owned vehicles, law enforcement and emergency vehicles, vehicles parked in private driveway entrances with the permission of the property owner, and vehicles operated by state employees on or adjacent to state lands are exempt from the provisions of this subsection.

## **Section 2. Parking Restrictions in Certain Areas**

It shall be unlawful to park a vehicle at any time in the following circumstances:

1. Within six (6) feet of either side of a point at the roadway edge of travel directly in front of a hydrant;
2. Within six (6) feet of a private driveway;
3. On a crosswalk;
4. On a sidewalk;
5. Abreast of another vehicle;
6. Along the side or opposite any street excavations or obstructions;
7. Within thirty (30) feet of a driveway of a fire station;
8. Within twenty (20) feet of a crosswalk at an intersection, or where there is no crosswalk, within twenty-five (25) feet of an intersection, or on that part of any street opposite the junction of one street with another;
9. At any point on a street, including a designated parking space, when the presence of such vehicle in conjunction with any other condition then existing will obstruct the free passage of other vehicles upon the street.
10. Within 150 feet of a curve or the brow (crest) of a hill.

## **Section 3. General Prohibitions**

It shall be unlawful for vehicles to be parked or left unattended within the public right-of-way of any Town Highway for more than twenty-four (24) hours. It shall be unlawful to park any vehicle in a manner which will interfere with pedestrian and vehicular traffic.

## **Section 4. Winter Restrictions**

1. It shall be unlawful to park any vehicle in a manner which will interfere with the removal of snow from a Town Highway by the Town of Jamaica.
2. It shall be unlawful to park any vehicle for any period of time within the right-of-way of a Town Highway during the period of November 1 of each year, until May 1 next following.

### **Section 5. Exceptions**

Emergency response vehicles and Town Highway maintenance vehicles while performing necessary functions, and delivery vehicles making deliveries where other parking is unavailable, shall be relieved of the requirements of Sections 3 and 4 for the duration of time needed to perform their respective functions.

### **Section 6. Parking Fines**

The fine for violation of any provision of this Article shall be \$100.00 for each separate violation.

### **Section 7. Removal of Vehicles**

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 having jurisdiction in the Town of Jamaica, the Town of Jamaica Road Commissioner, or the Town of Jamaica Selectboard.

### **Section 8. Disposal of Vehicles Removed**

If the owner of a vehicle summarily removed under section 6 hereof does not claim such vehicle and pay all towing and storage expenses within thirty (30) days of the date of such removal, 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, Chapter 11.

### **Section 9.**

Nothing in this Article shall be construed to make unlawful:

1. Vehicular stops in obedience to the direction of a law enforcement officer having jurisdiction in the Town of Jamaica.
2. Stops made for causes beyond the control of the operator.

## **ARTICLE VIII. 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, spilling, leaking or otherwise escaping therefrom.

## **ARTICLE IX. GENERAL PROVISIONS**

### **Section 1. Separate Offenses**

Each violation of a provision of this ordinance shall be deemed a separate offense.

### **Section 2. Penalties**

Penalties for violations other than parking shall be as set forth in Title 23, Vermont State Statutes, as amended from time to time. 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 provisions hereof be adjudged invalid such judgment shall not affect the validity of any other provisions.

### **Section 4. Designation**

This ordinance is hereby designated as a civil ordinance pursuant to 24 V.S.A. § 1971(b), and may be referred to as the Town of Jamaica Traffic and Parking Ordinance and in a prosecution hereunder a copy of such ordinance, certified by the Jamaica 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 ordinance or traffic regulation heretofore adopted by the Town of Jamaica is hereby repealed upon the taking of effect of this ordinance.

### **Section 6. Publication and Posting**

This ordinance shall be recorded in the minutes of the meeting of the Jamaica Selectboard at which it was adopted. This ordinance, or a concise summary thereof, shall be published in the Brattleboro Reformer within fourteen (14) days of its adoption, and shall be filed with the Town Clerk and posted at five (5) conspicuous places within the town within fourteen (14) days of its adoption. Copies of this ordinance shall be made available to the public by the Town Clerk upon request.

**Section 7. Right of Petition**

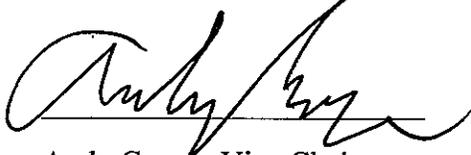
Notice is hereby given of the right to petition for a permissive referendum vote on this ordinance at an annual or special meeting as provided for in Title 24, Vermont Statutes Annotated, Section 1973. Such petition for a permissive referendum must be signed by not less than five (5) percent of the qualified voters of the Town of Jamaica and shall be presented to the Selectboard or the Town Clerk within forty-four (44) days following the date of adoption.

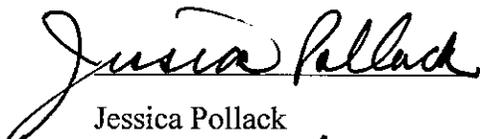
**Section 8. Effective Date**

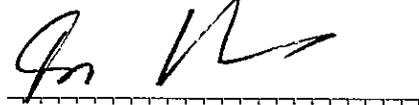
Unless a petition is filed in accordance with 24 V.S.A. § 1973, this Ordinance shall become effective sixty (60) days after its adoption.

Adopted at the meeting of the Town of Jamaica Selectboard held on August 8, 2022.

  
\_\_\_\_\_  
Greg Meulemans, Chairperson

  
\_\_\_\_\_  
Andy Coyne, Vice Chairperson

  
\_\_\_\_\_  
Jessica Pollack

  
\_\_\_\_\_  
Tom Tolbert

  
\_\_\_\_\_  
Kate Ullman

Adoption History

- 1 Adopted at Selectboard meeting held on \_\_\_\_\_; entered in minutes of the meeting, meeting minutes approved on \_\_\_\_\_.
2. Posted in 5 public places on \_\_\_\_\_
3. Notice of adoption, with notice of right to petition, published in the Brattleboro Reformer on \_\_\_\_\_.

Clerk's Certificate

Pursuant to the provisions of 24 VSA, section 1975, I hereby certify that the foregoing ordinance was properly adopted by the Jamaica Selectboard on \_\_\_\_\_, that publication, posting and notice in accordance with the provisions of 24 VSA, section 1972 occurred, and that, no petition having been filed, this ordinance became effective on \_\_\_\_\_.

\_\_\_\_\_  
Sara Wiswall, Jamaica Town Clerk