

TRAFFIC AND PARKING ORDINANCE

Town of Jamaica, Vermont

Adopted January 8, 2024 (Effective March 8, 2024)

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 (the “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

Section 1. Notice of Violation

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 or elected officials to issue citations for violations of the parking provisions of this ordinance. Such notice of parking violations shall be issued in the form attached as Exhibit A.

Section 2. Authorization to Remove

1. The terms of this Ordinance and any applicable law of the State of Vermont may be

enforced by the removal of a motor vehicle parked without authorization by the Town. The owner of the motor vehicle may be required to pay reasonable towing and storage charges imposed by the Town or any law enforcement agency, including but not limited to the Windham County Sheriff's Office, incurred in the removal and storage of the removed motor vehicle. A lien may be imposed for any unpaid charges against the motor vehicle and its owner, or both.

2. Any law enforcement agency, including but not limited to the Windham County Sheriff's Office, and any other person appointed as set forth in this Article III, Section 1 above, if authorized by specific action of the Selectboard of the Town of Jamaica, may impound by use of a so-called "Denver Boot" or other immobilizing device, any vehicle, the owner of which has four or more unpaid parking violations in a calendar year; providing notice that the vehicle in question is subject to impoundment is sent to the offender by first-class mail at least 15 days prior to impoundment.

Section 3. Appeals

Within 15 days, a person receiving a parking ticket may appeal the violation by submitting a statement of objections to the selectboard. The Selectboard will review the objections and respond in writing within 15 days. The Selectboard shall have the discretionary authority to uphold the parking ticket, to overturn the parking ticket, or to reduce the amount of the fine. If, after exhausting this administrative appeal process, the violator has not paid the penalty assessed for the violation of this ordinance, the town attorney, at the discretion of the Selectboard, shall institute an action on behalf of the Town of Jamaica against the violator in District Court accordance with Rule 80.9 of the Vermont Rules of Civil Procedure.

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,

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

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. Further, 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.

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

The penalty for parking violations of any type hereunder shall be as established by the Selectboard, up to a maximum of \$200 per violation. Such penalties and fines may be imposed in addition to the other enforcement mechanisms authorized under Article III of this Ordinance.

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.

Adoption History:

- 1 Adopted at Selectboard meeting held on January 8, 2024; entered in minutes of the meeting, meeting minutes approved on January 22, 2024.
2. Posted in 5 public places on January 9, 2024.

3. Notice of adoption, with notice of right to petition, published in the Brattleboro Reformer on January 8, 2024.

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 January 8, 2024, 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 March 8, 2024.

Sara Wiswall
Sara Wiswall, Jamaica Town Clerk and Town Treasurer

I hereby certify that the foregoing is a true copy.
Sara Wiswall Town Clerk
Date: 10/29/24