

# SWANTON VILLAGE TRAFFIC ORDINANCES

## SECTION 5100. In General

## SECTION 5200. Motor Vehicles

## SECTION 5300. Designation of Streets and Intersections

## SECTION 5400. Bicycles; Miscellaneous

### **Section 5100. IN GENERAL**

#### **SECTION 5101. Definitions.**

For the purpose of this chapter the following words shall have the meaning indicated:

**Crosswalk** means that the portion of a roadway at an intersection or elsewhere, distinctly marked for pedestrian crossing by lines painted on the roadway pursuant to a resolution of the Village Board of Trustees, and that the portion of a private driveway between the street line and the roadway.

**Commercial Zone** means the commercial zone defined in the zoning ordinance.

**Driver (also operator)** means any person who is in actual physical control of a vehicle.

**Emergency Vehicle** means a vehicle lawfully using flashing lights, siren and duly authorized by the commission of motor vehicles.

**Intersection** means the area embraced within the prolongation of the lateral boundary lines of two or more streets which join one another at any angle, whether or not any such street crosses the other.

**Parking or Park** means the stopping or standing of a vehicle in a street or parking lot, whether occupied or unoccupied, attended or unattended, otherwise than temporarily for the purpose of and while engaged in loading or unloading passengers or goods, or in obedience to a traffic sign, or while making emergency repairs, or an involuntary stopping of the vehicle by reasons beyond the control of the operator of the vehicle.

**Parking Lot** means a public place, off-street, maintained by the Village for the parking of vehicles.

**Parking Space** means any space in a street which is duly designated for the parking of a vehicle by lines painted or marked on the curb or surface of the street by authority of the Village Board of Trustees.

**Pedestrian** means any person afoot, or proceeding on skates, roller skates, or other similar devices or in toy vehicles.

**Restricted Zone** means that portion of a street designated by the Village Board of Trustees either for the purpose of loading or unloading vehicles, or for bus stops, taxicab stands or other purposes. Traffic signs identifying such zones and their purpose shall be erected on the curb or off-street at each end of the area encompassed and the curb shall be painted yellow for the full length of the area. In lieu of erecting traffic signs, the words, "Restricted Zone" may be painted over the yellow background of the curb. Restricted zone signage shall include the following:

- 1) No Stopping: Vehicles shall not stop except for emergency reasons or upon direction of a law enforcement officer.
- 2) No Standing: Vehicles may stop long enough to discharge a passenger, however they may not be parked even if the driver is behind the wheel and ready to move.
- 3) No Parking: Vehicles may not be left unattended, however, the driver may stay behind the wheel, may stop to load/unload packages, merchandise or passengers may be unloaded/loaded at curbside.

**Roadway** means that portion of a street or public highway improved for vehicular travel, exclusive of the berm or shoulder.

**School Grounds** means real property under the jurisdiction of the Franklin West Supervisory Union.

**Sidewalk** means that portion of a street or public highway between the curb lines and the adjacent property lines, intended for use of pedestrians.

**Stopping or Stop** means bringing a vehicle to a halt in a street, other than for the purpose of obeying a regulation, or other of a police officer directing traffic, or pursuant to a law, or an involuntary stopping of a vehicle by reason of causes beyond the control of the operator thereof.

**Street** means a public street, avenue, alley, highway, lane, path or other place in the Village established for use of vehicles.

**Traffic Sign** means all signs, signals and marking placed or erected by authority of laws of the State of Vermont, by authority of the Village Board of Trustees or pursuant to Swanton Village ordinances, for the purpose of regulating or directing traffic or the parking of vehicles.

#### **Application of Chapter.**

This chapter shall be applicable to operators of vehicles of all kinds and descriptions, except toy vehicles, and including, but limited to self-propelled highway equipment, except as otherwise specifically provided. A person propelling a pushcart, or riding on an animal, or driving an animal-drawn vehicle shall be subject to the provisions of this chapter, except those provisions which by their nature can have no applications.

#### **SECTION 5102. Exceptions.**

(a) The provisions of this chapter shall not affect traffic signs heretofore legally erected and maintained in the Village, until authority therefor is cancelled by the Village Board of Trustees.

(b) The provisions of this chapter governing the movement, parking and standing of vehicles, shall not apply to emergency vehicles while the drivers of such vehicles are operating the same in an emergency in the necessary performance of duty. Emergency vehicles shall have the right-of-way in any street and through any procession when operated in such emergency, but shall approach all traffic signs with due care and sound a siren to warn of the approach of the vehicle.

(c) Nothing in this chapter shall be interpreted to prevent:

(1) The Swanton Village Police Department from clearing needed streets of all vehicular traffic and parking during and preparatory to parades authorized by the Trustees, provided notice of such clearing is published in a local newspaper at least two (2) days before the parade; and

(2) The officers of the Swanton Village Fire Department from prohibiting parking on streets near the scene of a fire which the department is attending and engaged in extinguishing, as hereinafter provided; or

(3) A police officer from ordering removal of a vehicle parked so as to obstruct traffic, due to an accident or other incident which causes the obstruction of the principal traveled way of a street.

#### **SECTION 5103. Authority of Police Department.**

The police department shall have authority to regulate and manage vehicular traffic on any and all streets.

#### **SECTION 5104. Signs; Responsibility of Swanton Village Manager; Duty to Obey.**

The Village Manager is hereby authorized to erect "stop" or "yield" signs in the Village at any intersection which in his judgment he deems dangerous and to place or paint on curb or roadway "No Parking" signs in areas or along curbs prohibiting parking in designated areas where he deems traffic control is necessary or where entry and exit to private property is necessary. When such signs are erected no operator of a motor vehicle shall proceed into an intersection before bringing the vehicle to a full stop for stop signs, and yielding the right-of-way to traffic entering from the preferred street, lane or highway for yield signs, or park in the prohibited area. Each such sign erected shall bear the date of erection and on some part of the sign in reasonably legible lettering, "Per Order Village Manager." Immediately thereafter he shall file a written report of the placement, which report shall become a part of the permanent Swanton Village Board of Trustees records.

Authority is hereby given to the Manager to erect "School zone, children at play" or other signs at locations where warnings are necessary to advise the motoring public to exercise caution.

#### **SECTION 5105. Direction of Traffic.**

(a) Officers of the Police Department are authorized to direct traffic in the streets of the Village by voice, hand or signal in conformance with traffic laws and ordinances; provided that in the event of fire or other

emergency, or to expedite traffic, or to safeguard pedestrians, they may direct traffic as conditions required notwithstanding provisions of the traffic laws.

(b) Members of the Fire Department, when at the scene of a fire, shall have the powers granted police officers in subsection (a), but only within five hundred (500) feet of the outer limits of the building or buildings on fire.

(c) It shall be unlawful for the operator of a vehicle to do any act forbidden or fail to perform any act required in this Chapter or to willfully fail or refuse to comply with a lawful order or direction of a police officer or member of the fire department given under authority of this chapter or state law.

**SECTION 5106. Collisions; Reports Required; Movement of Vehicles Prohibited.**

(a) The operator of a motor vehicle involved in a collision in a street or public place in which a person is killed or injured, or in which property damage of apparently three thousand dollars (\$3000.00) or more results, shall unless physically incapacitated so as to be unable to do so, immediately notify or cause to be notified the police department, which shall investigate forthwith.

(b) It shall be unlawful for a person to change or alter the position or location of a motor vehicle involved in a collision requiring notification of the police department, until the police officer investigating the collision permits its removal; provided, however, that a person may alter or change the position or location of the vehicle so as to remove an injured person, or to prevent further injury to a person, or to prevent further damage to property, or to remove the body of a person killed in the collision.

**SECTION 5107. Erection and Maintenance of Signs.**

The erection and maintenance of official traffic signs shall be authorized by the Village Manager or his/her designee, with installation being the duty of the Highway Department.

**SECTION 5108. Duty to Obey Signs and Signals.**

It shall be unlawful to fail to observe and follow the directions of traffic signs or traffic control signals erected in the Village by authority of the Board of Trustees, and in connection therewith, when applicable, to fail to observe the provisions of state law relating to traffic control signals.

**SECTION 5109. Violations.**

(a) It shall be unlawful for the owner of a motor vehicle to suffer, permit, or authorize the use of his motor vehicle in violation of the provisions of this chapter.

(b) The owner of a motor vehicle shall for purpose of this chapter be deemed the person in whose name the vehicle is registered.

(c) The presence of any vehicle in or upon any street, parking lot, school grounds, cemetery grounds or upon any place within the Village where the parking, stopping or leaving of a vehicle is governed by this chapter, in violation of any provisions of this chapter, shall be prima facie evidence that the owner of the vehicle committed, suffered or authorized such violation.

**SECTION 5110. Penalties.**

A violation of this Section shall be a civil matter and enforced in accordance with the provisions of 24 V.S.A. Section 1974a and Section 1977 et seq. A civil penalty set by the VT Judicial Bureau may be imposed for a violation of this civil ordinance. The waiver fee shall be set by the VT Judicial Bureau.

Each time that the violation occurs, it will constitute a separate violation of this Ordinance. Any law enforcement officer can enforce this section.

**Section 5200. MOTOR VEHICLES**

**SECTION 5201. Speed Limits.**

(a) No motor vehicle shall be operated or driven upon any street in the Village at any time at a rate of speed greater than thirty (30) miles per hour. Suitable signs stipulating these speed limits shall be conspicuously posted at the Village lines.

(b) It shall be unlawful to operate a motor vehicle upon any street in the Village at a rate of speed unreasonable or unsafe for conditions then existing, traffic, weather or otherwise; provided, however, that in no case shall a motor vehicle be operated in excess of speed limits hereinafter provided.

(c) Except as otherwise provided, it shall be unlawful to operate a motor vehicle upon a street in the Village at a rate of speed over thirty (30) miles an hour.

(d) It shall be unlawful on days when schools are in session, to operate a motor vehicle in a school zone, designated by the council, at a rate of speed over twenty (25) miles an hour fixed by the Swanton Village Board of Trustees.

**SECTION 5202. U-Turns; Restrictions.**

(a) U-turn on Swanton Village streets shall be limited to a so-called "Vermont U-Turn" as outlined in the Vermont Driver's Handbook. Such a U-turn is described as:

1. Approach the side street on your right and turn on your directional light. Drive just past the street and stop.
2. When the side street is clear, back slowly into it. Make sure to back up far enough to clear any crosswalks or stop lines.
3. When there are no vehicles coming, make a proper left turn to complete the turnaround.

**SECTION 5203. Traffic to Obey Turn Indicators.**

Where traffic lanes are so marked as to indicate their use for right turn only, left turn only, through traffic only, or a combination of the same, it shall be unlawful to operate a vehicle except in the direction indicated by the markings.

**SECTION 5204. Left Turn; Restrictions.**

It shall be unlawful to make a left turn into a street or private way when a traffic sign reading "No left turn" is erected at the intersection of the street or way.

**SECTION 5205. Entering Intersections and Streets; Regulations.**

It shall be unlawful:

(a) To enter an intersection from a street on which a STOP traffic sign is erected, without bringing the vehicle to a full stop and then yielding the right-of-way to all vehicles or pedestrians approaching from either direction.

(b) To enter an intersection from a street on which a "Yield Right-of-Way" traffic sign is erected, at a rate of speed in excess of that reasonable and safe for then existing conditions, and then yielding the right-of-way to all vehicles and pedestrians approaching from either direction.

(c) To enter a street from a private way without bringing the vehicle to a full stop and then yielding the right-of-way to all vehicles or pedestrians approaching from either direction.

**SECTION 5206. Driving to Right of Traffic Beacon/Light Required.**

Vehicles shall be driven to the right of any traffic beacon placed in any street under authority of the Swanton Village Board of Trustees.

**SECTION 5207. Interruption of Funeral Procession Prohibited.**

(a) No person shall with any motor vehicle cut in or drive in ahead of any of the vehicles making up a funeral procession, provided such procession is made up of cars or vehicles marked with a printed sign, "Funeral Car."

(b) No person shall drive a vehicle around or between vehicles comprising a funeral or other authorized procession, while the procession is in motion; provided, however, that while in motion all vehicles in the procession are designated by a pennant or other insignia. While in motion, all vehicles in the procession shall display illuminated headlights and taillights.

**SECTION 5208. Emergency Vehicles; Duty When Approaching.**

Upon hearing an emergency vehicle approaching with siren sounding, a driver must pull their vehicle close to the nearest edge of the street as practicable and stop until the emergency vehicle has passed.

**SECTION 5209. Unlawful for Parked Vehicle to Face Oncoming Traffic.**

It shall be unlawful to park a vehicle on any Village street in such a manner that the vehicle is facing oncoming traffic.

**SECTION 5210. One-Way Streets; Restrictions.**

It shall be unlawful to drive into or proceed a street in which is erected a traffic sign reading "One-way" or "One-way street," in a direction opposite to that indicated on the sign by an arrow or other directional sign.

**SECTION 5211. Driving Over Fire Hose, etc., Prohibited.**

It shall be unlawful to drive a vehicle over any hose of a Fire Department or of the Highway Department, when laid down in any street or any other place, without the consent of a member of the Fire Department or Highway Department, as the case may be; provided that except in case of hose laid at the scene of a fire, traffic signs shall be erected warning that hose is laid in the street or other public place, as the case may be.

**SECTION 5212. Restricted Streets.**

Except during hours designated by the Swanton Village Board of Trustees, it shall be unlawful to operate a vehicle, other than an automobile, motorized truck or any other motorized vehicle excepted by the Trustees, upon a street designated as a heavily traveled street by resolution of the Board. This shall not bar use of such streets for crossing the same at intersections designated for crossing.

**SECTION 5213. Stop Required - For Red Light.**

No person shall drive any vehicle past any traffic light while the same is displaying a red light toward the direction from which said vehicle or person is proceeding. (Ord. 2015-02, 8-11-15)

**SECTION 5214. Penalties.**

A violation of this Section shall be a civil matter and enforced in accordance with the provisions of 24 V.S.A. Section 1974a and Section 1977 et seq. A civil penalty set by the VT Judicial Bureau may be imposed for a violation of this civil ordinance. The waiver fee shall be set by the VT Judicial Bureau.

Each time that the violation occurs, it will constitute a separate violation of this Ordinance. Any law enforcement officer can enforce this section.

**Section 5300. DESIGNATION OF STREETS AND INTERSECTIONS**

**SECTION 5301. Designated Stop Streets.**

Be it resolved that the following street intersections in Swanton Village are designated as STOP STREETS by virtue of authority of the Swanton Village Traffic Ordinance:

- |   |   |
|---|---|
| Spring Street at Canada Street Intersection           | Linda Avenue at Spring Street Intersection      |
| North River Street at Depot Street Intersection       | Middle Road at Lake Street Intersection         |
| South River Street at Depot Street Intersection       | Short Street at Pine Street Intersection        |
| Church Street at Academy Street Intersection          | Short Street at Elm Street Intersection         |
| Farrar Street at Grand Avenue Intersection            | Foundry Street at Merchants Row Intersection    |
| First Street at Grand Avenue Intersection             | Gallup Court at North River Street Intersection |
| York Street at Grand Avenue Intersection              | Kane Avenue at Spring Street Intersection       |
| York Street at First Street (Both Ways)               | Bosworth Street at Spring Street Intersection   |
| Broadway Street at First Street (Both Ways)           | Dunning Street at Canada Street Intersection    |
| Greenwich Street at First Street (Both Ways)          | Winters Court at Spring Street Intersection     |
| Greenwich Street at Second Street (Both Ways)         | Summers Way at Spring Street Intersection       |
| New Street at First Street (Both Ways)                | Lavoie Avenue at Spring Street Intersection     |
| Liberty Street at First Street (Both Ways)            | Ferry Street at Church Street Intersection      |
| Platt Street at Grand Avenue Intersection             | Scott Street at Lake Street Intersection        |
| Fourth Street at Grand Avenue Intersection            | Broadway Street at Second Street Intersection   |
| Jewett Street at Grand Avenue Intersection            | Laroe Street at Grand Avenue Intersection       |
| Pine Street at First Street (Both Ways)               | Broadway Street at Canada Street Intersection   |
| Lake Street at South River Street Intersection        | Greenwich Street at Canada Street Intersection  |
| Platt Street at Liberty Street Intersection           | New Street at Second Street Intersection        |
| Canada Street at Grand Avenue Intersection            | New Street at Canada Street Intersection        |
| Dewey Street at North River Street Intersection       | Liberty Street at Platt Street Intersection     |
| King Street at First Street Intersection              | Liberty Street at Second Street Intersection    |
| Brown Avenue at First Street Intersection             | Greenwich Street at Platt Street Intersection   |
| Second Street at York Street (4 Way Stop)             | Liberty Street at Canada Street Intersection    |
| River Lane at Merchants Row Intersection              | Liberty Street at Fourth Street Intersection    |
| Marble Mill Parking Lot at Merchants Row Intersection | Furman Place at Grand Avenue Intersection       |

**SECTION 5301. Designated Stop Streets Continued:**

Jones Court at Spring Street Intersection	Blake Street at Grand Avenue Intersection
Academy Street at Grand Avenue Intersection	Pine Street at Canada Street Intersection
Linda Avenue at Taylor Drive Intersection	Pine Street at Fourth Street Intersection
Linda Avenue at Tanner Memorial Drive Intersection	King Street at Canada Street Intersection
Elm Street at First Street Intersection	Charles Street at Summers Way Intersection
Tanner Memorial Drive at Brown Avenue Intersection	Thibault Street at Linda Avenue (Both Ways)
Swanton Elementary at Grand Avenue Intersection	Swanton Elementary at Fourth Street Intersection
Thibault Street at Brown Avenue Intersection	Linda Avenue at Canada Street

**SECTION 5302. Yield Right-of-Way Signs; Street Designated.**

The Village Manager or his/her designee from time to time shall designate placement of yield right-of-way signs on streets.

**SECTION 5303. One-Way Streets Designated.**

The Village Manager or his/her designee from time to time shall designate placements of one-way street signs with appropriate arrows.

**SECTION 5304. No Left Turn Signs; Streets Designated.**

The Village Manager or his/her designee from time to time shall designate placement of no left turn signs at or near other intersections affected by this prohibition.

**SECTION 5305. Penalties.**

A violation of this Section shall be a civil matter and enforced in accordance with the provisions of 24 V.S.A. Section 1974a and Section 1977 et seq. A civil penalty set by the VT Judicial Bureau may be imposed for a violation of this civil ordinance. The waiver fee shall be set by the VT Judicial Bureau.

Each time that the violation occurs, it will constitute a separate violation of this Ordinance. Any law enforcement officer can enforce this section.

**SECTION 5400. BICYCLES; MISCELLANEOUS**

**SECTION 5401. Operation; Regulations.**

It shall be unlawful:

- (a) For any person to operate a bicycle on any way within the Village during the period from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise, unless said bicycle shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least five hundred (500) feet and with a red reflector on the rear of the bicycle.
- (b) For any person to ride upon any bicycle, or other vehicle of like kind or nature, to include in line skates, roller skates and skateboards upon or along any sidewalk. This section will also apply to any area posted against such use or any area where prior written or verbal notice has been given against such use.
- (c) For more than one person to ride on a bicycle unless it be a tandem equipped with two (2) sets of handlebars, two (2) cranks and two (2) seats.
- (d) To operate a bicycle belonging to another, without the consent of the owner.
- (e) To attach a bicycle while the same is being operated in any manner to any motor vehicle upon the highway.
- (f) To ride abreast of another bicycle on any street.
- (g) For any person to ride upon any bicycle, or other vehicle of like kind or nature, to include in line skates, roller skates and skateboards upon or along any Village street in such a manner as to obstruct or hinder vehicular traffic.

**Penalty for Section 5401.**

A violation of Section 5401 a. thru g. of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Section 1974a and Section 1977 et seq. A civil penalty of not more than \$75.00, or as specified in 24 V.S.A. section 1974a, whichever is greater, may be imposed for a violation of this civil ordinance.

The waiver fee shall be set at:

**Waiver Fine Civil Penalty**

First Offense \$25.00 fine; not more than \$75.00

Second Offense, \$50.00 fine; not more than \$75.00

Third Offense, \$75.00 fine; not more than \$75.00

(a) Any law enforcement officer can enforce this section.

**SECTION 5402. VEHICLES ON VILLAGE BIKE/RECREATIONAL PATHS.**

It shall be unlawful for anyone to operate a motorized vehicle of any kind upon the designated bicycle paths within the Village, except for authorized emergency vehicles. Bicycle paths will be designated by the Swanton Village Board of Trustees and will be marked by the appropriate signs.

**Penalty for Section 5402.**

A violation of Section 5402 of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Section 1974a and Section 1977 et seq. A civil penalty of not more than \$75.00, or as specified in 24 V.S.A. section 1974a, whichever is greater, may be imposed for a violation of this civil ordinance.

The waiver fee shall be set at:

**Waiver Fine Civil Penalty**

First Offense \$25.00 fine; not more than \$75.00

Second Offense, \$50.00 fine; not more than \$75.00

Third Offense, \$75.00 fine; not more than \$75.00

(a) Any law enforcement officer can enforce this section.

**SECTION 5403: UTILITY POLE ORDINANCE**

a) Whenever a utility pole is replaced with a new pole within a Village Right-of-Way, all attached entities shall transfer their facilities to the new pole. The following are a list of target dates which should be met in the following order:

\* A pole owning entity, within five (5) business days after setting a new or replacement pole, shall notify all attaching entities of the need to transfer.

\* The Swanton Village Electric Department (SVED) occupying the top utility space shall transfer its facilities within 45 days of receiving the initial notification from the pole owning entity.

\* After completing their transfer, that utility shall notify within (5) business days, the next utility in descending order of location on the pole

\* The next utility shall have 45-days to transfer their facilities, and shall within (5) business days after completing their transfer notify the remaining attaching utilities.

\* The pole owning entity responsible for the removal of the old pole shall do so within 60-days after receiving notification that the last attaching entity has transferred.

Utility poles that have been replaced prior to the effective date of this ordinance must have all attaching entities' facilities transferred to the new pole and the poles removed by the pole owning entity within 180 days of the effective date of this ordinance.

Upon removal of any pole, the utility shall fill the hole so as to remove any hazard, in a manner that is consistent with local, state, and federal laws.

A violation of subsection a) shall be deemed a civil offense punishable by a civil penalty of five hundred dollars (\$500.00). Each day that an old pole remains after the applicable removable period shall be deemed a separate violation. The waiver penalty for such offense for purposes of the municipal complaint form (civil ticket) shall be four hundred dollars (\$400.00). All law enforcement officers are authorized to issue a municipal complaint form for a violation of subsection (a).

Adopted on \_\_\_\_\_

Swanton Village Board of Trustees

\_\_\_\_\_  
Eugene LaBombard, Trustee

\_\_\_\_\_  
Neal Speer, Village President

\_\_\_\_\_  
Chris Leach, Trustee

\_\_\_\_\_  
Adam Paxman, Trustee

ATTEST: \_\_\_\_\_  
Dianne Day, Village Clerk