

VILLAGE OF ENOSBURG FALLS TRAFFIC ORDINANCE

The Board of Trustees of the Village of Enosburg Falls ordains and adopts this Traffic Ordinance per provisions of: Title 23, Vermont Statutes Annotated, Sections 1007 and 1008 and: Title 24, Vermont Statutes Annotated, Sections 1971 and 2291.

ARTICLE I GENERAL PROVISIONS

SECTION 101

DEFINITIONS

The following terms used in this ordinance shall have the meanings respectively given to them in this section.

- (a) **ALL TERRAIN VEHICLE.** Any nonhighway recreational vehicle when used for cross country travel on trails or on any one of the following, or combination thereof; land, water, snow, ice, marsh, swampland and natural terrain. This shall include two, three, four and multi wheeled vehicles and snowmobiles.
- (b) **AUTHORIZED EMERGENCY VEHICLE.** Vehicles of fire and police departments, ambulances, rescue vehicles, emergency vehicles of Federal, State and Municipal departments. Authorized emergency vehicle includes public service corporations (including, but not limited to, electric utility service vehicles) when responding to or located at any emergency.
- (c) **CROSSWALK.** That portion of a highway ordinarily included within the extension of curb and property lines at street intersections. Also, that portion of a highway clearly marked for pedestrian crossing by painted lines on the surface and/or signage.
- (d) **ENFORCEMENT OFFICERS.** Shall include sheriffs, deputy sheriffs, constables, police officers, state's attorneys, motor vehicle inspectors, state game wardens, state police, duly authorized employees of the Village, and those employed by the Village to assist in the enforcement of these ordinances.
- (e) **INTERSECTION.** The area falling within the extension of the right of way lines of two or more streets that join one another at an angle, whether one street crosses the other.
- (f) **OFFICIAL TRAFFIC SIGNS.** All signs, signals, and parking spaces placed or built by the Village for regulating or directing traffic or parking of vehicles.

(g) **PARKING.** The stopping, standing, or parking of vehicles on a street, whether occupied or unoccupied, attended or unattended. This does not include parking temporarily in obedience to a police officer or traffic regulations, signs, or signals.

(h) **"PERSON"** includes any individual, individuals, firm, partnership, association, company, co-partnership, or corporation.

(i) **"PUBLIC PROPERTY"** shall mean any property owned by Federal, State, or local government i.e., school, parks, public roads, armories, Post Office etc.

(j) **"ROADWAY"** is that portion of a highway improved, designed, or ordinarily used for vehicular traffic, exclusive of the shoulder.

(k) **"SIDEWALK"** is that portion of a street or right-of-way between curb lines or lateral lines of a roadway and adjacent property lines. The paved or unpaved sidewalk is for use by pedestrians only.

(l) **VEHICLE.** Any contrivance used in the roadways for carrying persons or things.

(m) **MOTOR VEHICLES.** Any vehicles as in Title 23 V.S.A. Section 4, as any may be amended, including snowmobiles and all terrain vehicles.

SECTION 102

AUTHORIZED EMERGENCY VEHICLES, APPLICATION TO

The provisions of this Ordinance governing the movement, parking and standing of vehicles, shall not apply to authorized emergency vehicles while the drivers of such vehicles are operating and the same when responding to, but not returning from, an emergency in the necessary performance of their duty. Said vehicles shall have the right of way in any street and through any procession when operated in such emergency, but shall approach all official traffic signs with due care and responsibility and shall otherwise conform to all of the requirements of the Vermont Statutes. Personal vehicles authorized the use of "Red Light & Siren" by permit through the State of Vermont are not included in this provision.

SECTION 103

WAIVER OF APPEARANCE, SCHEDULE OF FINES, PROPERTY DAMAGE.

(a) A person charged with committing a violation of this Ordinance may waive appearance and trial and plead guilty or nolo contendere by a signed statement. The person shall submit a fine in an amount as established under subsection (b) of this section with the signed statement. The Court shall accept the signed statement accompanied by the fine assessed as a plea of guilty or nolo contendere as shown on the signed statement and shall proceed accordingly.

(b) The judge may also order appropriate restitution for damages to private or public property, even if the person waived appearance and trial and plead guilty or nolo contendere. When, the Village accepts the signed statement, the person will pay to the Village or property owner the amount necessary to repair or replace damaged property. The schedule of fines is as follows:

| SECTION # | NAME OF OFFENSE | FINE |
|------------------|---|--------------------|
| 201 | Stopping, Standing or Parking where prohibited | \$ 60 |
| 202 | Unauthorized Use of Sidewalks | 50 |
| | Other obstructions on sidewalk | 30 |
| 203 | Exceeding Posted Speed Limit | Same as State fine |
| 204 | U-turns, Parking in Wrong Direction | 15 |
| 205 | Passing a Vehicle | 60 |
| 301 | Stop or Yield Right of Way Signs | 50 |
| 302 | Interfering with Traffic Sign | 85 |
| 303 | One-way Streets; Marked Lanes | 60 |
| 401 | Illegal Parking | 35 |
| 402 | Unauthorized Use of No Parking Areas | 60 |
| 408 | Illegal Parking in "No Parking" Area | 60 |
| 409 | Unauthorized Parking in Designated Commercial Loading Zones | 60 |
| 410 | Violation of Winter Parking Ordinance | 60 |
| 411 | Interfering with Street Department Work | 35 |
| 412 | Interfering with Parking Restrictions; Parades | 35 |
| 414 | Over parking on Designated Streets | 35 |
| 415 | Over parking | 35 |
| 416 | Unauthorized Parking on Private Properties | |

| SECTION # | NAME OF OFFENSE | FINE |
|-----------|--|------|
| 501 | Pedestrian Ignoring Traffic Control Signals | 35 |
| 502 | Pedestrian Ignoring Pedestrian Control Signals | 35 |
| 503 | Jaywalking | 35 |
| 505 | Vehicles Not Yielding to Pedestrian on Crosswalks | 85 |
| 506 | Pedestrian not Yielding to Vehicles | 25 |
| 507 | Pedestrian Curb Violation | 35 |
| 508 | Walking on Roadway When Sidewalks are Available | 35 |
| 509 | Failure of Driver to Exercise Due Care | 35 |
| 601 | Abandoned Vehicle in Public Spaces | 35 |
| 801 | Uncovered Vehicles | 85 |
| 802 | Passing a Vehicle Stopped For a Pedestrian at a Crosswalk | 85 |
| 803 | Snow Piled/Plowed onto Public Space | 35 |
| 804 | Drinking/Open Container | 50 |
| 701 | Operating an ATV on Public Highway | 45 |
| 702 | Operating an ATV along a Public Highway | 45 |
| 703 | Operating an ATV on Public Land | 110 |
| 704 | Operating an ATV by an Operator under age 12 | 35 |
| 705 | Operating an ATV within a Cemetery | 60 |
| 706 | Operating an ATV on a Sidewalk | 60 |

SECTION 104

AUTHORITY OF LAW ENFORCEMENT OFFICIALS

Enforcement Officers shall have the authority to manage vehicular traffic on all public streets or highways. In case of an emergency, enforcement officers in regulating traffic, may depart temporarily as far as may be necessary from this ordinance.

SECTION 105

SEVERABILITY

If a court finds any provisions or application of this Ordinance invalid, the invalidity does not affect other provisions or applications. The provisions of this Ordinance are severable.

SECTION 106

CIVIL ORDINANCE

This ordinance is designated a civil ordinance pursuant to Title 24 V.S.A. Section 1971(b). To the extent a penalty is not established in this ordinance for violations thereof, there is hereby established a penalty of \$500.00 (Five Hundred Dollars) for a violation of this ordinance. Each day the violation continues shall constitute a separate violation. Civil enforcement of this ordinance and actions for violations thereof shall be brought and maintained in the name of Village by the Enforcement Officer(s), each of whom is hereby designated an Enforcement Officer and an issuing municipal official for such purpose. All actions for enforcement of this civil ordinance shall be instituted and maintained in the manner provided in Title 24 V.S.A. Sections 1974a-1981, as may be amended.

ARTICLE 2 OPERATION OF VEHICLES

SECTION 201

STOPPING, STANDING, OR PARKING WHERE PROHIBITED

No operator of any vehicle shall stop, stand, or park a vehicle in any of the following places, unless following directions from an enforcement officer or official traffic sign:

- (a) Within an intersection,
- (b) on a crosswalk,
- (c) within 6 feet of a fire hydrant,
- (d) in front of a private driveway or in a private driveway without the permission of the owner,
- (e) on a bridge or the approaches thereto,
- (f) on any sidewalk,
- (g) abreast of another vehicle in any street,
- (h) there shall be no parking of vehicles in Fire Lanes as designated by the Chief of the Fire Department, and
- (i) on the Vermont Recreational Trail.

SECTION 202

SIDEWALKS, UNAUTHORIZED USE OF

No one will drive, park, place, lead a horse, a beast of burden, wheelbarrow, other vehicles, merchandise, signs, or goods on any sidewalk.

Exceptions are: children's carriage, conveyances or sleds propelled by hand; merchandise being loaded or unloaded over the sidewalk by use of skids or other means, if a passage way is available for the free passage of pedestrians; horses, beasts of burden, or vehicles going across a sidewalk from or to private property. Special activities, with the approval of the Village Trustees may be conducted for a specific period of time.

SECTION 203

SPEED OF MOTOR VEHICLES

- (a) Unless otherwise posted no person shall operate a motor vehicle in the Village over 25 miles per hour.
- (b) A violation of the posted speed limit is a traffic violation and subject to fine per the provisions of Title 23 VSA, as amended.
- (c) ~~The rates of speed set forth in subsection (a)(1)-(3) of this section are established as provided in Title 23 V.S.A. Section 1007 (a).~~ ^{delete}

SECTION 204

U-TURNS AND PARKING FACING IN WRONG DIRECTION

- (a) No one while operating a motor vehicle shall make a U-turn.
- (b) A U-turn is the crossing the center line of the highway and turning so that the vehicle is traveling in the opposite direction of travel. No operator of a vehicle will drive a vehicle across the center line to park on the other side of the street. No operator will park their vehicle facing oncoming traffic.

SECTION 205

PASSING A VEHICLE

Vehicles proceeding in the same direction may not be overtaken and passed on either the left or the right side.

ARTICLE 3 TRAFFIC LIGHTS AND SIGNS

SECTION 301

STOP OR YIELD INTERSECTIONS

(a) "Stop" or "Yield" signs may indicate preferential right of way at an intersection.

(b) Unless directed by an enforcement officer or traffic-control signal, every driver approaching a stop sign shall stop at a clearly marked stop line. If none, the driver will stop before entering the crosswalk, or at a point where they have a view of approaching traffic on the intersecting roadway. After stopping, the driver shall yield the right of way to any vehicle in the intersection.

(c) The driver of a vehicle approaching a yield sign shall in obedience to such signs, slow down to a speed reasonable for the existing conditions. If, required for safety, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection. If no sidewalk, then the driver must stop at a point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection. The driver must yield to vehicles approaching so closely as to create an immediate hazard while trying to move across or within the intersection. A driver involved in a collision in the intersection, without stopping at the yield sign, such collision is *prima facie* evidence of his failure to yield right of way.

SECTION 302

INTERFERING WITH TRAFFIC SIGN

It shall be unlawful for any person to willfully deface, injure, move or obstruct, or interfere with any official traffic sign. 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 Trustees.

SECTION 303

ONE-WAY STREETS; MARKED LANES

(a) The Trustees may designate any street or public highway, or portion thereof, under its jurisdiction for one-way traffic or for more than one lane of traffic. All such streets shall be marked by appropriate signs giving notice thereof.

(b) On those streets so designated for one-way traffic or for more than one lane of traffic, all vehicles shall be operated only in the direction designated. The operator of any vehicle upon any such street, shall, before turning his vehicle from one traffic lane into another traffic lane, indicate by hand signal or directional light his intention to do so. 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, no person shall operate a motor vehicle except in the direction indicated by such markings.

ARTICLE 4 PARKING

SECTION 401

SIGNS, SPACES

The Trustees shall cause placement of suitable signs and/or yellow painted curb lines in and near the areas affected by the parking regulations of this Ordinance, plainly indicating such regulations, and may cause such signs to be painted on the surface of the street within said areas. The Trustees may regulate the manner and position of parking any vehicles, in places where parking is permitted, by causing parking spaces for vehicles to be marked or painted on the pavement of the street in the area affected, and no person, in places where such spaces are marked off or painted for the parking of the vehicles, shall park any vehicle otherwise than wholly within a space so marked off or painted. No person shall park any vehicle, at a time, in any of the following areas:

- (a) On the easterly side of Stebbins Street.
- (b) On the northerly side of Missisquoi Street from Main Street to Archambault Street.
- (c) On the southerly side of Missisquoi Street from Stebbins Street to and beyond the Archambault Street intersection.
- (d) On both sides of Church Street from Bismarck Street to the Methodist Parsonage.
- (e) On both sides of Dickenson Avenue from School Street to a distance of 50' beyond the westerly curve at the elementary school.
- (f) On both sides of School Street from Dickenson Avenue to Pleasant Street.
- (g) On both sides of Pleasant Street a distance of 50' northerly from School Street.
- (h) On the westerly side of Main Street from Pearl Street to the northerly side of Larose's Texaco service station.
- (i) On the park side of Maple Park Circle.
- (j) On the westerly side of Pleasant Street from Depot Street to Missisquoi Street.
- (k) On the westerly side of Pleasant Street from Missisquoi Street to the second entrance to the Catholic Church.

(l) On any portions of the Vermont Recreation Trail.

(m) On both sides of Main Street from St. Albans Street northerly a distance of 325 feet.

SECTION 402

UNLAWFUL PARKING AS PUBLIC NUISANCE; TOWING

The parking of any vehicle within an intersection, on a cross walk, within six (6) feet of a fire hydrant, in front of a private driveway, in a private driveway without the owner's permission, on a bridge or the approaches thereto, on any portion of the Vermont Recreation Trail, on a sidewalk, abreast of another vehicle on any street or within any area where parking is prohibited by this ordinance, is hereby declared to be a public nuisance, and the Enforcement Officer may remove any vehicles so parked, or cause it to be removed, at the sole expense of the owner of such vehicle, by towing or otherwise. In the event of such removal, the provisions of sections 403-407, inclusive, will apply. The Village assumes no obligation whatsoever for the care, maintenance or condition of any vehicles so removed. In that the notation of this section is declared to be a public nuisance, in addition to the relief provided by this ordinance, the Village attorney and/or Enforcement Officer is hereby expressly granted the authority to petition a court for whatever relief is deemed necessary for the abatement of such public nuisance.

SECTION 403

RECORD OF REMOVED VEHICLE

The Enforcement Officer and the owner of any public garage to which such vehicle is removed, shall keep a record of each vehicle so removed by manufacturers' trade name or make, registration, such other descriptive matter as may be necessary to identify such vehicle, and the name and address of any claimant thereof. The Enforcement Officer shall, in addition, keep a record showing date of such removal, name of the wrecker service removing the vehicle and place of storage, and reason for such removal. All such records shall be open to public inspection during regular business hours and the Enforcement Officer shall publish in a newspaper of general circulation in the Village, the record of any vehicle that remains unclaimed for a period of 30 days.

SECTION 404

RECLAIMING OF VEHICLES

(a) Before the owner shall be permitted to reclaim a vehicle which has been removed pursuant to Section 402, he shall:

(1) Furnish satisfactory evidence to the Enforcement Officer and to the owner or person in charge of such public garage of his identity and of his ownership of such vehicle.

(2) Pay to the Village all charges for removing said vehicle and all charges for the storing or parking thereof, and for publication of record of removal or other costs incurred regarding such vehicle.

(3) Sign a written receipt acknowledging delivery of such vehicle.

(b) If the owner of a vehicle removed under section 402 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 Village and the vehicle may be sold or otherwise disposed of per Title 27, Vermont Statutes Annotated, Section 11.

SECTION 405

CHARGES

No charges made or incurred hereunder, shall be in excess of the rate ordinarily charged by the person making such removal, or doing such storing or parking, and if such removal, storing or parking is done by the Enforcement Officer, such charges shall be in conformity with prevailing rates in the Village.

SECTION 406

LIEN; FORECLOSURE

Any and all expenses incurred by the Village, or any of the departments thereof, under and by virtue of Section 402-407 inclusive, shall be and become a lien upon the motor vehicle removed as herein authorized, and such lien may be foreclosed per the procedures provided in Article 51, Subchapter 2 of Title 9, Vermont Statutes Annotated.

SECTION 407

CHARGES NOT A FINE, PENALTY OR FORFEITURE

No charges made or incurred hereunder shall be considered to be a fine, penalty, or forfeiture. The removal and storage or parking of any vehicle under Section 402-407, shall not be a bar to the institution and prosecution of criminal proceedings against the owner or operator of such vehicle.

SECTION 408

NO PARKING AREAS

Except in compliance with the direction of an Enforcement Officer or official traffic sign, no person shall park any vehicle at any time:

(a) On any street, within 50 feet of the curb line of an other street, or within such other distance as the Trustees shall determine and cause to be indicated as provided in Section 401, such determination to be based, in each instance, upon existing traffic conditions and sight lines at street intersections.

(b) Within an intersection on a crosswalk, within six (6) feet of a fire hydrant, in front of a private driveway, in a private driveway without the owner's permission, on a bridge or approaches thereto, on the Vermont Recreation Trail, on a sidewalk, abreast another vehicle on any street, or within any area where parking is prohibited by this ordinance.

SECTION 409

COMMERCIAL VEHICLES LOADING AREA

The Trustees may as necessary, authorize the markings of loading zones for the use of commercial vehicles carrying merchandise while loading and unloading such merchandise.

SECTION 410

WINTER PARKING

No person shall, between the hours of 12 midnight and 6 a.m., including Sunday and legal holidays, during the period from December 1st of every year to April 1st of the following year, park any vehicle within the limits of any public street of the Village.

SECTION 411

HIGHWAY DEPARTMENT WORK

For the purpose of cleaning, clearing, repairing or surfacing a street, the highway department may close such street to the parking of vehicles by causing signs to be posted thereon in conspicuous locations, indicating the prohibition of parking thereon. Such prohibition shall be effective upon posting and shall remain in effect until signs are removed. During the period when parking is so prohibited, no person shall park a motor vehicle on any such street.

SECTION 412

PARKING RESTRICTIONS; PARADES

Nothing herein contained shall be interpreted to prevent the Enforcement Officer from clearing any needed street of and from all vehicular traffic during and preparatory to parades or other public occasions. Signs indicating the special parking regulations shall be conspicuously posted in and near all affected areas.

SECTION 413

GENERAL PROHIBITION; EVIDENCE

(a) It shall be unlawful for the owner of a motor vehicle to suffer, permit, or authorize the use of such motor vehicle in violation of any ordinance governing the parking or leaving of such vehicle on any public street of the Village in or upon any other place within the Village where the parking or leaving of such vehicle is governed by this Ordinance.

(b) The presence of any motor vehicle in or upon any public street of the Village or in or upon any other place within the Village where the parking or leaving of the same is governed by this ordinance, in violation of any regulation governing the parking or leaving of such vehicle, shall be prima facie evidence that the person in whose name such vehicle is registered on the records of the Commissioner of Motor Vehicles of the State of Vermont committed or authorized such violation.

SECTION 414

PARKING TIME LIMITED ON CERTAIN STREETS

The Trustees may determine the length of time which, vehicles may be parked on public highways or streets within the Village. Signs shall be posted in conspicuous places advising operators of these time limits. No person shall park a vehicle upon any street or parts thereof, described in the following schedule, for longer than the posted time limit:

- (a) Both sides of School Street along Lincoln Park.
- (b) Both sides of Main Street from Depot Street to School Street.

SECTION 415

PARKING VEHICLES FOR PERIODS LONGER THAN TWENTY-FOUR HOURS PROHIBITED

No person shall stop or park any vehicle or motor vehicle or any nonmotorized vehicle, camper trailer or boat within the limits of any street for more than 24 consecutive hours unless a shorter time is specified at that location. Any such vehicle shall be regarded as having been stopped or parked in the street for 24 consecutive hours if it is parked in the street at any time during a given day, unless such vehicle is moved from the street for a period of 12 consecutive hours during such day.

SECTION 416

PARKING ON PREMISES OF ANOTHER PROHIBITED

- (a) It shall be unlawful for any person to park, leave, or cause to be parked or left, any vehicle or motor vehicle upon the premises of another without express permission from the person or persons legally entitled to give such permission.
- (b) The presence of an unattended vehicle or motor vehicle upon premises not owned or controlled by the registered owner of such vehicle shall be prima facie proof that the same was parked or left thereon by the registered owner.
- (c) Any such motor vehicle or vehicle is subject to removal per the conditions of Section 402-407 inclusive.

SECTION 417

STOPPING CLOSE TO CURB/EDGE OF THE ROADWAY

All stopped vehicles in any public street must be within twelve (12) inches of the curb or edge of the roadway.

ARTICLE 5 PEDESTRIAN

SECTION 501

OBEDIENCE TO DIRECTIONS AND SIGNALS

All pedestrians shall be subject to and comply with any direction of any Enforcement Officer and directions of all official traffic-control signs. Where such devices are not installed pedestrians shall be granted those rights and be subject to this Article.

SECTION 502

PEDESTRIAN-CONTROL SIGNAL

Whenever special pedestrian-control signals exhibiting the term "Walk," "Wait," or "Don't Walk" are in place such signals shall indicate as follows:

(a) *Walk*: Using due care, pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by drivers of all vehicles.

(b) *Wait or Don't Walk*: No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the "Walk" signal shall, using due care, proceed to the sidewalk or safety zone while the "Wait" or "Don't Walk" signal is showing.

SECTION 503

MANNER OF CROSSING STREET

All pedestrians must use crosswalks where provided. No pedestrian shall cross a roadway at any point other than by a route at right angles to the curb or by the shortest route to the opposite curb.

SECTION 504

VEHICLES TO YIELD TO PEDESTRIAN CROSSING IN CROSSWALK

When traffic-control signals are not in place or not in operation or do not provide an exclusive pedestrian walk phase, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, to a pedestrian crossing the road way within a crosswalk.

SECTION 505

WHEN PEDESTRIANS ARE TO YIELD TO VEHICLES

Any pedestrian shall yield the right-of-way to all vehicles upon the roadway when crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection.

SECTION 506

NOT TO STEP OFF CURB IN PATH OF VEHICLE

No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

SECTION 507

WALKING ON ROADWAY

Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along or upon an adjacent roadway. Where sidewalks are not provided any pedestrian walking along or upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulders.

SECTION 508

DUTY OF DRIVER TO EXERCISE DUE CARE

Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child, confused, or incapacitated person upon a roadway.

ARTICLE 6 ABANDONED VEHICLES

SECTION 601

LEAVING DISMANTLED, NONOPERATING VEHICLES ON STREETS PROHIBITED

No person shall leave any partially dismantled, nonoperating, non-registered, wrecked or junked vehicle on any Village street, highway or Village Property.

SECTION 602

AUTHORITY TO REMOVE VEHICLES

The Enforcement Officer is hereby authorized to remove any vehicles left in violation of Section 601 above. Any such removal shall be per the terms and conditions of Section 402-407 inclusive.

SECTION 603

VIOLATION AS PUBLIC NUISANCE

The violation of this Article shall be regarded as a public nuisance and in addition to the relief provided by this ordinance, the Village Attorney or Enforcement Officer is hereby expressly granted the authority to petition a court for whatever equitable relief is deemed necessary for the abatement of such a public nuisance, or to dispose of such vehicle in the manner provided by law.

ARTICLE 7 ALL TERRAIN VEHICLES

SECTION 701

OPERATING AN ATV ON A PUBLIC HIGHWAY

All Terrain Vehicles may not be operated on a public highway.

SECTION 702

OPERATING AN ATV ALONG A PUBLIC HIGHWAY

All Terrain Vehicles may not be operated within 5 feet of a public highway.

SECTION 703

OPERATING AN ATV ON PUBLIC LAND

All Terrain Vehicles may not be operated on any public land or body of public water.

SECTION 704

OPERATING AN ATV BY AN OPERATOR UNDER AGE 12

An All Terrain Vehicle may not be operated by an operator under the age of 12 years unless:

- (a) He/she is on land owned by his/her parents, family or guardian.
- (b) He/she has written permission of the landowner or lease; or
- (c) He/she is under direct supervision of a person at least 18 years of age.

SECTION 705

OPERATING AN ATV WITHIN A CEMETERY

An All Terrain Vehicle may not be operated within a Cemetery.

SECTION 706

OPERATING AN ATV ON A SIDEWALK

An All Terrain Vehicle may not be operated on a sidewalk.

ARTICLE 8 MISCELLANEOUS

SECTION 801

COVERING OF VEHICLES

No person shall convey, operate or park upon any public highway of the Village, at any time, any truck, wagon, cart or other vehicle containing any ashes, refuse, rubbish or waste or discarded materials or matter of any kind, or any other loose matter or material which is subject to blowing, falling or dropping from the load, unless such material, during such conveyance of such materials or matter, is covered by a canvas tarpaulin or other suitable material of such character as to effectively prevent the emission of offensive or noxious odors from the materials or matter conveyed and unless such covering is fastened to such vehicle so as to effectively prevent the falling or dropping of the load or any part thereof upon the highway of the load or any part thereof upon the highway.

SECTION 802

VEHICLES NOT TO PASS ANOTHER STOPPED FOR PEDESTRIANS

Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at any intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

SECTION 803

SNOW REMOVAL ONTO THE ROAD AND SIDEWALK

No person shall cause snow to be plowed into, across, or piled onto a roadway, sidewalk, or other public space.

SECTION 804

DRINKING IN PUBLIC PLACES

No person shall consume, open a container of, nor carry an opened container of malt beverage, wine, or intoxicating liquor in a public property within the limits of the Village of Enosburg Falls, or in any vehicle parked thereon.

SECTION 805

REPEAL OF PRIOR ORDINANCES

This ordinance repeals any prior traffic regulations adopted by the Village of Enosburg Falls.

SECTION 806

CIVIL ORDINANCE

This ordinance is designated a civil ordinance pursuant to Title 24 V.S.A. Section 1971 (b). To the extent a penalty is not established in this ordinance for violations thereof, there is hereby established a penalty of \$500.00 (Five Hundred Dollars) for a violation of this ordinance. Civil enforcement of this ordinance and actions for violations thereof shall be brought and maintained in the name of the Village by an enforcement officer for such purpose. All actions for enforcement of this civil ordinance shall be instituted and maintained in the manner provided in Title 24 V.S.A. 1974a-1981, as may be amended.

Dated at Enosburg Falls, Vermont, this 18th day of December, 1995.

Richard Guilmette
Richard Guilmette
Village Clerk

Valentine W. Bonk
Valentine W. Bonk, Chairman

Richard J. Roberge
Richard J. Roberge

William H. Spears
William H. Spears

Raymond M. Larose
Raymond M. Larose

Richard J. Rivers
Richard J. Rivers

VILLAGE OF ENOSBURG FALLS, VERMONT

NOTICE OF ORDINANCE ADOPTION

Notice is hereby given that at a regular meeting of the Board of Trustees of the Village of Enosburg Falls, Vermont, held on the 18th day of December, 1995, an ordinance was adopted regulating motor vehicle and pedestrian traffic. The ordinance will become effective on the 16th day of February, 1996 unless a petition seeking disapproval thereof is filed with the Village Clerk no more than forty-four (44) days from the above-stated date of adoption.

The purpose of the ordinance is to regulate vehicular and pedestrian traffic on public and private property through the enactment, implementation and enforcement of the following provisions:

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|-------------|--|
| Section 101 | Definitions |
| Section 102 | Authorized Emergency Vehicles, Application to |
| Section 103 | Waiver of Appearance, Schedule of Fines, Property Damage |
| Section 104 | Authority of Law Enforcement Officials |
| Section 105 | Severability |
| Section 106 | Repeal of Ordinances |
| Section 107 | Civil Ordinance |
| Section 201 | Stopping, Standing, or Parking Where Prohibited |
| Section 202 | Sidewalks, Unauthorized Use of |
| Section 203 | Speed of Motor Vehicles |
| Section 204 | U-Turns & Parking Facing in the Wrong Direction |
| Section 205 | Passing a Vehicle |
| Section 301 | Stop or Yield Intersections |
| Section 302 | Interfering with Traffic Sign |
| Section 303 | One-Way Streets; Marked Lanes |
| Section 401 | Signs, Spaces |
| Section 402 | Unlawful Parking as Public Nuisance; Towing |
| Section 403 | Record of Removed Vehicle |
| Section 404 | Reclaiming of Vehicles |
| Section 405 | Charges |
| Section 406 | Lien; Foreclosure |
| Section 407 | Charges Not a Fine, Penalty or Forfeiture |
| Section 408 | No Parking Areas |
| Section 409 | Commercial Vehicles Loading Area |
| Section 410 | Winter Parking |
| Section 411 | Highway Department Work |
| Section 412 | Parking Restrictions; Parades |
| Section 413 | General Prohibition; Evidence |
| Section 414 | Parking Time Limited on Certain Streets |

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| Section 415 | Parking Vehicles For Periods Longer Than Twenty-Four Hours Prohibited |
| Section 416 | Parking on Premises of Another Prohibited |
| Section 417 | Stopping close to curb/edge of Roadway |
| Section 501 | Obedience to Directions and Signals |
| Section 502 | Pedestrian-Control Signal |
| Section 503 | Manner of Crossing Street |
| Section 504 | Vehicles to Yield to Pedestrians Crossing in Crosswalk |
| Section 505 | When Pedestrians are to Yield to Vehicles |
| Section 506 | Not to Step Off Curb in Path of a Vehicle |
| Section 507 | Walking on Roadway |
| Section 508 | Duty of Driver to Exercise Due Care |
| Section 601 | Leaving Dismantled, Nonoperating Vehicles on Streets Prohibited |
| Section 602 | Authority to Remove Vehicles |
| Section 603 | Violation as Public Nuisance |
| Section 701 | Operating an ATV On a Public Highway |
| Section 702 | Operating an ATV Along a Public Highway |
| Section 703 | Operating an ATV On Public Land |
| Section 704 | Operating an ATV by an Operator Under Age 12 |
| Section 705 | Operating an ATV Within a Cemetery |
| Section 706 | Operating an ATV On a Sidewalk |
| Section 801 | Covering of Vehicles |
| Section 802 | Vehicles Not To Pass Another Stopped For Pedestrians |
| Section 803 | Snow Removal Onto Road and Sidewalk |
| Section 804 | Drinking in Public Places |

Copies of the ordinance and further information relating to the same may be obtained by communication with Stephen B. McNeil, Village Manager, RR #4, Box 80, Enosburg Falls, VT 05450 (802-933-4443).

See Amendments Below

Village of Enosburg Falls
Board of Trustees

Ordinance Regarding
Placement of Signs on Sidewalks/Rights of Way

SECTION 202-A

SUBSECTION 1. Application of Ordinance.

This Ordinance applies to signs that are placed by private individuals or organizations, that call attention to a special event, organization, business, sale, or other activity where such signs are placed or located within the public right of way or on Village property in the Village of Enosburg Falls (signs on private property require a permit under the Village of Enosburg Falls Zoning By Laws). To the extent that this Ordinance conflicts with Section 202 of the Village Ordinances, this Ordinance shall control.

SUBSECTION 2. Fees, Effective Dates of Permits.

Applications for all sidewalk sandwich board sign permits shall be filed with the Village Zoning Administrator, and shall be accompanied by a fee of \$50.00. Said fee may be adjusted from time to time by the Village Trustees in their discretion. All permits issued under this Ordinance shall be effective commencing on April 15th of each year, and shall expire on the following November 15th of each year.

SUBSECTION 3. Definition of Sign.

As used in this Ordinance, the term "Sign" includes any card, poster, notice, yard sale sign, sandwich board "A" sign, flat, pennant or banner, balloon(s) or other outdoor advertising devices, including, but not limited to those defined by the Village of Enosburg Falls Zoning Bylaws.

SUBSECTION 4. Excluded Signs.

This Ordinance shall not apply to:

- A. Official traffic control or highway regulatory signs.
- B. Street name signs or public place name director/guide signs that have been approved by vote of the Enosburg Falls Board of Trustees and are maintained by the Village or Town (examples: Enosburg Elementary School, Enosburg Falls High School).
- C. Any street banner or decorations placed on the utility poles by the Village of Enosburg Falls (example: Enosburg patriotic banners, Christmas light decorations).
- D. Any streets or businesses outside of the Village Center Designation as recognized by the Vermont Downtown Program. Businesses or streets outside of this area will not be allowed to have signs on the public right of way.
- E. Businesses in the Main Street Plaza are not included in this policy. Businesses in the

Main Street Plaza may place signs within the plaza property with permission from its owner(s) as long as they are compliant with all other zoning bylaws, but may not place signs on Main Street.

SUBSECTION 5. Conditions of Approval.

The following policies and conditions apply to all signs licensed under this policy:

- A. All signs will be sited at the nearest point possible to the building the business or organization is located in. Such signs shall not, in the determination of the Zoning Administrator, unreasonably impede pedestrian traffic along the sidewalk.
- B. All signs permitted under this Ordinance shall be displayed only during the effective dates of the applicable permit. All signs must be removed immediately upon expiration of the permit.
- C. The Village reserves the right to deny permits for any signs that it determines to be offensive, lewd or otherwise inappropriate for viewing by children.

SUBSECTION 6. Violations, Penalty.

Any person or entity that displays a sign in violation of this Ordinance may be fined \$100.00 for violation. Each day such a sign is displayed shall constitute a separate violation.

Village of Enosburg Falls
Board of Trustees Policy
Regarding
Placement of Signs on Sidewalks/Right of Ways

ADOPTED May 13, 2008

This policy applies to signs that are placed by private individuals or organizations, that call attention to a special event, organization, business, sale, or other activity where such signs are placed or located within the public rights of way or on Village property in the Village of Enosburg Falls (signs on private property require a permit under the Village of Enosburg Falls Zoning By Laws). All sidewalk sandwich board sign permits shall be applied for to the Village Zoning Administrator, shall have a fee of \$50.00, and will be in effect from May 1st - October 31st of each year.

“Sign” includes any card, poster, notice, yard sale sign, sandwich board “A” sign, flag, pennant or banner, balloon (s) or other outdoor advertising devices defined by the Village of Enosburg Falls Zoning By Laws.

This policy does not apply to:

- A. Official traffic control or highway regulatory signs.
- B. Street name signs or public place name directory/guide signs that have been approved by vote of the Enosburg Falls Board of Trustees and are maintained by the Village or Town (examples: Enosburg Elementary School, Enosburg Falls High School).
- C. Any street banner or decorations placed on the utility poles by the Village of Enosburg Falls (examples: Enosburg patriotic banners, Christmas light decorations).
- D. Any streets or businesses outside of the Village Center Designation as recognized by the Vermont Downtown Program. Businesses or streets outside of this area will not be allowed to have signs on the public right of way.
- E. Businesses in the Main Street Plaza are not included in this policy. Businesses in the Main Street Plaza may place signs in the plaza property with permission from its owner (s) as long as they are compliant with all other zoning bylaws, but may not place signs on Main Street.

CONDITIONS

The following policies and conditions shall apply to all signs licensed under this policy:

- A. All signs will be sited at the nearest point possible to the building the business or organization is located in. Every effort will be made not to impede traffic along the sidewalk.
- B. All sign permits under this policy will be effective for display between May 1st and October 31st of each year.

Village of Enosburg Falls
Board of Trustees Policy
Regarding
Placement of Signs on Sidewalks/Right of Ways

- C. There will be no more than 1 sign per business allowed under this policy.
- D. Each sign will conform to the Zoning Bylaws of the Village of Enosburg Falls.
- E. No sign will be placed at any other location other than on the street, and in front of the business at which the business is physically located.
- F. Each sign must be removed from the sidewalk at the close of business each day.
- G. Nothing herein shall limit the right of the Village to take additional legal action, and recover costs of enforcement, and damage to Village sign poles, signs, light poles, etc., and to seek other relief as allowed by law.
- H. No signs containing references to alcohol or tobacco will be allowed under this policy.

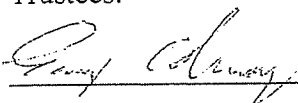
REMOVAL OF UNAUTHORIZED SIGNS

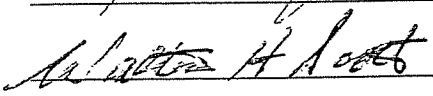
The Village Manager, Zoning Administrator, and Public Works Department are authorized to remove and dispose of any sign in a public right of way or on Village property that does not display a permit, and approval in accordance with this policy.

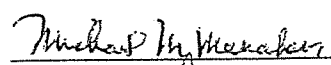
In approving, and managing signs on sidewalk right of ways, the Planning and Zoning Office shall balance the need to minimize clutter, and avoid excess advertising with the need for businesses, and organizations to inform the public of their location.

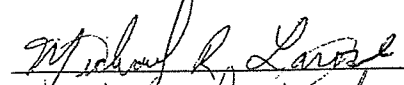
Appeals from license denials or other actions under this policy shall be to the Village Board of Trustees, whose decision shall be final.

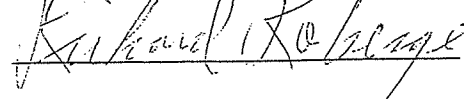
Trustees:











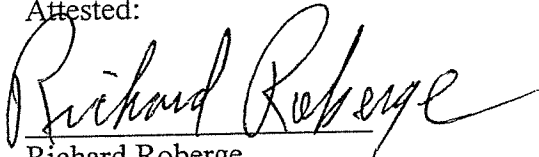
SECTION 303

ONE-WAY STREETS; MARKED LANES

- (a) The Trustees may designate any street or public highway, or portion thereof, under its jurisdiction for one-way traffic, for more than one lane of traffic, **and for entry on to intersecting streets or highways by right turn only or by left turn only**. All such streets shall be marked by appropriate signs giving notice thereof.
- (b) On those streets so designated for one-way traffic or for more than one lane of traffic, all vehicles shall be operated only in the direction designated. The operator of any vehicle upon any such street, shall, before turning his vehicle from one traffic lane into another traffic lane, indicate by hand signal or directional light his intention to do so. Where traffic lanes are so marked as to indicate their use for right turn only, left turn only, or a combination of the same, no person shall operate a motor vehicle except in the direction indicated by such markings.

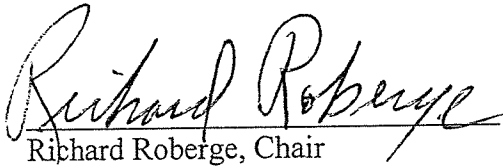
Dated at Enosburg Falls, Vermont - Village Trustee Meeting, this 28th day of October, 2008.

Attested:


Richard Roberge
Village Trustee

VILLAGE OF ENOBSURG FALLS
Bismark Street/Main Street

On February 10, 2009 the Village of Enosburg Falls Board of Trustees under section 303, *One-Way Streets; Marked Lanes* of the Village of Enosburg Falls Ordinances approved the prohibiting of left turns made at the intersection of Bismark Street and Main Street when turning onto Main Street from Bismark Street.


Richard Roberge, Chair

3/24/09
Date

VILLAGE OF ENOSBURG FALLS, VERMONT

NOTICE OF ORDINANCE ADOPTION

Notice is hereby given at a regular meeting of the Board of Trustees of the Village of Enosburg Falls, Vermont, held on the 12th day of October, 2004. This ordinance will become effective on the 11th day of December, 2004 unless a petition seeking disapproval thereof is filed with the Village Clerk no more than forty-four (44) days from the above-stated date of adoption.

The purpose of the ordinance is to regulate Parking on Dickenson Avenue in the Village of Enosburg Falls from Main Street to 50 feet east of the Village Highway Garage. Specifically:

ARTICLE 4, SECTION 401. No person shall park any vehicle, at any time, in any of the following areas:

ADDED SUBSECTIONS:

(r) On both sides of Dickenson Avenue from Main Street to 50 feet east of the Village Highway Garage during the hours of 7:00AM - 4:00PM, Monday through Friday.

Copies of the ordinances and further information relating to the same may be obtained by communication with Jonathan Elwell, Village Manager, 42 Village Drive, Enosburg Falls, VT 05450 (802-933-4443).

Dated at Enosburg Falls, Vermont, this 12th day of September, 2004.

Attested:

Natalie Guilmette
Natalie Guilmette
Village Clerk

Valentine W. Bonk
Valentine W. Bonk, Chairman

Richard J. Roberge
Richard J. Roberge

Richard J. Rivers
Richard J. Rivers

Walter H. Scott

Walter H. Scott

Section 418

PARKING SPACES FOR PERSONS WITH DISABILITIES.

(a) Authorization.

The director of public works is hereby authorized to designate one or more parking spaces, or parking areas in and upon any Village street, road or highway for the exclusive use of vehicles transporting persons who are blind or have an ambulatory disability, as defined in 23 V.S.A. Section 304a., by posting in a conspicuous place signs that conform with the design and posting requirements to Title 23 V.S.A. Section 1025 and the United States Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Control Devices for streets and highways as amended.

(b) Vehicles to display identification.

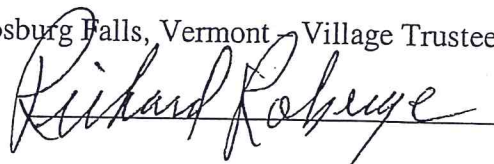
All vehicles parking in designated parking spaces shall display the identification issued by the Vermont Commissioner of Motor Vehicles, pursuant to 23 V.S.A. Section 304a(b).

(c) Penalty—Parking violations.

- (i) A person commits an offense if the person is neither temporarily or permanently disabled nor transporting a temporarily or permanently disabled person and parks a vehicle with such special device or displaying a temporarily disabled person identification card in any parking space or parking area designated specifically for the disabled.
- (ii) A person commits an offense if the person parks a vehicle neither displaying the special device nor displaying a temporarily disabled person identification card in a parking space or parking area designated specifically for the disabled.
- (iii) A person commits an offense if the person parks a vehicle so that the vehicle blocks an access or curb ramp or any other architectural improvement designated to aid the disabled.
- (iv) An offense under this section is punishable by a fine of not less than \$50.00 nor more than \$200.00.
- (vii) Any vehicle parked in violation of this Section may be towed at the owner's expense, pursuant to Sections 402 to 407, inclusive, of this Ordinance.

Dated at Enosburg Falls, Vermont, Village Trustee Meeting, this 28th day of October, 2008.

Attested:



Richard Roberge, Village Trustee

VILLAGE OF ENOSBURG FALLS, VERMONT
NOTICE OF ORDINANCE ADOPTION

Notice is hereby given at a regular meeting of the Board of Trustees of the Village of Enosburg Falls, Vermont, held on the 25th day of November, 2003, the Village Ordinance regulating motor vehicles and the procedure implemented for non-payment of such fines was amended to add a Scofflaw section. This amendment will become effective on the 26th day of January, 2004 unless a petition seeking disapproval thereof is filed with the Village Clerk no more than forty-four (44) days from the above-stated date of adoption.

SECTION 805 SCOFFLAW

Establishment and Maintenance of Scofflaw List

The Village's designated enforcement officer is hereby authorized to create and maintain a list of all vehicles that have accumulated \$60 in tickets and late fees in a 36 month period for overdue motor vehicle or parking fines. The registered owner of unpaid ticket/s will receive a invoice notice sent first class mail that they have unpaid ticket/s. A second notice will be sent first class mail notifying the registered owner of the unpaid ticket/s and that if payment is not received within fifteen days a \$10 dollar late fee shall be added to the balance of each ticket if not paid by the due date.

Before placing any vehicle on said scofflaw list, the Village shall notify the registered owner of the proposed action being taken. This notice shall be sent return receipt, to the address on record at the State Department of Motor Vehicles, on forms prescribed and provided by the Village Manager and shall (a) describe the year, make and registration number of the vehicle, (b) contain a list of the unpaid tickets and the total amount of accumulated charges, and (c) provide a warning that unless said charges are paid within fifteen days (15) days of the date of the notice, said vehicle will be placed on the scofflaw list forthwith.

Removal and Storage of Vehicles

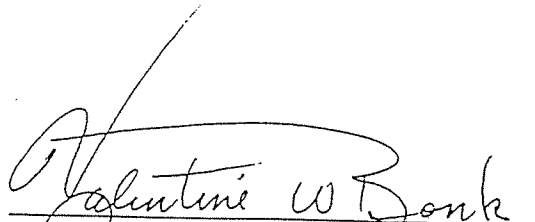
Any vehicle that has been placed on the scofflaw list and is parked on any public street/roadway or in any other place within the Village where the parking or leaving of said vehicle is governed by Village ordinance may be removed and stored until the charges for all outstanding parking violations, towing and storage charges have been paid. The towing & storage rates at the time the vehicle is removed from a public street/roadway shall be paid directly to the towing company in the form of payment as they request. If payment is by credit card for the full amount, towing, storage and ticket amount the Village shall provide the towing company the compensation for the credit card service charge for the ticket amount.

Copies of the ordinances and further information relating to the same may be obtained by communication with Gary Champy, Village Manager, 42 Village Drive, Enosburg Falls, VT 05450 (802-933-4443).

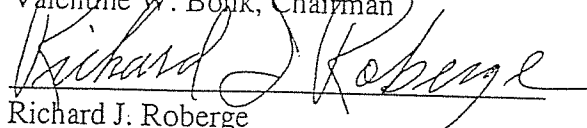
Dated at Enosburg Falls, Vermont, this 4th day of November, 2003.

Attested:

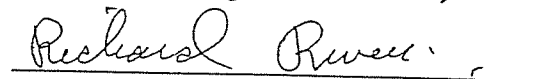
Natalie Guilmette
Village Clerk



Valentine W. Bonk, Chairman



Richard J. Roberge



Richard J. Rivers

Walter H. Scott

Harold C. Foote