

Town of Londonderry, Vermont

Selectboard Meeting Agenda

Monday, April 1, 2019 – 7:00 PM
100 Old School Street, Londonderry, VT 05155

1. Call Meeting to Order
2. Additions or Deletions to the Agenda
3. Minutes Approval – Meeting of March 18, 2019
4. Selectboard Pay Orders
5. Announcements/Correspondence
6. Visitors and Concerned Citizens
7. Annual Appointments
 - a. Fire Warden [10 VSA 2641(a)]
8. Town Officials Business
 - a. Town Clerk – Discuss E911 address changes
 - b. Planning Commission – Discussion on Water & Sewer planning and funding (includes representative from ANR/DEC)
9. Transfer Station
10. Roads and Bridges
 - a. Department updates
 - b. Review and adopt Traffic & Parking Ordinance
 - c. Approve excess vehicle weight permits
11. Old Business
 - a. Contract for managed computer services
 - b. Resolution adopting deferred compensation plan with ICMA Retirement Corporation
12. New Business
 - a. Set terms and appointments for Development Review Board
 - b. Discuss scheduling for employee performance evaluations
 - c. 1st Class Liquor License – Derry Downtown, Limited, DBA The Garden Restaurant
 - d. 1st Class Liquor License – Derry Downtown, Limited, DBA The Garden Market
 - e. 2nd Class Liquor License – Derry Downtown, Limited
13. Adjourn

Posted and distributed on March 28, 2019

**TRAFFIC AND PARKING ORDINANCE
Town of Londonderry, Vermont**

Pursuant to the provisions of Title 19, Vermont Statutes Annotated, Section 304(a)(6) and (7), Title 23, Vermont Statutes Annotated, Section 1007 and 1008, and Title 24, Vermont Statutes Annotated Sections 1971 and 2291(1)(4) and (5), and such other general enactments as may be material hereto, it is hereby ordained by the Selectboard of the Town of Londonderry that the following Traffic and Parking Ordinance is adopted for the Town of Londonderry, Vermont.

ARTICLE I. DEFINITIONS

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

Either Side Of: As used in the Article VII, "Parking Regulations", unless otherwise specified herein, "Either Side Of" shall mean that portion of the highway which is meant for and normally used for travel.

Intersection: That area of two or more streets which join one another at an angle (whether or not crossing another) through which motor vehicles must pass when traveling from one street to another.

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 Londonderry 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 Londonderry, Vermont.

ARTICLE III. 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 Londonderry.

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 Londonderry Selectboard.

ARTICLE IV. SPEED REGULATIONS

Section 1. Paved Town Highways

On the basis of engineering and traffic studies, the following speed limits measured in miles per hour (MPH) are hereby established for specific Town Highways (TH) and portions thereof:

TH #2. A maximum speed of 30 MPH from its intersection of VT Route 100 easterly and southerly to the intersection of TH #38 (Rowes Road), then a maximum speed of 40 MPH from its intersection of TH 38 (Rowes Road) easterly and northerly to its intersection of VT Route 11.

Section 2. Unpaved Town Highways

The following speed limits measured in miles per hour (MPH) are hereby established for unpaved Town Highways (TH) and portions thereof:

Speed limits on all unpaved Town Highways within the Town of Londonderry shall be a maximum speed of 35 MPH, unless otherwise set forth by this Ordinance or amendments hereto.

Section 3. State Highways

Speed zones on State Highways in the Town of Londonderry shall be the same as posted by the State of Vermont and shall be enforceable under this ordinance. Speed limits on VT Route 11 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 V. STOP AND YIELD INTERSECTIONS

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

State Highways

VT Route 100 entering VT Route 11

VT Route 100 entering intersection of TH #2 Main Street) and TH #5 (Middletown Road)

Class 2 Town Highways

TH #1 (Landgrove Road) entering VT Route 11

TH #1 (Landgrove Road) entering TH #59 (Old Stowell Hill Road)

TH #2 (Thompsonburg Road) entering VT Route 11

TH #2 (Main Street) entering intersection of VT Route 100 and TH #5 (Middletown Road)

TH #3 (Route 121) entering VT Route 11

TH #4 (Magic Mountain Access Road) entering VT Route 11
TH #5 (Middletown Road) entering VT Route 11
TH #5 (Middletown Road) entering VT Route 100
TH #6 (Winhall Hollow Road) entering VT Route 100

Class 3 Town Highways

TH #8 (Reilly Road) entering VT Route 11
TH #8 (Reilly Road) entering TH #1 (Landgrove Road)
TH #9 (Hell's Peak Road) entering VT Route 11
TH #9 (Barker Road) entering TH#13 (Hell's Peak Road)
TH #13 (Hell's Peak Road) entering TH #9 (Barker Road)
TH #14 (Pond Street) entering VT Route 100
TH #16 (Derry Woods Road) entering VT Route 11
TH #17 (Little Pond Road) entering VT Route 11
TH #18 (Boynton Road) entering TH #17 (Little Pond Road)
TH #19 (Mountain Lake Road) entering TH #17 (Little Pond Road)
TH #19 (Lowell Lake Road) entering VT Route 11
TH #23 (Scott Pet Road) entering VT Route 11
TH #26 (Brophy Lane) entering VT Route 11
TH #27 (Melendy Hill Road) entering VT Route 100
TH #28 (Edgehill Road) entering VT Route 11
TH #28 (Brooks Lane) entering TH #5 (Middletown Road)
TH #29 (Mansfield lane) entering VT Route 11
TH #30 (Cromack Road) entering VT Route 11
TH #33 (Rest Haven Lane) entering VT Route 11
TH #36 (Under Mountain Road) entering TH #2 (Thompsonburg Road)
TH #37 (Cross Road) entering TH #2 (Thompsonburg Road)
TH #39 (Livermore Mills Road) entering TH #41 (Springhill Road)
TH #39 (Livermore Mills Road) entering TH #6 (Winhall Hollow Road)
TH #41 (Springhill Road) entering VT Route 100
TH #43 (Haven Hill Road) entering TH #41 (Springhill Road)
TH #45 (Glebe View Lane) entering VT Route 100
TH #48 (West River Street) entering VT Route 100
TH #49 (Windy Rise Lane East) entering VT Route 100
TH #49 (Windy Rise Lane West) entering VT Route 100
TH #46 (Winhall Station Road) entering VT Route 11
TH #51 (Goodaleville Road) entering TH 46 (Winhall Station Road)
TH #55 (Crescent Street) entering VT Route 100
TH #58 (High Street) entering VT Route 100
TH #59 (Old Stowell Hill Road) entering VT Route 11
TH #59 (Old Stowell Hill Road) entering VT Route 100
TH #59 (Old Stowell Hill Road) entering TH #1 (Landgrove Road)
TH #65 (Howard Hill Road) entering VT Route 11
TH #66 (Sherwood Forest) entering VT Route 11
TH #67 (Evergreen Lane) entering VT Route 100
TH #71 (Adams Drive) entering TH #5 (Middletown Road)

Section 2. The following intersections shall be designated as "YIELD" intersections and shall be so signed:

[RESERVED]

ARTICLE VI. [RESERVED]

ARTICLE VII. PARKING REGULATIONS

Section 1. [RESERVED]

Section 2. Parking Restrictions in Certain Areas

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

- A. Within six (6) feet of either side of a point at the roadway edge of travel directly in front of a hydrant;
- B. Within six (6) feet of a private driveway;
- C. On a crosswalk;
- D. On a sidewalk;
- E. Abreast of another vehicle;
- F. Along the side or opposite any street excavations or obstructions;
- G. Within thirty (30) feet of a driveway of a fire station;
- H. 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;
- I. 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.

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

- A. 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 Londonderry.
- B. It shall be unlawful to park any vehicle for any period of time within the right-of-way of a Town Highway during the period of November 1 of each year, until May 1 next following.

Section 5. Exceptions

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

Section 6. Parking Fines

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

Section 7. Removal of Vehicles

Any vehicle parked in violation of the provisions of this Article may be summarily removed at the owner's expense, by order of any law enforcement officer having jurisdiction in the Town of Londonderry, the Town of Londonderry Road Commissioner, or the Town of Londonderry Selectboard.

Section 8. Disposal of Vehicles Removed

If the owner of a vehicle summarily removed under section 6 hereof does not claim such vehicle and pay all towing and storage expenses within thirty (30) days of the date of such removal, the title to such vehicle shall escheat to the Town and the vehicle may be sold or otherwise disposed of in accordance with Title 27, Vermont Statutes Annotated, Chapter 11.

Section 9. Nothing in this Article shall be construed to make unlawful vehicular stops in obedience to the direction of a law enforcement officer having jurisdiction in the Town of Londonderry or for causes beyond the control of the operator.

ARTICLE VIII. DESIGNATED ONE-WAY STREETS

The following street or portion of said street is hereby designated as a one-way street and the direction of travel shall be as follows:

[RESERVED]

ARTICLE IX. LOADED VEHICLES

No vehicle shall be driven or moved on any street unless such vehicle is so constructed or loaded so as to prevent its contents from dropping, sitting, leaking or otherwise escaping there from.

ARTICLE X. GENERAL PROVISIONS

Section 1. Separate Offenses

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

Section 2. Penalties

Penalties for violations other than parking shall be as set forth in Title 23, Vermont State Statutes, as amended. 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 Title 24, Vermont Statutes Annotated Section 1971(b), and may be referred to as the Traffic and Parking Ordinance and in a prosecution hereunder a copy of such ordinance, certified by the Londonderry 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 ordinance or traffic regulation heretofore adopted by the Town of Londonderry is hereby repealed. The Parking Ordinance adopted by the Selectboard on October 20, 2014 is hereby superseded in its entirety by this ordinance upon its effective date.

Section 6. Publication and Posting

This ordinance, or a concise summary thereof, shall be published in the Vermont Journal within fourteen (14) days of its adoption, and shall be filed with the Town Clerk and posted at five (5) conspicuous places within the community.

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 Londonderry 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 Title 24, Vermont Statutes Annotated, Section 1973, the Ordinance shall become effective sixty (60) days after its adoption.

Adopted by the Town of Londonderry Selectboard at its meeting held on the 1st day of April, 2019.

Town of Londonderry, Selectboard

James Ameden, Chair

Georgianne Mora, Vice-Chair

Thomas Cavanagh

Robert Forbes

Taylor Prouty

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