

**TRAFFIC ORDINANCE
TOWN OF FAIRFAX, VERMONT**

**ARTICLE I
AUTHORITY**

Pursuant to the provisions of Title 23, Vermont Statutes Annotated, Sections 1007 and 1008, and Title 24, Vermont Statutes Annotated Section 1971 and 2291 (1) (4) and (5) and such other general enactments as may be material hereto, it is hereby ordained that the Board of Selectmen of the Town of Fairfax that the following Traffic Ordinance is adopted for the Town of Fairfax.

**ARTICLE II
DEFINITIONS**

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

**ARTICLE III
SCOPE**

The ordinance established special traffic regulations on public highways within the Town of Fairfax, Vermont.

**ARTICLE IV
TRAFFIC CONTROL DEVICES**

- Section 1.** It shall be unlawful for any person to disobey the direction of a traffic control device except in response to the direction of a law enforcement officer.
- 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 that may Resemble or be mistaken for an official traffic control device without prior approval of the Town of Fairfax Board of Selectmen.

**ARTICLE V
SPEED REGULATIONS**

Based on consideration of neighborhood character, abutting land use, bicycle, pedestrian, and equestrian use and physical characteristics of the highways, a speed limit of 35 MPH is hereby established on the following unpaved highways:

TH #21-The Sam Webb Road
TH #37-Shepardson Hollow Road
TH#28-Swamp Road
TH#51-River Road
TH#12-King Road
TH#47-Allen Irish Road

TH#10-Nichols Road
TH#29-Wilkins Road
TH#39-Goose Pond Road
TH#33-McNall Road
TH#13-Berthiume Road
TH#24-Boissoneault Road

TH#6-Bessette Road
TH#41-Chaffee Road
TH#50-Cleary Road
TH#32-Coolum Road
TH#26-Ferguson Road
TH#20-Meade Road
TH#42-Richards Road
TH#15-Rood Mill Road
TH#7-Rugg Road
TH#30-Sweet Slattery Road
TH#55-Windtop Road
TH#45-Westford Plains Road

TH#16-Cherrierville Road
TH#31-Comette Road
TH#40-Fanton Road
TH#23-Flanders Road
TH#25-Tabor Hill Road
TH#46-Pilon Road
TH#34-Heyer Road
TH#52-Snowcrest Road
TH#54-Stones Brook Road
TH#14-Wagner Road
TH#9-West Street Road

On the basis of engineering and traffic studies, the following speed limits are hereby established:

- TH#35 (Hunt Street) A maximum speed of 25 m.p.h. for its entire length.
- TH#1 (Buck Hollow Road) A maximum speed of 40 m.p.h. from the intersection with VT 104 extending northeasterly .5 miles, then a maximum speed of 50 m.p.h. to the Fairfax/Fletcher Town line.
- TH#2 (Fletcher Road) A maximum speed of 30 m.p.h. from the intersection of VT 104 extending northerly .0.65 miles.
- TH#39 (School Street) A maximum speed of 25 m.p.h. for its entire length.
- TH#35 (Maple Street) A maximum speed of 25 m.p.h. for its entire length.

The maximum speed limit permitted for any vehicular traffic on Vermont Route 104, Route 104A, and Route 128 within the Town of Fairfax shall be the same as those limits established and posted by the State of Vermont.

The above speed limits shall be posted in accordance with the standards set forth in the Millennium Edition of the Manual of Uniform Traffic Control Devices and shall be in effect when so posted.

ARTICLE VI STOP AND YIELD INTERSECTIONS

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

TH#10 entering VT 104	TH#23 entering VT 104
TH#21 entering VT 104	TH#1 entering VT 104
TH#25 entering VT 104	TH#28 entering TH#25
TH#29 entering TH#2	TH#37 entering TH#2
TH#6 entering VT 104	SA#5 entering VT 104
TH#12 entering VT 104	TH#14 entering VT 104
TH#15 entering VT 104	TH#17 entering TH#1

TH#22 entering VT 104
TH#39 entering VT 104
TH#44 entering VT 104
TH#11 entering SA#1
SA#2 entering VT 104
TH#33 entering VT 104
TH#51 entering SA #2
TH#49 entering VT 104
SA #4 entering VT 104

TH#40 entering TH#2
TH#43 entering VT 104
TH#47 entering VT 104
TH#50 entering VT 104
TH#36 entering VT 104
TH#35 entering VT 104
TH#51 entering TH#39
TH#45 entering VT 104

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

TH#7 entering SA #5
TH#12 entering TH #10
TH#15 entering TH#13
TH#31 entering TH #2
TH#32 entering TH#31
TH#24 entering SA #2
TH#16 entering TH#15

TH#16 entering SA #5
SA #5 entering TH #11
TH#49 entering TH#36

ARTICLE VII PARKING REGULATIONS

Section 1. No parking areas

A. It shall be unlawful to park at anytime on the south side of TH #35 (Hunt Street) for the intersection of TH #35, #36 (Hunt Street) and #48 (Cain Street) in a westerly direction to the including the driveway of the Waste Treatment Facility on TH#35 (Hunt Street.)

B. It shall be unlawful to park, while school is in session, on the western side of TH#35 (Hunt Street) from the intersection of TH#49(School Street) in a southerly direction to the intersection with TH#48(Cain Street).

Section 2. 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 (constable, sheriff, and state police), road commissioner, or selectman.

Section 3. If the owner of a vehicle summarily removed under section 5 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, Section 11.

Section 4. Nothing in this Article shall be construed to make unlawful vehicular Stops in obedience to the direction of a law enforcement officer or for causes beyond the control of the operator.

**ARTICLE VIII
LOADED VEHICLES**

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

**ARTICLE IX
GENERAL PROVISIONS**

Section 1. Separate Offenses:

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

Section 2. Penalties:

A. This shall be a civil ordinance, which shall be enforced in accordance with the provision of 24 VSA, Chapter 59 or through any Vermont court having proper jurisdiction.

B. The penalty for violation of the above speed limit shall be set by the Schedule of Fines established by the State of Vermont.

Section 3. Enforcement Officials:

This ordinance may be enforced by the Franklin County Sheriff and/or the Vermont State Police who are properly qualified law enforcement officers in the state of Vermont.

Section 4. Severability:

The provisions of this ordinance are declared to be severable and if any provision hereof be adjudged invalid such argument shall not affect the validity of any other provision.

Section 5. Designation:

This ordinance may be referred to as the Fairfax Traffic Ordinance and in a prosecution hereunder a copy of such ordinance, certified by the 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 6. Repeal of Prior Ordinances:

Any other traffic ordinance or traffic regulation heretofore adopted by the Town of Fairfax is hereby repealed.

Section 7. Effective Date:

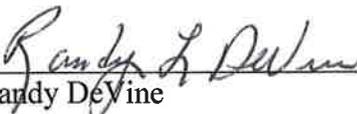
This ordinance shall become effective 60 days after the adoption date shown below.

Adopted this 16th day of November 2009.



Robert A. Horr, Chair

Charles Swanson



Randy DeVine

William Ormerod



John Mitchell

Attest: 

Deborah Woodward, Town Clerk

AMENDMENT TO THE SPEED ORDINANCE – FLETCHER ROAD

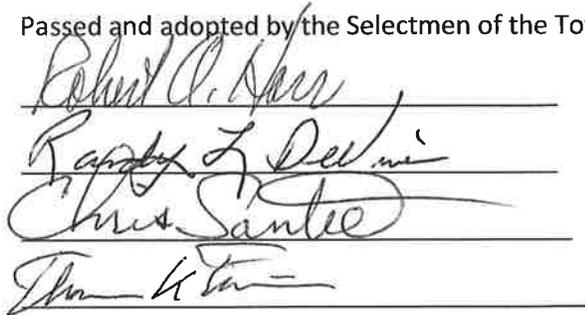
Dated June 26, 2012

At a meeting of the Board of Selectmen, Robert A. Horr, Chair, moved that the speed limit on TH2-Fletcher Road be reduced to 40 miles per hour from a starting point .3 miles from Vermont Route 104 extending 3.0 miles to the Fletcher line.

The above speed limit shall be posted in accordance with the standards set forth in the Millennium Edition of the Manual of Uniform Traffic Control Devices and shall be in effect when so posted.

This amendment shall be in full force and effect from and after its passage, approval, recording and publication, as provided by law.

Passed and adopted by the Selectmen of the Town of Fairfax, State of Vermont, on June 26, 2012.



Selectboard, Town of Fairfax

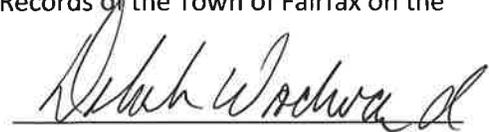
Dated: July 12 2012

I hereby certify that the foregoing ordinance amendment was posted in five (5) public places in the Town of Fairfax on the 26th of June 2012, to wit:

Posted at: The Town Office, Minor's Country Store, Steeple Market, Post Office and Nan's Mobil

The complete text of the ordinance is available at the Fairfax Town Office during regular business hours. Title 24 V.S.A. Section 1971-1976 provides for the filing of a petition for the public vote on the proposed amendment. If no such public vote is requested, the amendments will become effective 60 days from the date of the posting. (August 26, 2012)

Published in the St. Albans Messenger, a newspaper having general circulation in the Town of Fairfax, on the 26th of June 2012; and was recorded in the Ordinance Land Records of the Town of Fairfax on the 28th day of June 2012.



Deborah Woodward, Town Clerk

A Speed Limit Study, Traffic Engineering Report was performed by NWRP from May 4 through May 11, 2012, with an average speed recorded of 55 mph.