

Town of Hartford Transportation Ordinance Chapter 75

Adopted: November 13, 2012

Effective date: January 12, 2013

The Selectboard of the Town of Hartford, Windsor County, Vermont, in accordance with the authority invested in them by the State of Vermont, hereby adopts the Hartford Transportation Ordinance.

Dated this ____ day of _____ 2012

Signed:

Kenneth Parker, Chair _____

F.X. Flinn, Vice Chair _____

Bethany Fleishman, Clerk _____

Sabino "Sam" Romano _____

Sonia O. Knight _____

Alexander DeFelice _____

Simon Dennis _____

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ARTICLE I. GENERAL PROVISIONS

§ 75-1 Authority

This ordinance is adopted under the authority granted by 24 V.S.A. §1971 and 19 V.S.A. §304.

§ 75-2 Purpose

It is the purpose of this ordinance to:

1. Protect and promote the safety of the traveling public and protect public investment in the Town's highway infrastructure.
2. Provide clear, orderly and transparent policies and procedures for Town officials and the development community.
3. Encourage transportation system improvements to be made concurrent with land use development and transportation demand increases.
4. Implement the goals, objectives, and policies of the Hartford Master Plan and other Town regulations, ordinances, policies and procedures.

§ 75-3 Scope of Ordinance

This ordinance shall apply to all existing and proposed class 1, 2, 3, and 4 Town highways, sidewalks, driveway entrances and approaches, bicycle treatments and trails and other improvements inside of the typical highway right-of-way and as defined herein.

This ordinance does not address private road standards, driveway standards (except for the driveway entrance), routine maintenance such as snow and ice removal, summer grading, repaving schedules, road surface management system, or capital budgets.

§ 75-4 Designation of Effect

This ordinance shall be designated as a civil ordinance in accordance with 24 V.S.A. §1971(b).

§ 75-5 Definitions

ADT - Average daily traffic.

AGENCY - Vermont Agency of Transportation (Also VTrans)

CLASS 1 TOWN HIGHWAY - Class 1 Town highways are those Town highways which form the extension of a State highway route and which carry a State highway route number. The Agency shall determine which highways are to be class 1 highways.

CLASS 2 TOWN HIGHWAY - Class 2 Town highways are those Town highways selected as the most important highways in each Town. As far as practicable they shall be selected with the purposes of securing trunk lines of improved highways from Town to Town and to places which

by their nature have more than normal amount of traffic. The Selectboard, with the approval of the Agency, shall determine which highways are to be class 2 highways.

CLASS 3 TOWN HIGHWAY - Class 3 Town highways are all traveled Town highways other than class 1 or 2 highways. The Selectboard, after conference with a representative of the Agency shall determine which highways are class 3 Town highways.

CLASS 4 TOWN HIGHWAY - Class 4 Town highways are all Town highways that are not class 1, 2, or 3 Town highways or unidentified corridors. The Selectboard shall determine which highways are class 4 Town highways.

CONTRACTOR - Any individual or firm authorized by the owner or the Town conducting improvements.

CUL-DE-SAC - The turnaround at the end of a dead end street.

DIG SAFE[®] - Dig Safe System, Inc. is a communication network, assisting excavators, contractors and property owners in complying with State law by notifying the appropriate utilities before digging. Dig Safe[®], a free service, notifies member companies of proposed excavation projects. In turn, these member utilities respond to the work area and identify the location of their underground facilities. Callers are given a permit number as confirmation.

DRIVEWAY - A private vehicular access off a Town road.

DRIVEWAY ENTRANCE- That portion of a driveway that lies within the Town Highway Right-of-Way.

HEADER - A structure of stone, concrete or other suitable material used at the end of culverts for the prevention of erosion.

INTERESTED PERSON - A person who has a legal interest of record in the property affected.

INTERVISIBLE - Mutually visible, or in sight, the one from the other.

PRIVATE ROAD - A road or driveway on privately-owned property, limited to the use of the owner or a group of owners, who share the use and maintain the road without assistance from the Town.

PROFESSIONAL ENGINEER - A professional engineer licensed by the State of Vermont.

RECORD DRAWINGS - For the purpose of this ordinance, record drawings are those documents provided by the owner or applicant to the Town at the completion of construction. These drawings may be based on contractor maintained installation drawings, field survey, and post-construction measurements and should accurately reflect the work as installed, identifying deviations or field changes to previous plans approved by the Town.

RESIDENT INSPECTOR - A duly authorized representative of the Town of Hartford with the responsibility of inspecting a highway improvement or project.

RIGHT-OF-WAY - A strip of land that is granted, through an easement or other mechanism, for transportation purposes, such as for a trail, driveway, rail line or highway. A right-of-way is reserved for the purposes of maintenance or expansion of existing services with the right-of-way.

ROAD - For the purpose of this ordinance, a road (also referred to as Highway or Street) is defined as a developed or undeveloped travel way intended for public use by motor vehicles.

SELECTBOARD - The duly elected Selectboard of the Town of Hartford.

SHARED USE PATH - A facility for pedestrians, bicyclists and other users that is physically separated from motorized vehicular traffic by open space or barrier and either within the highway right-of-way or within an independent right-of-way. Shared use paths are typically used by more than one type of user, such as pedestrians, joggers, people in wheelchairs, skaters, bicyclists, cross-country skiers, and where permitted equestrians and snowmobiles¹.

SLOPE - The slope or grade of a road is measured by comparing the vertical elevation change to the horizontal distance over which the change occurs and usually expressing it as a percentage. A road may not exceed maximum established slopes over any portion of its profile, no matter how short.

SURETY - A guarantor of payment or performance if another fails to pay or perform, such as a bonding company which posts a bond for a guardian, an administrator, or a building contractor.

TRAILS - A public right-of-way, which is not a highway and which previously was a designated Town Highway having the same width as the designated Town Highway, or a lesser width if so designated; or a new public right-of way laid out as a trail by the Selectboard for the purpose of providing access to abutting properties for recreational use [19 V.S.A. § 301(8)].

TREE WARDEN - The Tree Warden is appointed by the Selectboard from among the qualified voters of the Town. The Warden has control over all shade and ornamental trees within the limits of public ways and places [24 V.S.A. § 2501].

TOWN - The Town of Hartford, Vermont.

TOWN MANAGER – The Town of Hartford Town Manager as appointed by the Selectboard.

TRAFFIC SIGNS – Traffic signs are devices placed along, beside, or above a highway, roadway, pathway, or other route to guide, warn, and regulate the flow of traffic, including motor vehicles, bicycles, pedestrians, equestrians, and other travelers. Standard traffic signs must be compliant with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD).

TURNOFF - A space provided along a road, street or highway for use by the traveling public to get off the traveled portion of that road.

UNDERDRAIN - Any physical appurtenance used to provide improved drainage of a roadway or improvement, including fabric, perforated PVC pipe, stone or other suitable material.

¹ Vermont Pedestrian and Bicycle Facility Planning and Design Manual, 2002

UTILITY - Any Town-owned water, sanitary sewer, or stormwater drainage system within the Town highway right-of-way; or any publicly regulated utility such as power or telecommunications within that right-of-way.

V.S.A. - Vermont Statutes Annotated.

§ 75-6 Contact Information

Information concerning this ordinance or other matters related to Town roads can be obtained by calling the Public Works Office, Town of Hartford, Vermont, workdays between the hours of 8:00AM and 5:00PM at 295-3622. On weekends, holidays and during nonworking hours emergencies should be reported to the Police Dispatch Office, 295-9425.

Inspectors will carry appropriate identification and will show same upon request of the property owner or their authorized agent. Impostors should be reported at once by calling 295-3622.

A copy of these rules and regulations shall be available to the public and can be obtained at the Town Manager's office and the Department of Public Works by letter, email, telephone or in person. Persons should read these rules and regulations carefully, as failure to know the rules and regulations will not excuse anyone from the consequences of neglect of these rules and regulations.

§ 75-7 Alterations to the Highway System

All extensions, improvements, changes or additions to the Town highway system shall become property of the Town, subject to the provisions of Article VII of this chapter. All design documents and construction procedures shall comply with the duly accepted Town standards as set forth in the rules and regulations set forth in this chapter and the Appendix documents attached to this chapter and made a part hereof by this reference.

§ 75-8 Severability

If any portion of this ordinance is held to be invalid by a court of competent jurisdiction, such finding shall not invalidate any other part of this ordinance.

§ 75-9 Amendments

The Selectboard may vote to amend this ordinance from time to time, in accordance with the procedures established in 24 V.S.A. §1972 and §1973 or as most recently amended in State law.

ARTICLE II. ADMINISTRATION, APPEALS AND ENFORCEMENT

§ 75-10 Selectboard

It shall be the duty and responsibility of the Selectboard to:

1. Appoint a Tree Warden.
2. Promulgate and adopt, after public hearing(s), road specifications for Town highways to be built or rebuilt within the Town in compliance with applicable statutes.
3. Determine, after public hearing, whether to accept a private street or right-of-way as a public highway.

4. Layout, alter, classify, and discontinue Town highways.
5. Establish and adopt, after public hearing(s) Department of Public Works Specifications.
6. Adopt a fee schedule to cover the costs of administering applications and filing requirements associated with this ordinance.

§ 75-11 Town Manager

The Town Manager or designee shall:

1. Implement and enforce the Town of Hartford Transportation Ordinance.
2. Issue driveway and highway access permits.
3. Issue permits for work in highway right of way.
4. Authorize surveys as provided for in §75-16

§ 75-12 Tree Warden

The Tree Warden is appointed by the Selectboard from among the qualified voters of the Town. The Tree Warden serves until a successor is appointed [24 V.S.A. §871]. The Tree Warden has control over all shade and ornamental trees within the limits of public ways and places [24 V.S.A. §2501]. The Tree Warden is empowered to implement a Town shade tree preservation program including planting, maintenance, and removal of diseased, dying, dead, and invasive trees [24 V.S.A. §2502]. However, the Tree Warden may not remove from the highway right-of-way trees and plants upon which noxious insects naturally breed if the adjoining landowner annually controls insect pests to the satisfaction of the Tree Warden [24 V.S.A. §2504]. A public shade tree may not be cut or removed, in whole or in part, except by a Tree Warden, or with the written permission of the Tree Warden [24 V.S.A. §2508].

A Public Hearing must be held before a public shade tree is removed within the residential part of a municipality [24 V.S.A. § 2509]. An interested party may request that the final decision be made by the Selectboard, not the Tree Warden [24 V.S.A. §2509].

§ 75-13 Violations and Enforcement

The complaint in any violation of this ordinance shall be signed by the Town Manager or designee. The original copy shall be filed with the Vermont Judicial Bureau, a copy shall be retained by the issuing municipal official, and two copies shall be given to the defendant [24 V.S.A. §1977].

A civil penalty of not more than \$500 may be imposed for a violation of this ordinance. Each day the violation continues shall constitute a separate offense [24 V.S.A. §1974a].

Violations where the penalty is \$500 or less shall be brought before the Judicial Bureau pursuant to Title 4 and Title 24, Chapter 59. Violations where the penalty is greater than \$500, or

injunctive relief other than an order that a violation cease is requested, shall be brought in Superior Court [24 V.S.A. §1974a].

§ 75-14 Appeals of Decisions of the Town Manager

With the exception of complaints as outlined in §75-13, an interested person may appeal any decision or act taken by the Town Manager or designee with the Clerk of the Selectboard by filing a Notice of Appeal with the Town Manager's office. The appeal shall be in writing, and shall include the name and address of the appellant, a description of the decision or act being appealed, a reference to the regulatory provisions applicable to that appeal, the relief requested by the appellant, and the alleged grounds why the requested relief is believed proper under the circumstances.

§ 75-15 Appeals of Decisions of the Selectboard

If an appellant is aggrieved by a decision of the Selectboard on an appeal they may appeal to the Vermont Transportation Board pursuant to 19 V.S.A. §5(d) (8).

ARTICLE III. SURVEY PROCEDURES AND REQUIREMENTS

§ 75-16 Surveys

The Town Manager or designee may authorize a survey of an existing highway to verify the location and width of the existing right-of-way, easement or fee title and to determine the extent of the interest of the public in the title. Notice must be sent by certified mail to all known abutting landowners. The survey must be based on all available evidence [19 V.S.A. §33(b)]. Employees or agents of the municipality have the right to enter property to conduct the survey, doing as little damage as possible, subject to liability for actual damage. Whenever practicable, advance notice shall be given to the owner or occupant of the property. No owner or occupant of property entered upon under authority of this section shall be liable for any property damage or personal injury resulting from the survey work [19 V.S.A. §35].

If the limits of the right-of-way cannot be determined on the ground from available evidence, then the Town Manager or designee may order a survey of the centerline of the traveled way, and a width of one and one-half rods on each side of the centerline shall be assumed and controlled for highway purposes [19 V.S.A. §33(c)]. Notice of completion of the survey, with notice of rights of appeal and statutory damages, must be sent to all known abutting landlords at least 30 days prior to recording of the survey in the Town Clerk's office [19 V.S.A. §33(e) and (f)]. Permanent monuments are to be placed in the field [19 V.S.A. §33(d)].

An abutting landowner who is dissatisfied with the survey may appeal to Superior Court within 120 days of the date when the survey results were filed with the Town Clerk [19 V.S.A. §34(a)].

Once the survey is recorded and all appeals exhausted, municipal rights to all lands outside the boundaries of the survey shall be discontinued. Title to the discontinued property reverts to the owners of abutting land [19 V.S.A. §33(g)].

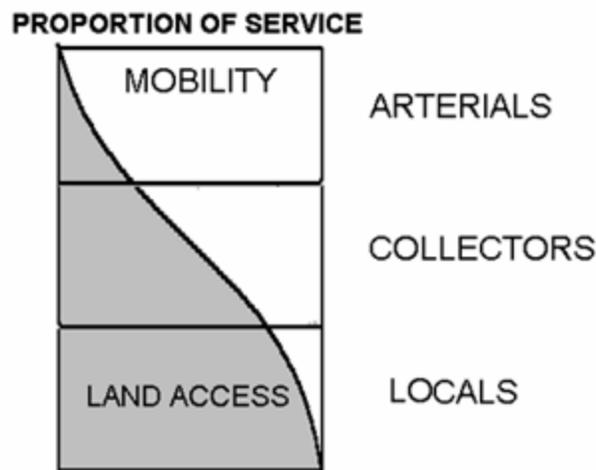
ARTICLE IV. ROAD CLASSIFICATION

§ 75-17 Highway Functional Classification

Highways vary in their functional use. Vermont's Statewide Functional Classification ranks the highways by their importance to the public's general welfare, the motorist, and the land-use structure (see Town of Hartford Functional Class of Highways Map and List, Appendix A and Appendix B).

There is a basic relationship between functionally classified highway systems in serving traffic mobility and land access, as illustrated in Figure 1.

Figure 1. Relationship of Traffic Mobility to Land²



The two major categories of roadways are *Rural* and *Urban Functional Classification Systems*. The distinction between Rural and Urban is based on population figures reported by the Bureau of Census. An Urbanized area is defined as one having a population exceeding 50,000 people. A *Small Urban* area is designated by the Bureau of Census having a population between 5,000 and 50,000. Rural areas are all areas not designated Urbanized or Small Urban (i.e., less than 5,000 people). The Town of Hartford is considered a Small Urban area with a population of 9,952³. Although Hartford is designated as a *Small Urban* area, the *Rural* roadway functional classification is more appropriate to the Town's road characteristics and therefore is applied.⁴

Under the heading of **Rural Functional Classification System**, the classifications and their subsequent criteria and characteristics are as follows:

Rural Principal Arterial

[I-89, I-91, and US4 (Woodstock Rd)]

- Serve corridor movements of substantial Statewide or interstate travel;
- Serve all urban areas of 50,000 and over population and a majority of those over 25,000 people;
- Provide an integrated network without stub connections;

² Vermont State Design Standards, October 1997.

³ Census 2010

⁴ Federal Highway Administration, FHWA Functional Classification Guidelines, April 2000.

- Primary function is the movement of traffic, access for individual properties is a secondary consideration.

Rural Minor Arterial

[US4 (Woodstock Rd), US4 (N Main St), US5, and Maple St]

- Link cities and large Towns;
- Provide service to corridors with trip lengths and travel density greater than those served by rural collectors or local systems;
- Design should be expected to provide for relatively high overall speeds with minimum interference to through movement;
- Direct access to individual property owners is discouraged.

Rural Major Collector

[Bridge St, Bugbee St, Christian St, Dewey Mills Rd, Hartford Ave, Maple St , N Hartland Rd, N Main St, Pomfret Rd, Quechee Main St, Quechee West Hartford Rd, Railroad Row, VT Route 14, Sykes Mountain Ave, and Waterman Hill Rd]

- Provide service to larger Towns not directly served by higher systems;
- Link the larger Towns to nearby larger Towns or routes of higher classification;
- Serve the more important intra-county travel corridors;
- Entrance controls (such as turn lanes, signals, signs, combined access points, etc.) should be utilized.

Rural Minor Collector

[Christian St, Dothan Rd, Jericho St, and Quechee Hartland Rd]

- Spaced at intervals consistent with population density;
- Collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road
- Provide service to the remaining smaller communities.

Rural Local

[See [Appendix B](#) for complete list of Rural Local Roads.]

- Serve primarily to provide direct access to adjacent land;
- Provide service to travel over relatively short distances as compared to collectors or other higher systems;
- Include all facilities not on one of the higher systems.

VTrans reviews the functional classification of the roadway system annually with assistance from the Towns and the Regional Planning Commissions and recommends additions and changes to the system. Roads that are classified functionally as Major Collector and above are eligible for Federal aid.

§ 75-18 Highway Classification

Town roads are classified as Class 1, Class 2, Class 3 or Class 4 highways in accordance with 19 V.S.A. §302. Hartford's Town highway classifications can be found on the Hartford Town Highway Classification Map and List in Appendix C and Appendix D of this ordinance.

§ 75-19 Highway Reclassification

The Selectboard shall periodically review the Town highway classifications, taking into consideration increasing highway need, changing traffic patterns and growing populations, including identifications of key roads that link Towns and major arteries. Selectboard may also discontinue certain highways, either classifying them as trails while retaining a right-of-way or abandoning any claim to a right-of-way. Refer to Article VII of this ordinance for more definition.

ARTICLE V. HIGHWAY STANDARDS

§ 75-20 Highway Standards

The standards by which a highway is constructed are important to its proper functioning. As the quantity of traffic in a highway increases the standards must therefore change. Many of the Town's highways are direct descendants of roadways created during a time when vehicle requirements and construction standards did not allow or provide for the vehicles used in the 21st century. Hence, it is intended to require future reconstruction of Town roads to attain a higher standard than may currently exist. A stand alone set of highway standards have been established (*Town of Hartford Department of Public Works Specifications*) that may be periodically adapted or modified. The latest specifications contain sections regarding Related Improvements in the Right-of-Way; Bicycle and Pedestrian Facilities; Geometric Standards for Road Construction; Driveways, Intersections, and Other Related Highway Construction; and Materials of Construction.

The Selectboard reserves the right to modify the standards for a particular project, where, because of unique physical circumstances or conditions, there is no possibility that the project can be completed in strict conformance with these provisions. The Selectboard may, at their discretion, vary or waive these standards to meet special circumstances or where the standard is not essential to the health, safety and welfare of the traveling public.

§ 75-21 Class 1 Highway

Class 1 highways are subject to concurrent responsibility and jurisdiction between the Town of Hartford and VTrans on several matters. The State is responsible for scheduled surface maintenance or resurfacing (19 V.S.A. Section 306(a)) while the Town of Hartford is responsible for pot hole patching, crack filling, etc.; the State is responsible for center line pavement marking

(19 V.S.A. Section 311), while the Town of Hartford is responsible for crosswalks and parking; and there is joint (concurrent) authority on highway protection matters such as obstructing travel, marking of hazards, injuring the highway, installing utilities, etc. (19 V.S.A. Chapter 11). The Agency shall determine which highways are class 1 highways (19 V.S.A. 302(1)).
Reclassification of a Class 1 Town Highway requires approval from the General Assembly.

§ 75-22 Class 2 Highways

Class 2 highways are primarily the responsibility of the Town of Hartford. The State is responsible for center line pavement marking if the municipality notifies VTrans of the need to replace them (19 V.S.A Section 311). The Town of Hartford designates highways as Class 2, but approval of VTrans is required (19 V.S.A. Section 302(a) (2)). Requests for reclassification to Class 2 are submitted to the local VTrans District Transportation Administrator.

§ 75-23 Class 3 Highways

The minimum standards for Class 3 highways are a highway negotiable under normal conditions all seasons of the year by a standard manufactured pleasure car. This would include but not be limited to sufficient surface and base, adequate drainage, and sufficient width capable to provide winter maintenance, except that based on safety considerations for the traveling public and municipal employees. The Selectboard shall, by rule adopted under 24 V.S.A. Chapter 59, and after following the process for providing notice and hearing in §709 Title 19, have authority to determine whether a Class 3 highway, or section of highway, should be plowed and made negotiable during the winter. However, a property owner aggrieved by a decision of the Selectboard may appeal to the Transportation Board pursuant to subdivision 5(d) (8) of Title 19.

A highway not meeting these standards may be reclassified as a provisional Class 3 highway if within five years of the determination; it will meet all Class 3 highway standards.

Existing Town Class 3 highways that predate geometric and construction standards and that facilitate further development on a Class 3 (or Class 1 or 2) may be required to be brought up to current highway standards by the developer, as required by the Town Manager or designee.

§ 75-24 Class 4 Highways

In accordance with 19 V.S.A. § 310(b), the Town does not provide any regular maintenance on class 4 Town highways. The Town is not obligated to perform winter maintenance on any class 4 Town highway.

The Town may perform periodic, minimal maintenance on or make minor repairs to a class 4 Town highway as time and funding permits, and when determined by the Town Manager or designee that a lack of maintenance may injure other Town highways, or when necessary to avoid permanent or irreversible damage to public property. Such work shall in no way obligate the Town to perform any future maintenance or repairs.

Maintenance by Others

1. Plowing, repair, maintenance, improvement or restoration, which will not adversely affect the highway may be granted by the Town Manager or designee.

2. No work or maintenance on any class 4 Town highway is permitted without the written authorization of the Town. The Selectboard authorizes the Town Manager or designee to review and approve of such maintenance requests.
3. Any person wishing to perform or arrange for the performance of maintenance work, including winter plowing, on a class 4 Town highway must submit a written request to the Town Manager or designee. The request shall contain drawings and descriptions of the work sufficient to review the request and make an informed decision. Written authorization from the Town Manager or designee shall be required prior to commencing any work. Any such work shall retain the pre-existing dimensions, physical character and use of the right-of-way unless otherwise approved by the Town Manager or designee.
4. Stone walls within the right-of-way shall not be damaged, altered or removed except as permitted by the Town Manager or designee or upon issuance of a Town access permit by the Town Manager or designee.
5. Trees within Town rights-of-way shall not be damaged or removed without written permission of the Town Manager or designee.
6. The applicant, by successful submission of a request to perform maintenance on such rights-of-way, agrees that:
 - a. All the requirements for signage, work safety and public safety required by law or reasonable prudence will be adhered to in connection with the work;
 - b. The work shall be done in strict accordance with specifications established by the Town Manager or designee and in conformance with this ordinance;
 - c. That the applicant and the applicant's agents shall not hold the Town responsible for any claims or injuries which may arise out of the work agreed to within the right-of-way, and agrees to indemnify and save the Town and its agents harmless against legal responsibility for any and all damage, loss or claim associated with this work;
 - d. The applicant shall bear all costs associated with the agreed upon scope of work;
 - e. A surety bond may be required for alterations and repairs, as well as for potential damage resulting from the use of rights-of-way by equipment of other means, including logging, horses, bike tours or other potentially damaging uses. The amount of surety shall reflect the anticipated costs for road repairs which may be necessary in the event of damage resulting from the use of rights-of-way and/or from noncompliance with the provisions of this policy and maintenance agreement. The surety will be returned within thirty days after the applicant notified the Town of activity completion, the Town is satisfied that all conditions of the agreement have been met, and that the right-of-way is left in proper condition.
 - f. The Town shall be named insured on a general liability policy of a minimum of \$1,000,000.00.

Inspection of Work

Upon completion of the work, the Town Manager or designee shall be notified in writing to arrange for inspection and approval of the work.

§ 75-25 Trails

In accordance with 19 V.S.A. §310, a Town shall not be liable for construction, maintenance, repair or safety of trails. The Town may perform periodic, minimal maintenance on or make repairs to a trail when a lack of maintenance may injure other Town highways or reduce recreational access to resources. Such work shall in no way obligate the Town to perform any future maintenance or repairs.

Any person wishing to perform or arrange for the performance of maintenance work, including winter plowing, on a Town trail must submit a written request to the Town Manager or designee. The request shall contain drawings and descriptions of the work sufficient to review the request and make an informed decision. Written authorization from the Town Manager or designee shall be required prior to commencing any work. Any such work shall retain the pre-existing dimensions, physical character and use of the right-of-way unless otherwise approved by the Town Manager or designee.

§ 75-26 Overweight Vehicles

The Town Manager or designee, in accordance with 23 V.S.A. Chapter 13, may issue permits for vehicles exceeding posted load limits.

In some cases, the Town Manager or designee will negotiate with the applicant for compensation for estimated road damages. Only after both parties agree to the terms will a permit be issued. The Town Manager, or designee, will inspect the proposed route both before and after the trucking operation. Probable damages to culverts, bridges, road surfaces and bases will be considered in the estimate.

Before issuing an overload permit, the Town Manager or designee shall also consider weather conditions and seasons of the year.

All damages to the highway, bridges, culverts and related structures caused by overload by applicant or by his negligence are the responsibility of the applicant and shall be repaired under the supervision of the Town Manager or designee and at the expense of the applicant. Failure to repair said damage will result in the Town completing the work and billing the applicant (19 V.S.A. §1109 and §1110).

§ 75-27 Posting

No Town road of any class may be intentionally closed by a gate or other obstruction by anyone other than the Selectboard in accordance with 19 V.S.A. §1110.

Spring Posting: Seasonal restriction (posting) may be placed on highways to prevent damage during periods when spring-time breakup makes the highway structure susceptible to damage. Posting of highways is accomplished by placing signs at each end of a highway or segment of it. The Town will post notices (indicating the roads to which the post notices applies) in at least two

public places used for municipal notifications and will file seasonal posting notices with the Vermont Department of Motor Vehicles within 3 working days of the date of posting (23 V.S.A. 1400b(b)).

§ 75-28 Right-of-Way

The Town Manager or designee shall control access into the road right-of-way for the installation or repair of utilities and for access of driveways, entrances and approaches.

Width: The width of a proposed highway right-of-way shall be a minimum of 50 feet with wider slope and drainage rights if deemed necessary by the Town Manager or designee. Highway rights-of-way may also be wider in village areas to accommodate on-street parking and sidewalks. Where the width of an existing right-of-way is not known, a roadway width of one and one half rods [24'9"] on each side of the center of the existing traveled way will be assumed and controlled for highway or trail purposes [19 V.S.A. §702].

Ownership: All new rights-of-way (if accepted by the Town) shall be transferred to the Town in fee simple and without encumbrances. Existing rights-of-way may be either owned in fee or controlled by easement. Where status is not known the Town Manager or designee may order a survey to determine the extent of interest the Town has in the right-of-way in accordance with the procedures laid out in Article III of this ordinance.

Required monumentation: Once a survey is completed, the right-of-way, easement or fee title shall be monumented in accordance with the survey plat and in such a manner that will allow its limits to be readily apparent to all adjacent property owners. Monumentation shall be permanent and shall include not less than two intervisible monuments located on, within or adjacent to the highway limits. Intervisible monuments shall be at intervals of not more than 656.2 feet (200 meters). All monuments shall be referenced to the Vermont State plane coordinate system in accordance with applicable statutes and standards in effect [19 V.S.A. §33(d)].

Clearing: The Town Manager or designee, with input from the Tree Warden, shall remove trees and bushes in the right-of-way which obstruct the view of the highway ahead or that cause damage to the highway or that are objectionable from a material or scenic standpoint. Shade and fruit trees shall be preserved if the usefulness or safety of the highway is not impaired. Young trees standing at a proper distance from the roadbed and from each other, and banks and hedges of bushes that serve as a protection to the highway or add beauty to the roadside, shall be preserved.[19 V.S.A. §904].

Permitted improvements in the right-of-way: A permit from the Town Manager or designee must be obtained for any improvements in the right-of-way [19V.S.A. §1111(a)] including but not limited to; landscaping, fences, walls, mailboxes/newspaper boxes, lighting, grading, drainage and utilities. Improvements not owned by the Town must be maintained by the individual or group making the improvements and the Town will not be responsible for damages caused by highway maintenance activities. Improvements the Town Manager or designee deem to be a safety hazard or that interfere with highway maintenance activities must be removed immediately. Consult the *Public Works Specifications* regarding specific standards of improvements in the right-of-way and permit requirements.

It shall be the responsibility of the landowner or landowner's agent to contact "Dig Safe," prior to installing an improvement in the right-of-way.

§ 75-29 Complete Streets Legislation

Vermont passed the Complete Streets Legislation, effective July 1, 2011, which ensures Vermont's roads are safe for all users, requiring transportation policy to take into account the needs of motorists, bicyclists, public transportation users and pedestrians of all ages and abilities. This policy applies when new roads are being constructed and in the reconstruction, rehabilitation, and maintenance of paved roads. It is not a mandate to retrofit existing roads. The requirement is for local and state transportation agencies to design transportation facilities to safely accommodate all users.

§ 75-30 Bicycle Treatments

On-Road Bicycle Treatments: Dedicated bike lanes are the preferred treatment for accommodating bicycles on arterial and collector highways and for other classifications of Town highways with an ADT greater than 2,000 vehicles. For all other highways with lower volumes (<2,000 ADT) vehicles and bicycles can co-exist (share lanes). In these instances, the restriping of travel lanes from 12 feet or larger to 11 feet should be considered as a means of creating wider shoulders. If on-street parking exists, travel lanes shall be a minimum of 12 feet in width to ensure extra clear space for opening car doors. Refer to Part 3 of the *Hartford Department of Public Works Specifications* for typical bicycle treatment cross section diagrams.

The Town Manager or designee shall consider, on a case-by-case basis, the necessity for bicycle lanes using the following documents as a guide or where special circumstances exist elsewhere which warrant bike lanes:

- The Hartford Pedestrian and Bicycle Plan;
- Corridor Study;
- Bicycle/Pedestrian Scoping Study for the particular road segment;

All Bike lanes shall be designed in accordance with the latest edition of the *Vermont Pedestrian and Bicycle Facility Planning and Design Manual* (2002 or as most recently amended) and the *Hartford Department of Public Works Specifications* unless there are specific design challenges that make it impractical to meet the standard. In such instances, an increased shoulder is an option since a narrower bike lane is preferable to no bike lane at all.

Multi-Use Path: The location and design of a shared use path will depend on the intended users and the context of the surroundings. When construction of a shared use path is being considered, the Town Manager or designee should refer to the *Vermont Pedestrian and Bicycle Facility Planning and Design Manual* (2002 or as most recently amended) and recommendation of the Hartford Planning Commission and/or Regional Planning Commission. When a shared use path abuts another Town, the Town Manager or designee shall seek input from the appropriate Town officials from the abutting Town.

§ 75-31 Pedestrian Facilities

Sidewalks shall be provided on arterial and collector roads, in village or commercial centers and along major residential streets. Unless already required by the Planning Commission during Subdivision or Site Development Plan approval, the Town Manager or designee shall determine the type of pedestrian facility required to comply with the Vermont Complete Streets Legislation for new roads and road extensions. If not addressed by the Complete Streets Legislation, the Town Manager or designee shall evaluate the following to determine when and where sidewalks are warranted:

- Town Highway Classification Map,
- Traffic volumes and speed
- Road geometry
- Type and intensity of the land uses in the surrounding area
- Connectivity to other sidewalks and/or to community facilities and commercial centers, and
- Existence of an alternative pedestrian facility.

The Town Manager or designee also shall consult the most recent versions of the *Hartford Pedestrian and Bicycle Plan*, any other Corridor Study or Bicycle/Pedestrian Scoping Study for the particular road segment and the most current version of the *Vermont Pedestrian and Bicycle Facility Planning and Design Manual* as a reference. All sidewalks must be constructed in compliance with the Americans with Disabilities Act (ADA).

Sidewalks on both sides of the road are preferred on arterial and collector roads. In determining whether sidewalks are necessary on both sides of the road, the Town Manager or designee shall evaluate destinations along the road, the ability to safely cross, available right-of-way, roadside limitations such as cross slope, and pedestrian circulation patterns.

A sidewalk on one side of a local street may be adequate in residential areas, especially where no existing sidewalk exists. Available ROW, roadside limitations such as cross slope, and pedestrian circulation patterns play a role in deciding whether to place sidewalks on one or both sides, and on which side.

Shoulders for Pedestrian Access: In rural areas, the installation of sidewalks is generally not feasible due to the remoteness of the area and typically low pedestrian and vehicular volumes. Exceptions where a sidewalk should be considered in rural areas include, but is not limited to a village or commercial center, areas with zoning other than rural lands or collector or arterial roads. A paved or densely compacted unpaved shoulder on one or both sides of a roadway may be acceptable as a long-term solution. Continuous edge stripes (fog lines) should be used to distinguish paved shoulders from outside travel lanes. Where unpaved shoulders are used, a highly visual and tactile contrast is desirable to clearly define the pedestrian area and discourage drivers from straying onto the unpaved shoulder.

Shared Use Paths: The location and design of a shared use path will depend on the intended users. The Vermont Pedestrian and Bicycle Facility Planning and Design Manual and recommendations of the Hartford Planning Commission and/or Regional Planning Commission are resources to be considered when construction of a shared use path is being considered. When a shared use path abuts another Town, the Town Manager or designee shall seek input from the appropriate Town officials from the abutting Town.

Crosswalks: Marked crosswalks should be located at all signalized intersections with adjoining sidewalks and at roadway intersections in the downtown, business district or village center. Crosswalks also may be considered at other locations such as midblock crossings and roadway crossings of shared use paths. However, when considering the installation of a marked crosswalk at a location not controlled by traffic signals or STOP signs, an analysis should be completed to confirm that a crosswalk in that location is justified and will be safe.

§ 75-32 Driveways, Entrances and Approaches

Driveway Permits: Under 19 V.S.A. § 1111(b), the Selectboard has the authority to regulate access onto public highways. Any new access or change in use of an existing access onto a public roadway must receive a driveway/access permit from the Town Manager or designee. Driveway permits regulate the location, design and construction of the access. Application for a driveway/ access permit shall be submitted to the Town Manager or designee at least thirty (30) days prior to the anticipated construction. No construction shall take place until the Town has issued a highway access permit. Refer to *Town of Hartford Department of Public Works Specifications* and the Driveway Entrance Permit and Application contained therein

All accesses shall meet standards established in the *Department of Public Works Specifications*. The Town Manager or designee shall review and issue access permits in instances where the application meets all applicable standards. The Town Manager or designee shall review the effectiveness of any access onto a public roadway and may require the property owner to complete subsequent modifications or rectify hazards or unsafe conditions created by the access. Where an application is denied, the applicant can appeal the decision to the Selectboard to request the standard be waived or varied.

All access permits shall be recorded in the Town Clerk's Office where other land use permits are filed.

§ 75-33 Roadsides

Upon completion of a new highway, excess debris not covered, shall be removed from the right-of-way.

Burial of wood, such as stumps will not be permitted within the right-of-way.

All disturbed portions of the roadsides shall be loamed, seeded and mulched.

§ 75-34 Utilities

For all new proposed streets or proposed extensions to streets the electric, telephone and cable TV distribution systems shall be placed underground where feasible as determined by the Town Manager or designee.

The applicant shall coordinate designs with the appropriate utility companies to ensure adequate and suitable area for underground installations.

The applicant shall be responsible for providing for water mains, manholes, sanitary sewers and catch basins if required.

Private water, sewer, or drainage infrastructure is not generally allowed within the Town right-of-way. An easement shall be obtained from the Town to locate such utilities within the right-of-

way when the Town Manager or designee determines that non-Town owned utilities (including water, sewer, and drainage) are acceptable in the proposed location.

Easements across lots or centered on rear or side lot lines shall be provided for private and public utilities and shall be at least 20 feet wide.

§ 75-35 Signs

All traffic signs shall be in conformance with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD) and paid for by the applicant.

§ 75-36 Bridges

Plans for bridges of greater than 6' span that are anticipated to be accepted as part of the Town Highway system must be submitted for review prior to construction. Construction will be authorized only after a review by the Vermont Agency of Transportation and the Town or an engineer selected by the Town, have verified that the bridge will meet all applicable Vermont Agency of Transportation Specifications. The Town may require an alternate bridge design if it determines the proposed bridge would impose a future financial burden on Town resources or is inconsistent with other Town bridge and infrastructure. The costs of reviewing the bridge will be paid by the applicant. The Town Manager or designee may waive the requirements for outside engineering review of short span bridges (i.e. those between 6 to 20 feet in span).

§75-37 Street Lights

Purpose: The purpose of this section is to provide consistent criteria for determining the location of current and future street lights to provide for the safety of vehicular and pedestrian traffic, control the impact of lights on the pre-existing and developed environment, and facilitate energy conservation.

General Criteria: In general, street lights:

1. Will be located at intersections of Town highways with Rural Principal Arterials and Rural Minor Arterials;
2. Will be located at all intersections of Town highways with Rural Major Collectors;
3. May be installed at private drives with more than ten homes located on it;
4. May be considered at intersections within residential developments that tie directly into Rural Major Collectors, if requested in writing to the Town Manager or designee, outlined below;
5. May be located where it is determined that sufficient hazards exist to vehicular or pedestrian traffic due to permanent roadway structures such as bridges or roadway geometry, and where reflectorized warnings are inadequate; and
6. May be located at entrances to Town facilities that have night time operations.

Request for Addition or Removal of Street Lights:

1. Requests related to street lights will consider traffic and pedestrian volume, comparison of nighttime versus daylight accidents rates, presence of sidewalks, proximity to school and public transportation routes, and other site specific location information.
2. An individual or neighborhood organization may submit a written request for the installation or removal of a street light. The request shall be to the Town Manager designee, and shall indicate the reason for the addition/removal and the proposed location by street and pole number.
3. Decisions on the location of street lights may be appealed to the Selectboard.
4. If a neighborhood wishes to apply for street lights that do not qualify for installation as specified in the general criteria, the residents may make private arrangements with the Electric Utility Provider and pay all costs associated with the street lights.
5. In neighborhoods served by above ground electrical service, upon approval by the Town, the residents may contract directly with the Electric Utility Provider for the installation of street light(s) on existing poles. The residents would then be billed directly by the utility provider for the cost of the light at the then applicable tariff.
6. If the neighborhood is served by underground electric service, the neighborhood must form an association as a legal entity and apply to the Town for street lights at the specific locations in their neighborhood. The cost to install street lights must be born by the association. The lights may be installed in the Town right-of-way under conditions governed by application with the Town. The association must contract with the Electric Utility Provider for the provision of energy necessary to operate the lighting system as the prevailing rates authorized by the Public Service Board.

Specifications for Street Lights: Specifications for the type and lumen output of fixtures, and the typical mounting heights will be as defined in the Town Department of Public Works Specifications.

ARTICLE VI. RIGHT OF WAY EXCAVATION PERMIT

§ 75-38 Right-of-Way Excavation Permit

Applicability: No party shall disturb the ground or pavement in any Town highway right-of-way or locate private or public infrastructure or utilities without first obtaining a written permit from the Town Manager or designee. Where an excavation is limited to construction of a driveway access, the Town ordinances and regulations for access permits shall apply (refer to § 75-32).

Town objectives: The Town shall protect its investment and ownership of the highway system and insure safety through regulation of any development within the highway right of way.

Application process: Applications for an excavation permit or for improvements to unimproved portions of the public right of way shall be made on forms provided by the Town. If a bond or surety for the proposed project in the Town right-of-way is required,

all documentation must be complete before a permit is issued. Refer to the Department of Public Works Specifications for a sample of the Right-of-Way Excavation Permit Application.

Emergencies: Nothing in this Article shall be construed to prevent any excavation activities as may be necessary for the preservation of life or property, provided that the party making such excavation shall apply for a permit on the first working day after such excavation is commenced. Even in emergency situations, notice shall be given by phone to the Department of Public Works and Police Department Dispatch, if applicable. All provisions of the article shall apply to such emergency.

General conditions of permit approval:

1. All work shall be conducted by a professional contractor. The contractor shall supply a current certificate of insurance before work commences. The contractor shall have proof of general liability coverage including but not limited to Bodily Injury, Personal/Advertising Injury, Broad Form Property Damage, Products and Completed Operations Liability and Contractual Liability with limits of, at minimum, \$1,000,000 Combined Single Limit for each occurrence, \$2,000,000 annual aggregate.

The Contractor shall also have Commercial Auto Liability Insurance covering all owned, hired and non-owned vehicles with limits of, at minimal, \$1,000,000 combined single limit for each occurrence.

The Contractor must list the Town as an Additional Insured on their Commercial General Liability Policy and Commercial Auto Liability Policy. The above referenced insurance shall remain in force while any work is being performed within the right of way.

The contractor shall also have Worker's Compensation Insurance and Employers Liability with limits at the statutory limits if contractor is required to be covered by Vermont state law. The Contractor must show evidence of Workers Compensation and Employers Liability Insurance Coverage.

2. Proof of a proper permit or license to do the work shall be provided, if such license is required under the laws of the State or ordinances of the Town.
3. The contractor shall provide proof of a Dig Safe number.
4. The contractor shall provide a plan for the protection of shade and ornamental trees and the restoration of turf in cases where the limits of work involve shade or ornamental trees.
5. Final inspection shall be conducted one year from completion of the project construction.
6. Where an excavation is to plant a tree within the public right of way, the Town Manager or designee may waive any of the above requirements.
7. The Town Manager or designee shall withhold the issuance of permits when:
 - a. Paving materials are unavailable; or

b. A satisfactory traffic, pedestrian, or utility diversion plan cannot be implemented; or

c. Unsatisfactory compliance with the General Conditions above.

8. A surety covering 100% of the estimated cost of the project impact within the Town right-of-way may be required (by the Town Manager or designee) prior to the issuance of the permit.

If the project involves the upgrade of an existing public road or extension of a public road in an existing right of way, a surety will be required.

Sureties in a form approved by the Town Manager or designee covering 100% of the estimated cost of the improvement shall be provided prior to the issuance of the permit.

The Town Manager or designee shall determine the amount of the surety. Any legal or technical expense incurred by the Town for review of the surety will be the responsibility of the development or land owner and must be paid before a permit is issued.

9. All right of way permits and easements allowing for the location of private infrastructure or utilities within the Town highway right-of-way shall be recorded in Town Clerk's Office in the Town Land Records. Excavation permits for repair activities shall not be required to be recorded unless determined by the Town Manager or designer to be in the public interest.

ARTICLE VII. LAY OUT, ALTER, RECLASSIFY, OR DISCONTINUE A TOWN HIGHWAY

§ 75-39 Application to Lay Out or Alter Highway

Applicability: Laying out new public highways or altering existing public highways is the responsibility of the Selectboard. In most cases these actions are decided by the Selectboard and rarely by petition.

Town objectives: The Town may entertain applications to lay out or alter highways when the proposed improvements will result in greater safety and/or improved efficiency of the system. The decision to lay out or alter a highway or right of way is at the sole and absolute discretion of the Selectboard who will act in the best interest of the inhabitants of the Town. When considering whether or not to accept highways the Selectboard may consider the length of the road, type of road, if the road is a dead end or loop road, number of existing or proposed dwellings or businesses served by the road, connectivity to other public roads, increase in the safety of the traveling public, convenience of the residents of the Town and/or efficiency of the transportation system. The process of laying out, altering, reclassifying or discontinuing a Town highway is regulated by state statute (19V.S.A. §701).

Initiating proceedings: The laying out or altering of a highway is initiated through one of two means: motion of the Selectboard or petition filed by persons who are either voters or landowners and whose number is at least five percent of the voters in the Town of Hartford (19 V.S.A. §708(a)).

Preliminary meeting: In an effort to minimize costs to the applicant and municipality, a preliminary review of the application shall take place. The purpose of the preliminary meeting is to clarify issues in controversy, identify documents, plans, detailed information that should be submitted as evidence at a hearing, and to circumvent untimely and unnecessary delays that would interfere with the public hearing process.

Where the Selectboard is not inclined to lay out or alter a highway, the board may reject the application prior to investment in surveys and other costs. Decisions by the Selectboard to proceed in the application process does not guarantee acceptance and the applicant does not gain any vested interest.

Application process: When the Selectboard lays out or alters a highway, as provided herein, they shall cause a survey to be made in accordance with the provisions of Article III of this ordinance and shall mark the termination of the survey by a permanent monument or boundary or refer the termination or survey by course and distance, to some permanent monument. This survey shall describe the highway and the right-of-way by courses, distances and width, and shall describe the monuments and boundaries. [10 V.S.A. §704]

Notice and hearings: The Selectboard shall promptly appoint a time and date both for examining the premises and a hearing of interested persons. Notice shall be sent by certified mail, at least 30-days in advance, to all persons owning land through which the highway may pass or abut. At least 10 days before the set time for the hearing, notice shall be provided to the Municipal Planning Commission in which the road is being proposed, notice shall be posted in the Town Clerk's and Town Manager's Office, and shall be posted in a newspaper of general circulation. (19 V.S.A. §709)

Review standards: All highways to be laid out or altered by the Town must meet the minimum standards established in Article V and Hartford Department of Public Works Specifications. Where an existing highway does not meet minimum standards established in Article V (and above specifications) and altering to meet full compliance is not reasonable, the proposed altered highway must at least be as compliant as the original highway.

Other considerations - Compensating landowners: In any situation where the Selectboard determines that a person through whose land the highway passes or abuts, is entitled to damages the Town shall pay or tender to him or her, damages as the Selectboard determines reasonable (19 V.S.A. §712). The Selectboard should receive legal counsel on any project where damages may be expected to be tendered.

Decisions: Within 60 days of the hearing, the Selectboard must return the original petition with a report on its findings and, if necessary, a completed survey (19 V.S.A. §711(a)).

Appeals: A person not satisfied with the decision may appeal to the district court (19 V.S.A. §726) or to the superior court (19 V.S.A. §740).

Recording requirements: The Selectboard's order, with the survey shall be recorded by the Town clerk in the land records. (19 V.S.A. §711(a)).

§ 75-40 Application to Reclassify or Discontinuing Highway

Applicability: Reclassifying a highway by the municipality means to change the classification of a highway while discontinuing a highway is the removal of public interest in a previously designated Town highway where all public rights are conveyed to the adjoining landowners.

Town objectives: The Town shall entertain applications to reclassify or discontinue highways and trails when the proposed changes are in the public good, necessity and convenience of the inhabitants of the municipality. The decision of an application to reclassify or discontinue a highway or trail is reserved to the sole and absolute discretion of the Selectboard who will consider the grant or denial of an application on the basis of the best interest of the inhabitants of the Town.

Initiating proceedings: The reclassification or discontinuance of a highway or trail is initiated through one of two means: motion of the Selectboard or petition filed by persons who are either voters or landowners and whose number is at least five percent of the voters in the Town (19 V.S.A. §708(a)).

Notice and hearings: The Selectboard shall promptly appoint a time and date both for examining the premises and a hearing of interested persons. Notice shall be sent by certified mail, at least 30-days in advance, to all persons owning land through which the highway may pass or abut. At least 10 days before the set time for the hearing, notice shall be provided to the Municipal Planning Commission in which the reclassification or discontinuance is being proposed, notice shall be posted in the Town Clerk's and Town Manager's Office, and shall be publicized in a newspaper of general circulation. (19 V.S.A. §709)

Discontinuance proceedings must include notice to the Department of Parks and Recreation and general abutting landowners before the right of way is abandoned so that there is opportunity for the former highway to be designated as a trail. If the discontinued highway is not designated as a trail the right of way shall belong to the owners of the adjoining lands [19 V.S.A. §775].

Review standards: The Selectboard shall determine whether reclassifying or discontinuing a highway is in the best interest of and will best serve the public welfare, the safety and the convenience of the inhabitants of the Town of Hartford.

1. VTrans has exclusive right to designate class 1 Town highways.
2. Municipalities may designate highways as class 2 with approval of VTrans.
3. Class 3 and 4 highways are the responsibility of the municipality.
 - a. When reclassifying roads from class '4' to class '3', the road shall be brought up to the road standards established in Article V of this ordinance.

b. A class 4 highway need not be reclassified to class 3 merely because there exists within the Town one or more class 3 Town highways with characteristics similar to the class 4 highway. In considering whether to reclassify a class 4 highway to class 3, consideration may be given as to whether the increased traffic and development potential likely to result from the reclassification is desirable or is in accordance with the Town plan. [19 V.S.A. §708(b)].

Decisions: Within sixty (60) days of examining the premises and hearing any interested parties, the Selectmen shall return the petition with a report of their findings and a decision whether or not to reclassify or discontinue the highway by resolution of the Selectboard (19 V.S.A. §711(a)).

Appeals: An interested person or party not satisfied with the decision may appeal to the district court (19 V.S.A. §726) or to the superior court (19 V.S.A. §740).

Recording requirements: The Selectboard's order shall be recorded by the Town Clerk (19 V.S.A. §711(a)).

ARTICLE VIII. ROAD ACCEPTANCE POLICY

§ 75-41 General Requirements

In determining whether to accept a road as a Town Highway, the Selectboard shall determine whether acceptance of the highway is in the best interest of and will best serve the public welfare, the safety and the convenience of the inhabitants of the Town of Hartford. In making this determination, the board shall consider all relevant factors, including without limitation, the following:

1. The number of dwelling or business structures served by the road and associated public safety issues
2. Whether the roadway will be used solely for the benefit of residents of the development, or predominantly by the public at large
3. Whether the cost to or impact on the Town is proportionate to the number of residents benefited
4. Whether there is to be a homeowners association that will be capable of maintaining the roadway and whether or not other amenities or site features are proposed to be owned in common by residents of the development and be maintained by a homeowners association
5. Whether there is potential for extension of the road
6. Current or potential future impact on the Town road network and Town traffic pattern
7. Impact on Town Road Maintenance resource

8. The Town Plan and Regional Plan

9. Growth patterns

If a road, street or highway is accepted by the Town of Hartford, it will receive a Town Highway designation number to be assigned by the Vermont Agency of Transportation.

An applicant shall secure all other necessary governmental permits for a land subdivision or for road construction as a condition precedent to the acceptance of a highway. Applicants retain the obligation to identify, apply for, and obtain any relevant local, state and/or federal permits. The applicant shall attach copies of any required Federal, State or Local permits to any application for road acceptance by the Town of Hartford.

All questions arising during road construction relative to construction methods, materials or specifications shall be answered by reference to this chapter, the Town of Hartford Department of Public Works specifications, and the Vermont Standard Specifications for Construction as published by Vermont Agency of Transportation.

The Town Manager or designee shall make final decisions over all questions arising during construction of new roads and shall approve all field changes.

§ 75-42 Application, plans and plats

A plan of proposed streets or roads shall be submitted to the Town for review. The plan shall be in harmony with existing or proposed streets. As far as practicable, streets shall follow natural contours. All streets shall have free access to or shall be a continuation of one or more accepted Town streets or highways.

A written application for the acceptance of a highway shall be submitted to the Town Manager or designee. The application shall be accompanied by a registered survey prepared by a Vermont registered surveyor, a proposed warranty deed of the land to be conveyed for highway purposes, and a description of the property including metes and bounds, all tangents, radii, and length of curve. The grade line and minimum radii of all curves must be shown. Property pins or monuments shall be set before a road is inspected and considered for acceptance by the Town.

All monuments shall be set before final acceptance of a road and shall be of a reasonably permanent nature and where feasible shall be "tied" by survey to other objects of a permanent nature and the "ties" shall be shown on said map. The map shall show approximate location of any property line, buildings, existing Town highways or significant landmarks within 200 feet of the proposed right-of-way.

The applicant may, in the initial application, propose a name for the road, but the Selectboard will determine the road name. The Vermont Agency of Transportation will assign a number to the road.

§ 75-43 Report of Professional Engineer on Speed Limits

A report shall be filed with the Town Manager or designee from the owner's Professional Engineer on prescribed speed limits of all sections of road to be conveyed to the Town prior to acceptance.

§ 75-44 Inspection

The Town Manager or designee or shall inspect the road site as follows:

- Before clearing.
- Before stumping.
- After rough grading.
- Upon completion of subgrading.
- During graveling.
- Before paved surface treatment.
- During placement of paved surfaces.
- Final inspection.

Resident Inspector: During construction, a resident inspector appointed by the Town Manager or designee under the sole supervision and direction of the Town may be required. All costs of resident inspection will be borne by the applicant. It will be the duty of the resident inspector to assure installation of all facilities in accordance with the approved plans and specifications for the project. Certification of project conformance by the resident inspector and the applicant's Professional Engineer will be required before acceptance. Any divergence from the approved plans must be approved by the Town Manager or designee.

The applicant shall provide compaction test results and material sieve testing to show suitability and compliance in addition to a sign-off sheet. The applicant shall have stakes set on center line with finish grades marked on them at least every 100 feet for the entire length of the street or the street side staked with distance and grades marked before each inspection.

Before final inspection, the applicant shall provide material sieve and testing results for compaction and material suitability in compliance with Town specifications. The applicant shall remove all trash from the right-of-way and the center of the turnaround and shall repair any damage done to the roadway, shoulders, drainage structures and related road items. All slopes will be seeded and mulched.

Other outside engineering and construction inspection costs incurred by the Town shall be reimbursed by the applicant. Inspections, samples and core tests may be taken by the Town before final acceptance, and all costs incurred shall be reimbursed by applicant.

§ 75-45 Completion deadline

No roads will be inspected or accepted between November 15 and April 15.

Road specifications in effect at the time of the project approval will be applicable for a period of two years from that date after which time any new road specifications will apply. The only

exception will be if the road in question at the end of the two-year period in §75-46 is under the 24-month maintenance period.

§ 75-46 Acceptance

When the road has been completed and inspected, the Town may, upon request of the applicant, begin normal maintenance for 24 months. See Town of Hartford Road Acceptance Checklist and Application contained within the Hartford Department of Public Works Specifications.

After 24 months of maintenance, if no serious defects have been observed, the deed will be recorded and the road will become a Town highway. During the 24 months of the initial acceptance period, any flaws or defects which are pointed out to the applicant will be the applicant's responsibility to correct. During this period, the Town will order the necessary signs to be erected to be provided by and installed by the applicant. The decision and determination regarding whether a "serious defect" has been observed shall be made in the sole discretion of the Town Manager or designee.

§ 75-47 Record Drawings

Upon completion of all improvements, AutoCAD engineered stamped record drawings must be submitted for acceptance by the Town Manager or designee. A mylar, 2 full size hard copies and a CD with drawings in AutoCAD format are required. A copy of the approved mylar shall be recorded in the Town of Hartford land records. The applicant shall pay all costs associated with review and recording of the record drawing. Monuments shall be set before the record drawings are submitted for acceptance and before the mylar is submitted for recording.

The as-built drawings must include the following information.

1. Surveyed locations of all roads, culverts, and other related highway corridor facilities.
2. The following shall be shown on the plans:
 - a. Width of pavement from curb to curb or shoulder to shoulder;
 - b. Right-of-way dimensions for roads;
 - c. Width of sidewalks and bike paths;
 - d. Location of street lights;
 - e. Location of driveways;
 - f. Location of street trees;
 - g. Typical cross-section of roads installed;
 - h. Location of all drainage, water, and wastewater infrastructure;
 - i. Horizontal location and invert elevations for drainage and sanitary sewer systems;
 - j. Horizontal location and top of pipe elevations for water pipe, fittings, and valves;
 - k. Center location and elevation of manhole or utility structure covers;
 - l. Location of property survey markers; and
 - m. Materials of construction of highway and utility improvements.

§ 75-48 Conveyance

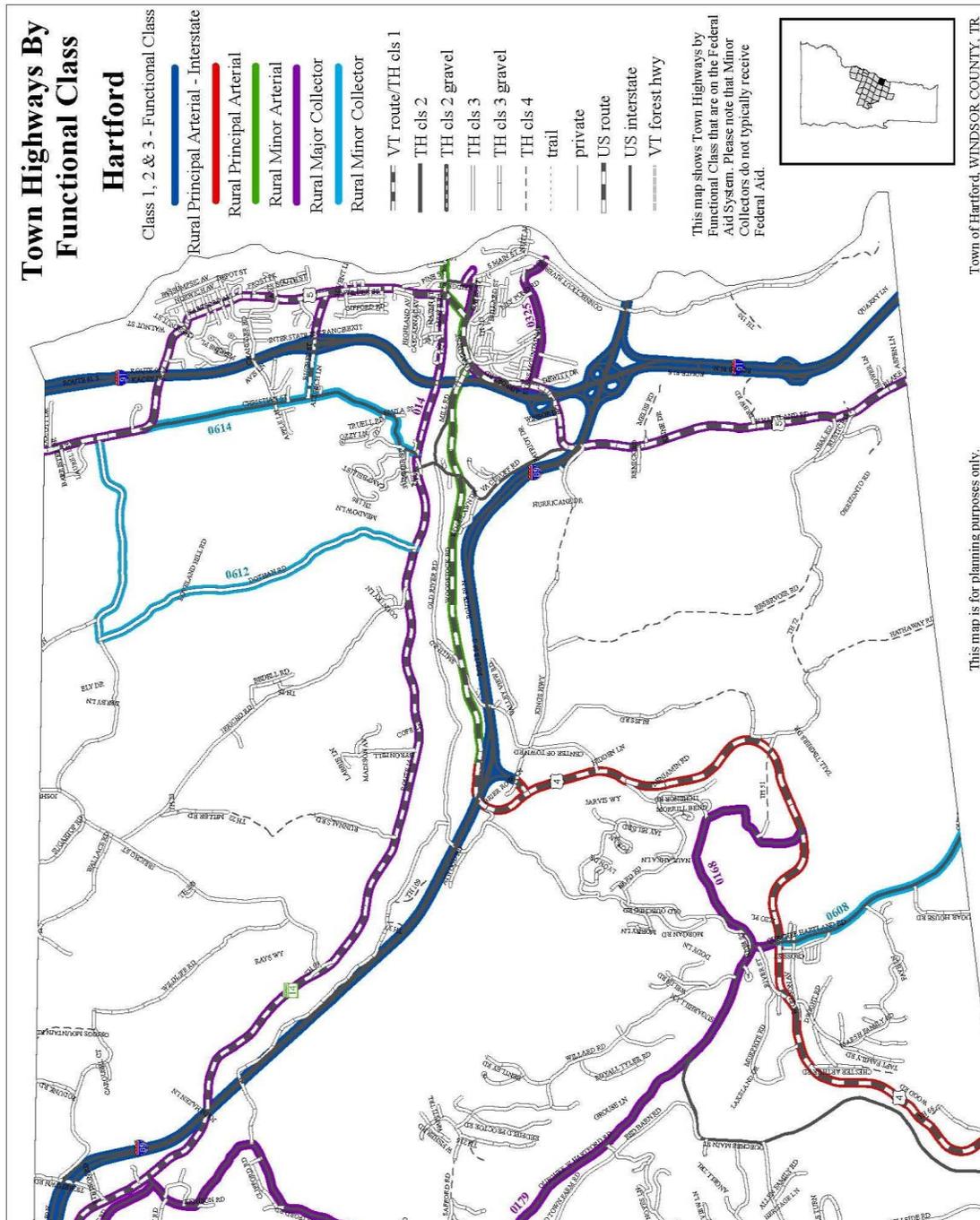
All rights-of-way and slope rights shall be conveyed to the Town of Hartford by warranty deed in fee simple and free of all encumbrances.

ARTICLE IX. TECHNICAL ASSISTANCE

§ 75-49 Independent Review

For the purposes of providing a comprehensive review of the project plans, permits, construction phase or other associated issues, the Town Manager or designee may determine a need for independent technical assistance. The technical assistance may be by a duly qualified engineer, planner, contractor, lawyer, or other professional that has a specialty in the required field. The costs associated with a technical review will be paid by the applicant and/or land owner. Refer to additional inspection requirements in § 75-44.

Appendix A: Town of Hartford Functional Class of Highways Map



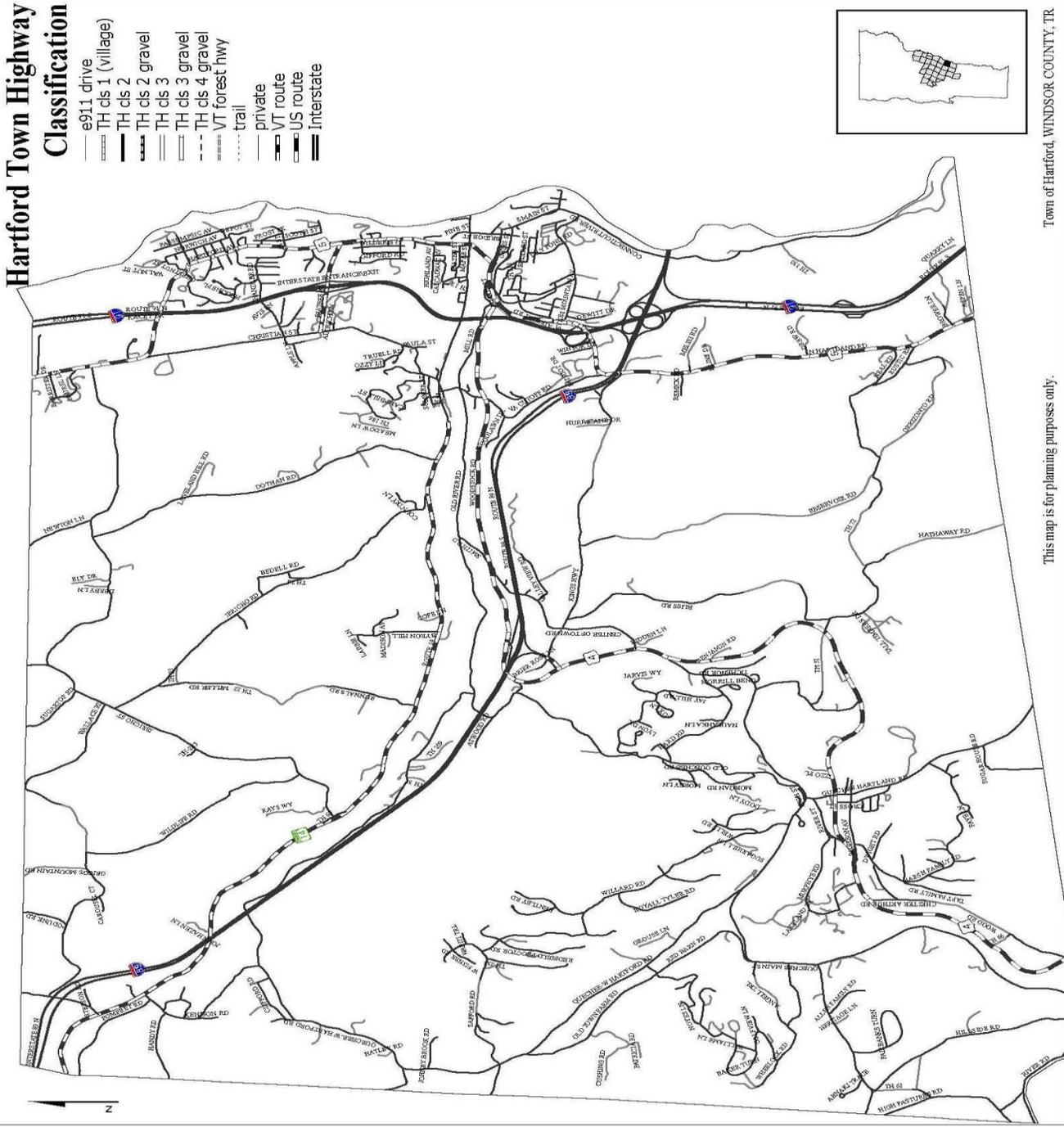
Appendix B: Town of Hartford Functional Class of Highways List

<u>Rural Principal Arterial (3)</u>			
I-89	Ash St	Davis Cir	High St
I-91	Aster Dr	Demers Av	Highland Av
US4 (Woodstock Rd)	Atwood Rd	Depot St	Hillcrest Terr
	Austin Wy	Devin St	Hillridge Rd
	Baker Turn	Dewitt Dr	Hillside Rd
<u>Rural Minor Arterial (5)</u>			
US4 (Woodstock Rd)	Barnes Av	Division St	Hiram Atkins Byway
US4 (N Main St)	Barrell Av	Drew Rd	Hitchcock Dr
US5 (N Main St)	Barrister Dr	Dwight Rd	Holiday Dr
US5 (Hartford Av)	Bayley Wy	E Fisher Rd	Hollow Dr
Maple St	Bedell Rd	E Gilson Av	Holman Av
	Beech St	Elk St	Horseshoe Av
	Bentley Rd	Elm	Howard Rd
<u>Rural Major Collector (15)</u>			
Bridge St	Beswick Dr	Elmwood Ct	James St
Bugbee St	Billings Farm Rd	Fairbanks Turn	Jarvis Wy
Christian St	Birchwood Dr	Fairview Terr	Jay Hill Rd
Dewey Mills Rd	Bliss Rd	Faye Ln	Jennifer Ln
Hartford Av	Bluff Rd	Fern St	Jericho Rd
Maple St	Bobolink Dr	Ferry Boat Crsg	Jericho St
N Hartland Rd	Bridge St	Fletcher Ln	Joe Ranger Rd
N Main St	Brier Rose Ln	Forest Hills Av	Johney Brook Rd
Pomfret Rd	Brookmeade Cir	Fox Ln	Joshua Rd
Quechee Main St	Brookside Dr	Frost Pk	Kenison Rd
Quechee West Hartford Rd	Brower Ln	Garland Row	Kilgore Ln
Railroad Row	Bullard St	Gates St	Kings Hwy
VT Route 14	Byron Hill	Gifford Rd	Kinsman St
Sykes Mountain Av	C St	Gillette St	Kipling Trace
Waterman Hill Rd	Campbell St	Golfview Ln	Kriskarli Dr
	Carousel Ct	Goudreau St	Labbie Ln
	Cascadnac Av	Greeley Shunpike	Lantern Ln
<u>Rural Minor Collector (5)</u>			
Bugbee St	Cedar St	Grovner St	Latham Works Ln
Christian St	Center of Town Rd	Half Penny Rd	Leaf Ct
Dothan Rd	Chandler Rd	Handy Rd	Lexington St
Jericho St	Charles St	Hanover St	Lily Pond Rd
Quechee Hartland Rd	Chellis St	Hard Rd	Locust St
	Chester Arthur Rd	Harper Savage Ln	Longview Ln
	Chestnut St	Harrison Av	Lower Hyde Pk
<u>Rural Local (288)</u>			
A St	Chittenden Driveway	Harry Gibbs St	Luce Meadow Rd
Abbey Rd	Church St	Hartness Wy	Lyman Batcheller Rd
Abbott St	Clarina Nichols Ln	Harvest Ln	Lyon Dr
Abnaki Trace	Clay Rd	Haswell Trace	Manning Dr
Advent Ln	Clifford Rd	Hathaway Rd	Maplewood Terr
Airport Rd	Colonial Dr	Hawthorn St	Marsh Family Rd
Albert St	Connecticut River Rd	Hazen St	Marshall Av
Alden Partridge Rd	Coolidge Driveway	Hebard St	Melisi Rd
Aldrich Ln	Costello Rd	Hemenway	Mercy Strong Ln
Allen Family Rd	Country Ln	Hemlock Ridge Dr	Mill Rd
Allison Run	Credit Ct	Hendee Wy	Miller Rd
Ammel Rd	Cross St	Henri Hill	Morey Ln
Angell Trl	Crystal Pl	Hewitt St	Morgan Rd
Apple Ln	Currier St	Hickory Rdg	Morrill Bend
	Davenport Ln	High Pastures Rd	Murphys Rd

Rural Local (288)

N Main St	Saunders Av	Wallace Rd
Naulahka Ln	School St	Walnut St
Neal Rd	Sherman Rd	Walsh Av
Newton Ln	Smith Rd	Wapiti Trl
Norwich Av	Softwood Rd	Warner Ln
Noyes Ln	South St	Wells Rd
Nutt Ln	Spaulding Ln	Westfield Dr
Oak St	Spruce St	Wheelock Rd
Olcott Dr	Stacy Ln	Wilder St
Old Quechee Rd	Stagecoach Rd	Wildlife Rd
Old River Rd	Stephen Day Ln	Willard Rd
Old Town Farm Rd	Stetson Rd	Williams Ln
Orchard Hill Rd	Stonecrest Av	Winsor Dr
Orrizonto Rd	Sugar House Rd	Wood Rd
Otis Hill Rd	Sugartop Rd	Woodlawn Dr
Overlook Dr	Summer St	Worcester Av
Ozzy Ln	Sunrise Cir	Wright Reservoir Rd
Park St	Taft Family Rd	
Passumpsic Av	Talbert St	
Paula St	Templeton Av	
Pauline Cole Dr	TH 26	
Perkins Pl	TH 51	
Phoenix Rd	TH 66	
Pierce St	TH 69	
Pine St	TH 113	
Pingree Ln	TH 119	
Pleasant View Terr	TH 120	
Podunk Rd	TH 132	
Prospect St	TH-139	
Quechee Main St	TH 176	
Ravenswood Terr	TH 186	
Raymond Cir	TH 236	
Recreation Dr	TH 254	
Red Barn Rd	TH 255	
Redfield Proctor Rd	TH-278	
Remember Baker Ln	TH-283	
Remick Rd	Third Av	
Reservoir Rd	Thomas St	
Richards Rd	Tichenor Rd	
Ridge View Rd	Tigertown Rd	
River Rd	Truell Rd	
River St	Underhill Ln	
Robert Frost Ln	Union St	
Round House Rd	Upper River Rd	
Royall Tyler Rd	VA Cutoff Rd	
Royce Wy	Valley View Rd	
Runnals Rd	Vermont Dr	
Rustic Rd	Verna Ct	
Ry-Kris Ln	Victory Cir	
S Main St	Village Green	
Safford Rd	W Fisher Rd	
Sargent St	W Gilson Av	

Appendix C: Town of Hartford Highway Classification Map



Town of Hartford, WINDSOR COUNTY, VT

This map is for planning purposes only.

Appendix D: Town of Hartford Highway Classification List

<u>Town Highway Class 1</u>	Brier Rose Ln	Forest Hills Av	Joshua Rd
Maple St	Brookmeade Cir	Fox Ln	Kenison Rd
	Brookside Dr	Frost Pk	Kilgore Ln
<u>Town Highway Class 2</u>	Bullard St	Garland Row	Kings Hwy
Bridge St	Byron Hill	Gates St	Kinsman St
Bugbee St	C St	Gifford Rd	Kipling Trace
Christian St	Campbell St	Gillette St	Kriskarli Dr
Dewey Mills Rd	Carousel Ct	Golfview Ln	Labbie Ln
Mill Rd	Cascadnac Av	Goudreau St	Lantern Ln
N Main St	Cedar St	Greeley Shunpike	Latham Works Ln
Pomfret Rd	Center of Town Rd	Grovner St	Leaf Ct
Quechee Hartland Rd	Chandler Rd	Half Penny Rd	Lexington St
Quechee Main St	Charles St	Handy Rd	Lily Pond Rd
Quechee West Hartford Rd	Chellis St	Hanover St	Locust St
Sykes Mountain Av	Chester Arthur Rd	Hard Rd	Longview Ln
VA Cutoff Rd	Chestnut St	Harper Savage Ln	Lower Hyde Pk
Waterman Hill Rd	Chittenden Driveway	Harrison Av	Luce Meadow Rd
	Church St	Harry Gibbs St	Lyman Batcheller Rd
<u>Town Highway Class 3</u>	Clarina Nichols Ln	Hartness Wy	Lyon Dr
A St	Clay Rd	Harvest Ln	Manning Dr
Abbey Rd	Clifford Rd	Haswell Trace	Maplewood Terr
Abbott St	Colonial Dr	Hathaway Rd	Marsh Family Rd
Abnaki Trace	Connecticut River Rd	Hawthorn St	Marshall Av
Advent Ln	Coolidge Driveway	Hazen St	Melisi Rd
Airport Rd	Costello Rd	Hebard St	Mercy Strong Ln
Albert St	Country Ln	Hemenway	Miller Rd
Alden Partridge Rd	Credit Ct	Hemlock Ridge Dr	Morey Ln
Aldrich Ln	Cross St	Hendee Wy	Morgan Rd
Allen Family Rd	Crystal Pl	Henri Hill	Morrill Bend
Allison Run	Currier St	Hewitt St	Murphys Rd
Ammel Rd	Davenport Ln	Hickory Rdg	N Main St
Angell Trl	Davis Cir	High Pastures Rd	Naulahka Ln
Apple Ln	Demers Av	High St	Neal Rd
Ash St	Depot St	Highland Av	Newton Ln
Aster Dr	Devin St	Hillcrest Terr	Norwich Av
Atwood Rd	Dewitt Dr	Hillridge Rd	Noyes Ln
Austin Wy	Division St	Hillside Rd	Nutt Ln
Baker Turn	Dothan Rd	Hiram Atkins Byway	Oak St
Barnes Av	Drew Rd	Hitchcock Dr	Olcott Dr
Barrell Av	Dwight Rd	Holiday Dr	Old Quechee Rd
Barrister Dr	E Fisher Rd	Hollow Dr	Old River Rd
Bayley Wy	E Gilson Av	Holman Av	Old Town Farm Rd
Bedell Rd	Elk St	Horseshoe Av	Orchard Hill Rd
Beech St	Elm	Howard Rd	Orrizonto Rd
Bentley Rd	Elmwood Ct	James St	Otis Hill Rd
Beswick Dr	Fairbanks Turn	Jarvis Wy	Overlook Dr
Billings Farm Rd	Fairview Terr	Jay Hill Rd	Ozzy Ln
Birchwood Dr	Faye Ln	Jericho Rd	Park St
Bliss Rd	Fern St	Jericho St	Passumpsic Av
Bluff Rd	Ferry Boat Crsg	Joe Ranger Rd	Paula St
Bobolink Dr	Fletcher Ln	Johney Brook Rd	Pauline Cole Dr

<u>Town Highway Class 3</u>	
Perkins Pl	Templeton Av
Phoenix Rd	TH 113
Pierce St	TH 119
Pine St	TH 120
Pingree Ln	TH 132
Pleasant View Terr	TH 137
Podunk Rd	TH 176
Prospect St	TH 186
Quarry Ln	TH 236
Quechee Main St	TH 254
Railroad Row	TH 255
Ravenswood Terr	TH 26
Raymond Cir	TH 51
Recreation Dr	TH 51
Red Barn Rd	TH 66
Redfield Proctor Rd	TH 69
Remember Baker Ln	Third Av
Remick Rd	Thomas St
Reservoir Rd	Tichenor Rd
Richards Rd	Tigertown Rd
Ridge View Rd	Truell Rd
River Rd	Underhill Ln
River St	Union St
Robert Frost Ln	Upper River Rd
Round House Rd	Valley View Rd
Royall Tyler Rd	Vermont Dr
Royce Wy	Verna Ct
Runnals Rd	Victory Cir
Rustic Rd	Village Green
S Main St	W Fisher Rd
Safford Rd	W Gilson Av
Sargent St	Wallace Rd
Saunders Av	Walnut St
School St	Walsh Av
Sherman Rd	Wapiti Trl
Smith Rd	Warner Ln
Softwood Rd	Wells Rd
South St	Westfield Dr
Spaulding Ln	Wheelock Rd
Spruce St	Wilder St
Stacy Ln	Wildlife Rd
Stagecoach Rd	Willard Rd
Stephen Day Ln	Williams Ln
Stetson Rd	Winsor Dr
Stonecrest Av	Wood Rd
Sugar House Rd	Woodlawn Dr
Sugartop Rd	Worcester Av
Summer St	Wright Reservoir Rd
Sunrise Cir	
Taft Family Rd	
Talbert St	

<u>Town Highway Class 4</u>
Brower Ln
Jennifer Ln
Ry-Kris Ln
TH-139
TH-278
TH-283