

# Townshend Winter Maintenance Ordinance

**SECTION 1. AUTHORITY.** Under the authority granted in 23 V.S.A. Section 11308 19 V.S.A. Section 304 (6), and 24 V.S.A. Section 1972, the Select Board of the Town of Townshend hereby adopts the following regulations concerning Winter maintenance of roads.

## SECTION 2.

### Article A. General

- i. **Responsibilities.** The Town of Townshend is responsible for maintaining 55.65 miles of road.
- ii. **Resources.** The Highway Department uses weather forecasts as provided by the Internet and the National Weather Service out of Albany, NY when planning for winter operations.

### Article B. Operations/Procedure

- i. **General.** During the winter period generally extending from November through April, the Highway Department is primarily focused on snow and ice removal. The Highway Department has direct responsibility for management of roads, acting under the general policy and authority of the Road Commissioner(s) and Select Board. •

**Operations.** Using the resources available and reasonable judgment based on experience, the Highway Department will determine the appropriate level and timing of snow/ice control to be performed. Employees shall be contacted for quick response times and drivers are given the responsibility to make decisions regarding snow/ice removal as dictated by on-site evaluations, storm severity, and recommendations from the Road Commissioner(s) and Select Board. Although a routine plan for winter operations is set up, all storms are unique and unpredictable so deviations in the normal routine may have to occur.

- iii. **Equipment.** To aid in winter operations, the Highway Department has various equipment available. In an emergency situation where Town equipment is out of service for repair or the situation is beyond the ability of the Town, supplemental equipment and/or operators may be rented/contracted from area professionals.

- iv. **Materials.** Stockpiles of sand and salt are stored at the Townshend town garage. A small amount of sand and salt is kept at the Town Garage for public non-commercial use.

- V. **Snow Plowing and Sanding/Salting Operations..**

- a) Specific routes have been assigned to each truck and priorities are given to school bus routes, main streets, hills and corners. The time frame for clearing varies markedly with the severity and duration of the storm.
- b) Other factors that affect our plan are: nighttime plowing, commuter traffic, parked cars, equipment breakdowns, and assistance to emergency departments. It is important to wing back snow on road shoulders following each major storm and this shall be addressed as soon as roads are open and storms subside.
- c) Salt (sodium chloride) only works when the ambient and pavement temperatures are above 10 degrees Fahrenheit. If a storm occurs below this temperature the Town will only continue to remove snow build up on roads. If icing occurs in wheel paths, then a light application of sand will be applied to provide traction.

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- d) The Town will apply salt (above 10° F) when depth ranges from a dusting to three (3) inches. Generally, depths above four (4) inches will require plowing.
- e) Townshend does not plow Class 4 roads or private driveways.
- f) Townshend does not have a bare-roads policy. During snow storms any deep snow will be removed, but some snow may cover the road surface.

**vi. Hours** Snow removal operations usually start at 3:00 a.m. to have major roads and school bus routes maintained by 7:00 a.m. Due to driver rest rules, there will be limited maintenance between 11:00 p.m. and 3:00 a.m., except as needed by emergency vehicles.

## SECTION 3. Laws and Ordinances

**Article A.** Title 23, Section 1126(a) VSA. Prohibits plowing/depositing snow onto or across the traveled way, shoulder or sidewalk of a state highway or Class 1, 2, or 3 town highway.

**Article B.** Title 19, Section 1111 VSA and Title 19, Section 1105 VSA. Prohibits encroachment in the Town's right-of way (ROW) without prior approval by the Select Board. Objects in the ROW are placed at the owners risk and the Town assumes no responsibility for any damages. Common items are fences, lawn markers, flower pots, basketball hoops, etc. The legal right-of-way is 24 % feet from the road center line.

**Article C.** Title 19, Section 1111(b) VSA prohibits the depositing of "material of any kind **within, or** to in any way affect the grade of a highway right-of-way, or obstruct a ditch, culvert, or drainage course that drains a highway, or fill or grade the land adjacent to a highway so as to divert the flow of water onto the highway right-of-way." Snow is not to be pushed or placed into these areas at any time.

**Article D.** Section 4, Townshend Parking Ordinance. Bans parking on Town streets from midnight (12:00 a.m.) to 6:00 a.m. from November 1 through April 15. If storms occur during day time, vehicle owners should try to park out of the right-of-way during snow removal operations.

**Article E.** Title 23, Section 1104 VSA and Section 3.f Townshend Parking Ordinance. Prohibits parking a vehicle on a sidewalk.

## SECTION 4. Public Awareness

**Article A. General.** The Town Highway Department and the general public need to work together to ensure safe and efficient winter snow removal operations. As part of the communication process, the public shall heed the following items:

- i. Children cannot be allowed to build forts, tunnels, or other structures, or be allowed to play on/in roadside snow banks.
- ii. Respect the plow trucks. Do not tailgate them, yield to them, and give them room to do their jobs. Homeowners who shovel their properties should move back as a plow approaches so as not to be hit by debris, covered in snow, or be in the way if the plow truck loses control because of slippery roads. The Town Highway Department does not try to put snow back into residents' drive and walkways. Due to narrowness of roads and rules of basic plowing, it is impossible to keep snow out of drive and walkways. Making more work for the public is not our intention.

ii. Any concerns or problems with road conditions shall be directed to the Town Garage at 365-4260 (please leave a message).

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iv. Heavy snow coming off plows can take down mailboxes so make sure they are secure before winter. The Town will only fix or replace mailboxes if they were physically damaged by a plow, upon determination by the Road Commissioner(s) with respect to the Select Board. See the U.S.P.S. Postal Regulations for Mailbox standards.

**SECTION 5. Penalty.** Any person, firm, business, or corporation violating any provisions of this Ordinance, or any Rule or Regulation formulated hereafter, shall be punishable by fine not to exceed Two Hundred and No/100 (\$200.00) Dollars per violation.

**SECTION 6. Severability.** Should any provision of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of other provisions, or of this Ordinance, as a whole, it being the legislative intent of the provisions of this Ordinance shall be severable and remain valid notwithstanding such declaration.

## **SECTION 7. Conflicting Ordinances, Orders, Rules and Regulations**

**Suspended.** At all times when the orders, rules and regulations made and promulgated pursuant to this Ordinance shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations of the Town of Townshend in so far as the latter may be inconsistent therewith.

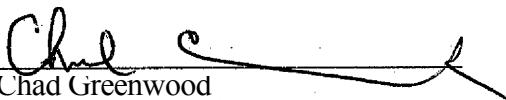
**SECTION 8. Effective Date.** This Ordinance shall effect on the Twenty first day of January, 2013, in accordance with the provisions of 24 V.S.A. Section 1972 or Amendments thereto.

Executed at Townshend, Vermont this 21 day of January, 2013.

Hedy A. Harm  
Hedy Harm, Chair

  
Henry (Kit) Martin

Jeff Russ  
Jeff Russ  
David Dezendorf  
David Dezendorf

  
Chad Greenwood