

ORDINANCE
REGULATING ENFORCEMENT OF TRUCK WEIGHT LIMITS

WHEREAS, the Town of Norwich has, by authority granted in 23 V.S.A. § 1400a, the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate weight limits for trucks that travel on Class 2, 3 and 4 Town Highways situated within the boundaries of the Town of Norwich;

NOW, THEREFORE, to protect public safety and well being, and to promote the responsible use of Town-owned infrastructure, the Selectboard of the Town of Norwich hereby adopts this ordinance to regulate the use of Town Highways by Trucks.

ARTICLE I. Definitions.

- a. "Highway Administrator" means the head of the Norwich Highway Department.
- b. "Officer" means any Norwich Police Officer.
- c. "Town Highway" means any Class 2, 3 or 4 highway, road, street or other public way, as defined in 19 V.S.A. § 302.
- d. "Truck" means any motor truck (as defined by 23 V.S.A. § 4(22)), tractor trailer or other motor vehicle that desires to operate on Town Highways with weights exceeding base limits as defined by 23 V.S.A. § 1932(1)-(3).
- e. "Truck Operator" means either the owner or lessee of the vehicle or the person who moves or operates a Truck.
- f. "Weight Limits" means weight limits as defined in 23 V.S.A. Sections 1391, 1392(4)-(21) and 1400.

ARTICLE 2. Requirements.

With the adoption of this ordinance, a Truck Operator will be required to be in compliance with State of Vermont requirements and registration for operation of an excess weight vehicle.

The Truck Operator shall be required to maintain the following information:

- a) Proof of compliance with current State requirements (e.g. a copy of necessary state permit(s) and/or registration)
- b) Copy of current insurance coverage including general liability coverage

When in compliance as required in this provision, a Truck Operator may operate a Truck on Norwich Class 2 and Class 3 roads; **and** with specific, prior written approval of the Highway Administrator, on Class 4 roads.

ARTICLE 3. Special Provisions:

Mud Season Requirements: During mud season when roads are posted, a resident of Norwich may receive permission for their truck to make trips from and to the owner's home IF it is determined by the Highway Administrator for the Town of Norwich that the trips will not cause undue damage to the posted roads. All Truck Operators seeking to utilize Class 4 roads during mud season must establish a travel pattern that is acceptable to the Highway Administrator to assure that such trips do not cause undue damage to such roads. Permission granted by the Highway Administrator may be rescinded if road conditions warrant it.

ARTICLE 4. Enforcement:

A Truck which is in compliance with State of Vermont requirements for its weight by authority granted in 23 V.S.A. Sections 1391, 1392(4)-(21) and 1400 is **in compliance** with this Ordinance

If a Truck is *not* in compliance with State of Vermont requirements, the Town may assess the penalties provided in 23 V.S.A. § 1391a.

ARTICLE 5. Severability. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

ARTICLE 6. Effective Date. This ordinance shall become effective 60 days after its adoption by the Town of Norwich Selectboard and shall remain effective for a period of two years following adoption, unless then extended by a vote of the Selectboard or; unless earlier amended as engineering information demands.

June 28, 2006

Date

TOWN OF NORWICH SELECTBOARD

Alison M. May, Chair

John C. Candon

Ben Ptashnik

Gerard Chapdelaine

Edwin S. Childs

ADOPTION HISTORY:

1. Agenda item at regular Selectboard meeting held on June 28, 2006.
2. Read and approved at regular Selectboard meeting on June 28, 2006 and entered in the minutes of that meeting which were approved on _____.
3. Posted in public places on _____.
4. Notice of adoption published in the _____ newspaper on _____ with a notice of the right to petition.
5. Other actions [petitions, etc.]