

Chapter 2. Highway Obstructions**§7201. Structures permanently encroaching on highway right of way**

Unless otherwise authorized by law or by action of the Board, no person shall build, erect, or construct or allow or cause to be built, erected, or constructed a fence, building, or other permanent structure or any portion thereof within any portion of the rights of way of Village streets and highways, provided however, any such fence, building, or other permanent structure presently existing so as to encroach upon the rights of way of Village streets and highways may be repaired, maintained, and reconstructed provided such encroachment is not thereby enlarged.

§7202. Structures temporarily encroaching on highway right of way

Unless otherwise authorized by law, by action of the Board, or by permit issued pursuant to a provision of the Woodstock Village Ordinances, no person shall place, erect, or maintain or cause to be placed, erected, or maintained a temporary structure or any portion of a temporary structure within any portion of the rights of way of Village streets and highways, provided, however, this provision shall not apply to the placement of a temporary structure or portion thereof outside the roadway portion of a highway right of way for less than twelve hours in one day which does not obstruct or interfere with pedestrian or other lawful traffic or use of the area outside the roadway portion of a highway right of way.

§7203. Diversion of water onto highway right of way

No person shall fill, excavate, or grade or allow or cause to be filled, excavated, or graded private land so as to divert the flow of water and runoff onto any portion of the rights of way of Village streets and highways.

§7204. [Repealed]History:

1996 Amendment. Section setting penalties was repealed by section 1(J) of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996.

§7205. [Repealed]History:

1996 Amendment. Section relating to penalties was repealed by section 1(K) of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996.

§7206. Water and sewer line maintenance; duties of owners

- (a) The Board finds that leaking water from water and sewer lines has in the past created a public hazard by depositing debris or by pooling or icing over portions of Village streets and/or sidewalks from time to time due to lack of immediate remedial action by those responsible for correcting the leakage.
- (b) For purposes of this section:

- (b) The owner of a property served by a water or sewer service pipe shall be deemed to be the owner of the service pipe between the point at which such pipe connects to any structure on the property and the point at which such pipe connects to the water or sewer main line (hereinafter singularly and collective referred to as “a private service pipe”); and
- (c) The water main lines are deemed to be owned by the person or company which is or ought to be licensed by the state of Vermont to operate such main lines (hereinafter whether one or more, “the water company”). The water company shall notify the Village Manager of such licensure and of which main lines are covered. The water company shall also provide current contact information as and when requested by the Village Manager.
- (d) The owner of a private service pipe shall be responsible for its maintenance and repair and such owner shall have the duty to take all reasonable precautions to avoid leakage of such pipe(s).
- (e) The water company shall be responsible for maintenance and repair of the water main lines and shall take all reasonable precautions to avoid leakage of such main(s).
- (f) Upon knowledge or notification of a leak:
- (1) The owner of a leaking private service pipe shall promptly take all action necessary to stop the leakage including closing appropriate valves and repairing or replacing any damaged pipe, and also shall take all such other remedial actions as are necessary to clear Village streets and sidewalks of accumulated water, ice, or debris;
 - (2) The water company shall promptly take all action necessary to stop the leakage of any main line including closing appropriate valves and repairing or replacing any damaged pipe, and also shall take all such other remedial actions as are necessary to clear Village streets and sidewalks of accumulated water, ice, or debris; and
 - (3) The water company shall promptly notify the Village Manager of any private service pipes suspected to be involved in any leakage and of the owner(s) of such water pipe(s), and also shall take all such other remedial actions as are necessary to assist such owner in performance of its duties hereunder.
- (g) All actions required to be taken pursuant to any provision of this section shall also be done in compliance with other applicable ordinances, permits, laws, and regulations, including without limitation the provisions of Chapter 3 of this Title 7.
- (h) In the event and/or to the extent that an owner of a leaking private service pipe or a water company shall fail to act when and as provided in the preceding provisions of this section, or in the event that a leakage occurs and notice cannot be given promptly for whatever reason, the Village may proceed to take and perform any and all action(s) which would have been required of the responsible party, in which event the Village shall have the right to recover an amount for actual employee time for such action(s) at the rate of fifty dollars per hour together with any actual expenditures related thereto, including without limitation the payment to subcontractors of the Village for time and/or expense in the performance of any such action(s), by action of contract on this subsection.
- (i) Any person who shall violate subsection (c), (d), (e), or (f) of this section shall be subject to the penalties provided in the Woodstock Village Ordinances therefor whether

or not the Village takes the remedial action(s) provided in subsection (g) of this section.

(j) Any person who shall refuse or neglect to pay any reimbursement which is due pursuant to subsection

(k) of this section shall be subject to the penalties provided in the Woodstock Village Ordinances therefor. This offense is separate from and in addition to the offense set forth in subsection

(l) of this section.

(m) This section does not regulate runoff water separate from water and sewer service pipes.

History:

2005 Amendment. Section 7206 was added by section 1 of Woodstock Village Ordinance Revision #24, adopted by the Board on May 24, 2005, effective July 23, 2005.

§7207. Runoff from sump pumps, hoses, roof drains, and other discharges

(a) No person shall allow water discharging through a sump pump, hose, roof drain or by other artificial device or means, directly or indirectly, to run off onto Village streets and/or sidewalks.

(b) Upon notice or knowledge of any unlawful discharge of water under subparagraph (a), the responsible person shall promptly take all action necessary to stop the discharge from running off onto Village streets and/or sidewalks.

(c) Whenever there is an unlawful discharge of water allowed to run off onto Village streets and/or sidewalks, the Village may cause such streets and/or sidewalks to be cleared of accumulated water, ice, or debris so as to be rendered safe for vehicular and/or pedestrian traffic, in which event the Village shall have the right to recover an amount for actual employee time for such action(s) at the rate of fifty dollars per hour together with any actual expenditures related thereto, including without limitation the payment to subcontractors of the Village for time and/or expense in the performance of any such action(s), by action of contract on this subsection.

(d) Any person who shall violate subsection (a) or (b) of this section shall be subject to the penalties provided in the Woodstock Village Ordinances therefor whether or not the Village takes the remedial action(s) provided in subsection (c) of this section.

(e) Any person who shall refuse or neglect to pay any reimbursement which is due pursuant to subsection (c) of this section shall be subject to the penalties provided in the Woodstock Village Ordinances therefor. This offense is separate from and in addition to the offense set forth in subsection (d) of this section.

(f) This section does not regulate runoff water from leaking water and sewer service pipes.

History:

2005 Amendment. Section 7207 was added by section 2 of Woodstock Village Ordinance Revision #24, adopted by the Board on May 24, 2005, effective July 23, 2005.