

TITLE 8  
TRAFFIC, VEHICLES & PARKING

Chapter 1. General Provisions

Subchapter 1. Definitions

**§8101. Definitions of words and phrases**

For the purposes of this title, the following words and phrases shall have the meanings set forth herein unless the context clearly indicates otherwise:

- (a) "Authorized emergency vehicle" means any vehicle of a fire department, any police vehicle, any public or private ambulance, any Village highway department vehicle, any vehicle operated by a public health officer in attending the duties of such office, any vehicle of a publicly regulated utility on an emergency call, and any vehicle for which a siren and signal lamp permit has been issued pursuant to 23 V.S.A. §1252(a) (1) or §1252(a)(2).
- (b) "Bicycle" means every device propelled by human power upon which an individual or individuals may ride having two tandem wheels either of which is sixteen inches or more in diameter.
- (c) "Bus" means a motor vehicle longer than twenty-five feet with a seating capacity of more than seven individuals operated upon the public roadways for the purposes of receiving, discharging and/or transporting passengers for hire.
- (d) "Bus loading zone" means the following portions of roadway in the Village during the periods of time specified:
  - (1) On the south side of the street known as The Green from a point beginning at the intersection of the street known as The Green and Central Street and extending westerly a distance of fifty feet, at any time;
  - (2) On the west side of Court Street from a point beginning fifteen feet south of the intersection of The Green and Court Street and extending southerly a distance of fifty feet, at any time;
  - (3) On the west side of Elm Street from a point beginning at the intersection of Elm Street and Central Street and extending northerly a distance of fifty feet, at any time;
  - (4) On the west side of Court Street from the southernmost point of the loading zone defined in subsection (4)(B) of this section and extending southerly a distance of fifty feet, from September 1 to October 31, inclusive, of each year from 8:00 A.M. to 8:00 P.M.; and

- (e) On the north side of the street known as The Green from a point ten feet west of the westerly boundary line of the Town Hall property and extending westerly a distance of fifty feet, from September 1 to October 31, inclusive, of each year from 8:00 A.M. to 8:00 P.M.
- (f) "Chief of Police" means the chief of the Village Police Department, or, in his or her absence or if there is a vacancy in that position, then the individual designated by the Trustees to perform the duties of Chief of Police from time to time.
- (g) "Crosswalk" means
  - (1) That portion of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the edges of the traversable roadway; and
  - (2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by painted lines or other durable markings on the surface of the roadway.
- (h) "Curb" means the lateral boundary of a roadway whether such boundary is marked by curbing construction or not so marked.
- (i) "Driver" means an individual engaged in operating or attempting to operate a vehicle or who is in actual physical control of a vehicle.
- (j) "Edge of the roadway" means the extreme limit of the paved or traveled area within the boundaries of the highway exclusive of sidewalk areas and shoulders.
- (k) "Employee Parking Area" Area within a public parking area designated by RESOLUTION of the Village Trustees, to be dedicated as permit parking for use by employees of downtown village businesses who display a valid long term parking permit on their vehicle, and are in compliance with the rules and regulations contained in the RESOLUTION.
- (l) "Gross vehicle weight" means the total weight of any vehicle or combination of vehicles and the load or loads thereof as defined by Vermont statute.
- (m) "Highway" means the same as "street".
- (n) "Immobilization Device" A A mechanical device that attaches to a vehicle in such a way as to immobilize a vehicle without damaging the vehicle, unless a person attempts to drive the vehicle with the immobilization device attached to the vehicle
- (o) "Individual" means a natural person.
- (p) "Intersection" means the area included within the prolongation of the property lines of two or more streets which join at an angle, whether or not such streets cross, and "intersect" and "intersecting" when referring to a street or roadway means to join at an angle, whether or not crossing.
- (q) "Moped" shall have the same meaning as "motorcycle".
- (r) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.
- (s) "Motor vehicle" means every vehicle which is propelled or drawn by power other than muscular power.

(t) "Official traffic-control devices" means all signs, markings, and devices not inconsistent with this title or applicable Vermont law placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic or parking.

(u) "Operator" shall have the same meaning as "driver".

(v) "Owner" when referring to vehicles shall mean any person holding legal title to a vehicle or having exclusive right to the use or control thereof for a period of thirty days or more.

(w) "Park" or "Parking" when prohibited or restricted means to stand a vehicle whether or not occupied, whether or not the engine is running, and whether or not loading or unloading passengers, baggage, or freight.

(x) "Parking meter" means a mechanical device placed in accordance with this title at any parking meter space in the parking meter zone, which device continuously indicates, by the use of a clock mechanism, the amount of available parking privilege time remaining for any vehicle then parked in such space provided the individual who has parked such vehicle in such space shall not then be violating some other provision of this title.

(y) "Parking meter space" means any portion of a highway or public parking area within the parking meter zone designated for the parking of a single vehicle by lines painted or otherwise durably marked on the surface of such highway or area in accordance with this title and at or adjacent to which is placed a parking meter.

(z) "Parking meter zone" means any portions of Village highways and public parking areas situated within the following limits:

(1) The northerly side of Central Street beginning in front of a property known as 28 Central Street and extending westerly to Elm Street;

(2) The Northerly side of Central Street east of the driveway of the U.S. Post Office Building;

(3) The southerly side of Central Street beginning in front of a property known as 79 Central Street westerly to the easterly terminus of the street known as The Green;

(4) The easterly side of Elm Street from Central Street northerly to the southerly boundary of the property known as 29 Elm Street.

(5) The westerly side of Elm Street from property located at 6 Elm Street northerly to the Dana House at 26 Elm Street.

(6) The northerly side of the street named The Green from Elm Street westerly to Mountain Avenue;

(7) The southerly side of The Green, along the fence, from the easterly end of the Village Green to the westerly end of the Village Green;

- (8) The northerly side of The Green, along the fence, from the easterly end of the Village Green to the westerly end of the Village Green;
- (9) The southerly side of the street named The Green from the westerly terminus of Central Street westerly to Court Street;
- (10) The easterly side of Mechanic Street from the southerly boundary of the Blacksmith Shop property, so-called, southerly to the footbridge crossing the Kedron Brook;
- (11) The parking metered portion of the parking area owned by the Village, situated west of Mechanic Street and the 20 parking metered spaces in the Norman Williams Public Library Lot being leased by the Village.
- (12) The parking metered portion which is located easterly of the private drive located westerly of the Post Office Building and in front of the Post Office Building.

- (w) "Pedestrian" means any individual afoot.
- (x) [Reserved]
- (y) "Police officer" means every officer of the Village Police Department including the Chief of Police and any other officer authorized to direct or regulate traffic or to issue citations, summonses, or make arrests for traffic offenses or violations.
- (z) "Private road" or "driveway" means every way or place in private ownership and used for vehicular traffic by the owner, anyone having express or implied permission from the owner, and anyone lawfully entitled to such use.
- (A) "Property line" means the line marking the boundary between any street and the lots or property abutting thereon.
- (B) "Public parking area" means any area subject to the control of the Village and designated by the Trustees for public parking of vehicles other than on a roadway.
- (C) "Right of way" means the privilege of the immediate use of a roadway.
- (D) "Roadway" means that portion of a street or highway improved, designed, or ordinarily used for vehicular traffic, including the shoulder.
- (E) "Sidewalk" means that portion of a street between the curb line or edge of the roadway, and the adjacent property line, improved or designated for pedestrian traffic use.
- (F) "Stop" when required means complete cessation of movement.
- (G) "Street" or "highway" means the entire width between the boundary lines or every way or place of whatsoever nature when any part thereof is permanently or temporarily open to the use of the public for the purpose of vehicular traffic and shall include a way laid out under the authority of law.
- (H) "Traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances whether single or together while using any street or highway for the purpose of travel.

(I) "Vehicle" means every device, in, upon or by which any individual or property is or may be transported or drawn upon a street or highway, except devices moved or propelled by human power.

(J) "Highway right of way" means the entire right of way as defined in the survey and recorded in the highway records or the statutory right of way established by 19 V.S.A. § 702 or its replacement provision.

#### History:

1994 Amendment. Subsection (6) was revised by deleting the words "from the curbs or, in the absence of curbs," following the word "measured" and Subsection (30) was revised generally by Woodstock Village Ordinance Revision #3, adopted by the Board on December 27, 1993, effective February 25, 1994.

1996 Amendments. Subsection (23) relating to parking meter zone was amended by section 33, section 34, section 35, and section 36, respectively, of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996, as follows: 1) Subsection (23)(C) was amended by deleting "the property known as 23 Elm Street;" and substituting "Pleasant Street;" therefor; 2) Subsection (23)(D) was amended by deleting all words after the word "northerly" and substituting the words "to the Congregational Church property;" therefor; 3) various punctuation and clerical changes were made to Subsection (23)(I) and (J); and Subsection (23)(K) was added.

Subsection (30) was amended back to its original 1986 version by section 17 of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996; subsection (31) was amended by deleting the words "exclusive of" and inserting the word "including" after the word "traffic," by section 18 of Revision #5; and subsection (37) defining "highway right of way" was added by section 19 of Revision #5 (Revision note: the word "or" was inserted in place of the word "of" after "§ 702" as the original was obviously clerical error.)

2000 Amendments. Subsection 23(A) and 23(B) were amended to extend the parking meter zone by sections 1 and 2, respectively, of Woodstock Village Ordinance Revision #12, adopted by the Board on May 22, 2000, effective July 21, 2000. (Revision note: changes were made to enactment language by using the word "Street" to replace "St." in various locations to conform to existing style. Also, enactment language in section 2 erroneously referred to "§8108" and this obvious clerical error was interpreted to mean "§8101.")

Revision # 5 to the 2009 compilation of the Woodstock Village Ordinances, adopted April 13, 2010 added the Norman Williams Public Library parking lot to the list of public parking lots regulated by this ordinance.

Revision # 16 to the 2009 compilation of the Woodstock Village Ordinances, adopted September 14, 2016, added a definition of an employee parking area for long term permit parking.

**§8102. Application of words and phrases to Village**

Unless the context clearly indicates another meaning, all words and phrases in this title shall apply in general to the Village. Thus, for example, the words intersections, streets, roadways, highways, sidewalks, and crosswalks shall mean Village intersections, Village streets, Village roadways, Village highways, Village sidewalks, and Village crosswalks unless the provision expressly states another intent.

**§8103. Appendices to be part of ordinance**

Appendices A through L, inclusive, shall be construed to be an integral part of the provisions of this title whether or not they are specifically incorporated by reference.

**§8104. Separability**

Each separate provision of Revision # 16 of Title 8 chapters 1,2 and 3 and appendices A through L shall be deemed independent of all other provisions therein, and, if any provision of Revision # 16 of Title 8 and appendices A through L be declared invalid, all other provisions thereof shall remain valid and enforceable.

Subchapter 2. General Enforcement Provisions

**§8121. Authority of police officers; others**

(a) It shall be the duty of all police officers, under the direction of the Chief of Police, to enforce the provisions of this title and all Vermont vehicle laws applicable to traffic and parking in the Village, provided, however, the duty of any such officer having limited authority shall extend only to the authority actually given.

(b) Police officers are hereby authorized to direct all traffic and parking in the Village by voice, hand, or signal in accordance with the provisions of this title and any applicable Vermont law, provided that in the event of a fire, traffic accident, or other emergency or to expedite traffic or to safeguard pedestrians, any such officer may direct traffic and parking as conditions relating to public safety and convenience may require.

(c) The officer in command of any municipal fire department and any firemen designated by such officer may exercise the powers and authority of a police officer in directing traffic and parking at the scene of any fire or at the scene where such fire department has responded to any other emergency call for so long as any fire department equipment or personnel is on the scene in the absence of a police officer or in assisting a police officer at such officer's request.

(d) The following persons may also exercise the powers and authority of a police officer

in directing traffic and parking in the course of responding to an emergency or in the course of construction or repairs in or about Village streets and highways and public parking areas:

- (1) The Village Manager and any employee of the Village highway department in the absence of a police officer;
- (2) Any employee or contractor of a publicly regulated utility in the absence of a police officer pursuant to W.V.O. §7305(4);
- (3) Any person requested by a police officer to do so whether or not such police officer is present;
- (4) Any person authorized or directed to do so by reason of a permit issued pursuant to any Village ordinance; and
- (5) Any person authorized to do so under any Village ordinance or Vermont law.

History:

1994 Amendment. Subsection (d)(2) was amended by adding the words "pursuant to W.V.O. §7305(4)" following the word "officer" by Woodstock Village Ordinance Revision #3, adopted by the Board on December 27, 1993, effective February 25, 1994.

**§8122. Prohibitions; obedience to police officers**

- (a) Except in case of an emergency during the absence of a police officer or of a person having the authority of a police officer, it shall be unlawful for any person not authorized by a police officer, by this subchapter, or by law to direct or attempt to direct traffic or parking in the Village.
- (b) No person shall willfully fail or refuse to comply promptly with any lawful order, signal or direction of a police officer or person having the authority of a police officer.

**§8123. [Repealed]**

History:

1996 Amendment. Section was repealed by section 1(U) of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996. Previous cross reference is accordingly omitted.

Subchapter 3. Official Traffic-Control Devices

**§8131. Authority to place official traffic-control devices**

- (a) The Chief of Police shall have the duty and authority to place and maintain official traffic-control devices when and as required by any provision of this title or Vermont law for the enforcement of any provisions of this title.

(b) The Chief of Police may place and maintain such additional official traffic-control devices as he or she may deem necessary to regulate traffic and parking in accordance with this title or Vermont law, or to guide or warn traffic.

(c) Whenever any provision of this title shall direct or authorize the Chief of Police to post, erect, place, or maintain a sign or signs or any official traffic-control devices, it shall also be sufficient for all purposes under this title if the Chief of Police shall cause the same to be done by any other person and also if the same is done by any other person without objection from the Chief of Police. For all purposes under this title it shall be presumed that all signs and any official traffic-control devices authorized under this title have been posted, erected, placed, and maintained by the Chief of Police as provided in this section.

#### **§8132. Standards for official traffic-control devices**

Any traffic-control signs, markings, and devices placed or erected in the Village pursuant to the authority of this title shall conform to the standards as specified in 23 V.S.A. §1025 unless exempted therefrom or not governed thereby and shall, so far as practicable, be uniform as to type and location throughout the Village. All such traffic-control devices so placed or erected and not inconsistent with the provisions of this title or Vermont law shall be official traffic-control devices.

#### **§8133. Obedience to official traffic-control devices**

Except as otherwise provided in this title, the driver of any vehicle shall obey the instructions of any applicable official traffic-control device placed or erected in accordance with this title unless otherwise directed by a police officer or by some other person authorized under this chapter to direct traffic and parking.

#### **§8134. When signs are required for enforcement**

It shall be an absolute defense to any person prosecuted under any provision of this title for which an appropriate sign or appropriate signs giving notice are required for enforcement under any provision of this title or Vermont law if, at the time of the alleged violation, an appropriate sign describing the regulation was not properly in place as required. Whenever any provision of this title does not state that the existence of a sign is necessary for enforcement and such requirement is not otherwise imposed by applicable Vermont law, such provision shall be effective even though no sign is in place.

#### **§8135. Unauthorized signs, markings or devices prohibited**

(a) No person shall place, maintain, or display upon or in view of any street or highway any sign, marking, or device not authorized by Village ordinance or Vermont law which purports to be or is in imitation of or resembles an official traffic-control device, or which attempts to direct the movement of traffic or parking of vehicles, or which hides from view or interferes with the effectiveness of any official traffic-control device.

(b) No person shall place or attempt to place any commercial, political or other

advertising upon any traffic-control sign, marking, or device placed or maintained, under the authority of this title, on Village streets and highways and public parking areas.

(c) This section shall not be construed to prohibit the placement, maintenance, and display of signs giving directional information and of a type that cannot be mistaken for official traffic-control devices upon private real property adjacent to streets and highways.

(d) Every sign, marking, or device placed, maintained, or displayed upon any Village street or highway which is not authorized by Village ordinance or by state law is hereby declared to be a public nuisance and may be removed, without notice, by any officer of the Village Police Department.

**§8136. Interference with official traffic-control devices**

No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, make temporary or permanent markings on, or remove any official traffic-control device or any part thereof.

**§8137. [Repealed]**

History:

1996 Amendment. Section was repealed by section 1(V) of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996. Previous cross reference is accordingly omitted.