

TOWN OF LUDLOW, VERMONT

OPERATION & PARKING OF MOTOR VEHICLES AND BICYCLES ORDINANCE

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ARTICLE 1. DEFINITIONS

Wherever in these ordinances the following terms are used, they shall have the meaning respectively ascribed to them in this section.

- 1.01 Street or Highway: Shall include all parts of any bridge, culvert, roadway, street, square, or other place open temporarily or permanently to public or general circulation of vehicles, and shall include a way laid out under authority of law.
- 1.02 Roadway: Shall mean that portion of a highway improved, designed or ordinarily used for vehicular traffic, exclusive of the shoulder.
- 1.03 Sidewalk: That portion of a street between the curb lines, or the lateral line of a roadway, and the adjacent property lines, intended for the use of pedestrians.
- 1.04 Crosswalk: That part 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 curbs or, in the absence of curbs, from the edges of the traversable roadway. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- 1.05 Parking: Shall mean the stopping of a vehicle for longer than necessary for a passenger or passengers to leave or enter such vehicle.
- 1.06 Official Traffic Sign: A device mounted on a fixed or portable support whereby

a specific message is conveyed by means of words or symbols placed or erected for the purpose of regulation, warning, or guiding traffic.

- 1.07 Traffic Control Signal: A type of highway signal, manually, electrically, or mechanically operated by which traffic is alternately directed to stop and permitted to proceed.
- 1.08 Official Traffic Control Devices: All traffic signs, highway traffic signals, traffic markings, and other devices erected or placed on or adjacent to a highway or street by authority of the public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.
- 1.09 Driver: Shall include the operator of an automobile, motorcycle, bus, truck, tractor, or other motor vehicle.
- 1.10 Pedestrian: Shall mean any person afoot.
- 1.11 Authorized Emergency Vehicles: Shall mean a vehicle of a fire department, police vehicle, and public and private ambulance.
- 1.12 One Way Street: Shall mean a street or highway upon which traffic is forbidden to travel in one direction thereon.
- 1.13 Enforcement Officers: Shall include sheriffs, deputy sheriffs, constables, police officers, State's Attorneys, motor vehicle inspectors, and state police.
- 1.14 Motor Vehicle: Shall include all vehicles propelled or drawn by power other than muscular power, except tractors used entirely for work on the farm, vehicles running only upon stationary rails or tracks, motorized highway building equipment, road making appliances or snowmobiles.

ARTICLE 2. AUTHORITY OF POLICE

- 2.01 Police may Direct Traffic: Officials of the Police Department or other law enforcement officers are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of these ordinances, provided that in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police or Fire Department may direct traffic, as conditions may require, notwithstanding the provisions of these ordinances.
- 2.02 Obedience of Police: Every person is hereby forbidden to refuse or fail to comply with any lawful order, signal, or direction of a police officer, law enforcement officer, or officer of the Fire Department at the time of an emergency.

- 2.03 Public Employees To Obey Traffic Regulations: The provisions of these Ordinances shall apply to the operator of any vehicle owned by or used in the service of the U.S. Government, the State, County, or Town, and every such operator is forbidden to violate any of the provisions of this ordinance, except
- 2.04 as otherwise permitted in this ordinance.
- 2.05 Exemptions to Authorized Emergency Vehicles: The provisions of these Ordinances regulating the movement, parking, and standing of vehicles shall not apply to authorized emergency vehicles as defined in these Ordinances while the driver of such vehicles is operating the same in an emergency in the performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

ARTICLE 3. TRAFFIC SIGNS AND SIGNALS

- 3.01 Obedience To Traffic Signs and Signals: Every operator of a vehicle is forbidden to disobey the instructions of any official traffic sign or signal placed in accordance with the provisions of these Ordinances, unless otherwise directed by a police officer, or officer of the Fire Department in case of an emergency.
- 3.02 Traffic Control Signal Legend: Whenever traffic at an intersection of streets is alternately directed to proceed or to stop by the use of signals exhibiting colored lights or the words "GO," "CHANGE," or "CAUTION" and "STOP" said lights and terms shall indicate as follows:
- 3.03 GREEN OR "GO": Traffic facing the signal may proceed, except that vehicular traffic shall yield the right of way to pedestrians and vehicles lawfully within a crosswalk or the intersection at the time such signal was exhibited.
- 3.04 YELLOW or "CAUTION" or "CHANGE": When shown following the Green or "GO" signal: Traffic facing the signal shall stop before entering the intersection unless so close to the intersection that a stop cannot be made in safety.
- 3.05 RED or "STOP": Traffic facing the signal shall stop before entering the intersection and remain standing until the GREEN or "GO" signal is shown alone.

ARTICLE 4. PEDESTRIANS' RIGHT AND DUTIES

- 4.01 Pedestrian's Right of Way
- a. The operator of any vehicle shall yield the right of way to a pedestrian crossing the roadway within any marked crosswalk except at intersections of streets where the movement of traffic is being regulated by a police officer or traffic control signal.

- b. Whenever any vehicle has stopped at a marked crosswalk or at any intersection to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not pass such stopped vehicle.
- c. Every pedestrian crossing a roadway at any point other than within a marked crosswalk shall yield the right of way to vehicles upon the roadway, provided that this provision shall not relieve the driver of a vehicle from the duty of exercising due care for the safety of pedestrians.

ARTICLE 5. OPERATION OF VEHICLES

- 5.01 Speed: No motor vehicle shall be driven at a rate of speed in excess of thirty-five (35) miles per hour upon any highway owned and maintained by the Town of Ludlow, unless otherwise posted.
- 5.02 One-Way Traffic: Dug Road (TH3) within the Town shall be restricted to one-way traffic between the Village line and the southerly edge of the Irving Oil driveway, traffic to move northerly from High Street. Dug Road shall be open to two-way traffic between the southerly edge of the Irving Oil driveway and Route 103, a distance of three-hundred feet (300'), more or less. This ordinance shall become effective on December 22, 1995.

ARTICLE 6. PARKING

- 6.01 The operator of a motor vehicle is forbidden to stop, stand, or park the same at any time for any reason within the limits of a Town highway except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer.
- 6.02 The operator of a motor vehicle is forbidden to stop, stand, or park a motor vehicle at any time as follows:
 - a. Within the intersection of any streets or within fifteen (15) feet of a street corner;
 - b. On any sidewalk or crosswalk, unless it is necessary for the purpose of loading or unloading said vehicle and then only for as long as may be necessary;
 - c. Within ten (10) feet of any fire hydrant;
 - d. In front of any private driveway;
 - e. Upon any bridge;
 - f. Along side or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
 - g. On any one-way street;
 - h. Other than parallel to ' the curb with the right side of the vehicle not more than six (6) inches from the curb or edge of roadway and within parking berths if they are designated, except when lanes are marked on the street in a diagonal manner and then within the confines thereof;
 - i. At any place where there are "NO PARKING" signs, either on the curb or written in the streets, or "No PARKING" signs on standards or posts;

- j. Within thirty (30) feet of the front of any flashing beacon, stop sign, or traffic control signal located at the side, center, or above the roadway when there indicated by a "NO PARKING" sign;
 - k. Within ten (10) feet of any gasoline pump where indicated by "NO PARKING".
 - l. On either side of Okemo Mountain Road from Pond Street westerly to Town Road #51 (crossroad from Okemo Ski Area to West Hill Road).
 - m. On either side of Town Highway #51 southerly to West Hill Road.
 - n. On either side of Town Road #40 or #60 (Apache Ridge).
 - o. On either side of Town Road #22 (West Hill Road).
- 6.03 Winter Parking: The operator of a motor vehicle is forbidden to stop, stand, or park a vehicle on any of the streets or highways within the Town of Ludlow between the hours of 12 o'clock midnight and 6:00 A.M. of the following morning between November 1st and the following April 1st of each year.
- 6.04 Impeding Traffic: The operator of a motor vehicle is forbidden to stop, stand, or park a motor vehicle within the right of way of any of the streets or highways within the Town of Ludlow in such a manner that will interfere with the flow of traffic or interfere with the maintenance of such street or highway.

ARTICLE 7. BICYCLES

- 7.01 Any person that is riding a bicycle upon any sidewalk or other area designated for use by pedestrians, shall not interfere with the pedestrian and shall use due care and caution for the safety of a pedestrian.
- 7.02 It shall be unlawful for a person riding on a bicycle to intentionally interfere with any motor vehicle that has the right-of-way on any highway.
- 7.03 The parents or guardians of a minor child may be held responsible for a violation of this Article by such minor child.

ARTICLE 8. PENALTIES

- 8.01 Except as hereinafter provided the fines for the violation of any section of this ordinance will be the same as that which is set forth by the Vermont Traffic Committee for violations that occur under 23 V.S.A. § 1007 or 23 V.S.A. § 1008, and as may be amended.
- 8.02 Any violation of Article VI will result in a fine of twenty-five dollars (\$25) for each offense.
- 8.03 Any fine assessed for a parking violation under Article VI of this ordinance that is not paid within thirty (30) days of the date of the violation then the amount of the fine will be doubled. Any fine not paid within 60 days of the violation, said violator may be subject to court action.
- 8.04 Any vehicle parked in violation of Article VI may be towed away at the

discretion of a police officer at the owner's expense.

ARTICLE 9. REPEAL, EFFECT

- 9.01 No section of this Ordinance shall be construed to supersede or replace any VERMONT STATUTE enacted for the regulation of vehicular, bicycle or pedestrian traffic.
- 9.02 REPEAL: Any and all other ordinances or regulations relating to the operation, use and parking of motor vehicles and bicycles or pedestrians in the Town of Ludlow, heretofore adopted by the Selectmen of the Town of Ludlow are hereby repealed.
- 9.03 WHEN EFFECTIVE: The foregoing regulations shall be in force and effect on and after their approval and adoption by the Selectmen of the Town of Ludlow, in accordance with Title 24, V.S.A. Sections 1971, 1972, 1973.

ARTICLE 10. SEVERABILITY

- 10.01 If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not effect the validity or effectiveness of the remaining portions hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsection, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

ARTICLE 11. PUBLICATION AND EFFECTIVE DATE

- 11.01 No section of this ordinance shall be construed to supersede or replace any Vermont Statute.
- 11.02 This ordinance shall be entered in the minutes of the Select Board meeting, and posted in at least five conspicuous places within the Town of Ludlow and published in a newspaper circulating in the Town on a day not more than fourteen (14) days following the date when the ordinance is so adopted.
- 11.03 This ordinance shall become effective on November 24, 1973, sixty (60) days after the date of its adoption by the Select Board, unless a petition is filed within the Town Clerk by November 8, 1973, forty-four (44) days after the date of its adoption. The petition should be addressed to the Select Board, should be signed by at least five percent (5%) of the qualified voters of this municipality, and should ask for a special meeting to be called on the question of disapproving the ordinance.

Questions about the ordinance may be directed to the Municipal Manager, Ludlow, Vermont or by calling telephone number (802)228-2841.

The foregoing regulations are hereby adopted by the Selectmen of the Town of Ludlow this 24th day of September 1973.

TOWN OF LUDLOW, VERMONT
SELECT BOARD

Donald Devereux
Richard P. Tilton
Michael J. Butler
Herbert B. VanGuilder

ARTICLE 11 above is amended to read:

- 11.01 No section of this ordinance shall be construed to supersede or replace any Vermont Statute.
- 11.02 This ordinance shall be entered in the minutes of the Select Board meeting, and posted in at least five conspicuous places within the Town of Ludlow and published in a newspaper circulating in the Town on a day not more than fourteen (14) days following the date when the ordinance is so adopted.
- 11.03 This ordinance shall become effective on April 4, 2008, sixty (60) days after the date of its adoption by the Select Board, unless a petition is filed within the Town Clerk by March 19, 2008, forty-four (44) days after the date of its adoption. The petition should be addressed to the Select Board, should be signed by at least five percent (5%) of the qualified voters of this municipality, and should ask for a special meeting to be called on the question of disapproving the ordinance.

The foregoing ordinance is hereby re-adopted by the Select Board of the Town of Ludlow, Vermont on this fourth day of February, 2008.

TOWN OF LUDLOW, VERMONT
SELECT BOARD

Howard Barton, Jr., Chair

John Neal, Vice Chair

Brett Sanderson

Bruce Schmidt

Earl Washburn