

**Meeting of the Waterbury Select Board**

**Monday June 17, 2024**

**In Person: Steele Community Room**

**28 North Main Street**

**Join Zoom Meeting**

<https://www.zoom.us/join>

Meeting ID: 898 4128 3743

Passcode: 458942

Dial by your location

+1 312 626 6799 US

+1 646 931 3860 US

7:00pm Approve Agenda

7:05pm Consent Agenda Items

- a) One Time Occasion – Waterbury Rotary Club - Waterbury 4th of July parade and festival
- b) Third Class Commercial Kitchen – Farmhouse Flowers 2007 Guptil Road Waterbury Center
- c) Second Class, Tobacco Class & Tobacco Substitute Endorsement Licenses, Arandas Mexican Cuisine LLC 1 River Road Waterbury
- d) First & Third Class Restaurant/Bar License for Eatt Enterprises, LLC (Maxi's) 47 North Main Street Waterbury
- e) First Class Restaurant/Bar License for Paprika Catering Company 40 Foundry Street Waterbury

7:10pm Public

7:15pm Economic Development Strategic Plan

7:25pm Phase 2 Bylaw Discussion (send agenda to Martha)

7:40pm Signs ROW

7:50pm Changes to Open Meeting & Ethics Law

7:55pm Comments Local Hazard Mitigation Plan

8:05pm Set the tax rate

8:20pm Parking Ordinance (Preliminary Discussion)

8:40pm Noise Concerns (second discussion)

9:10pm Farmer's Market Debrief

9:15pm Next Meeting Agenda

9:25pm Executive Session (if needed)

9:40pm Adjourn

**Next Meeting of the Select Board: Monday July 1, 2024**

**Parking Lot:**

3 Year Budget Plan

Change to Town Meeting format

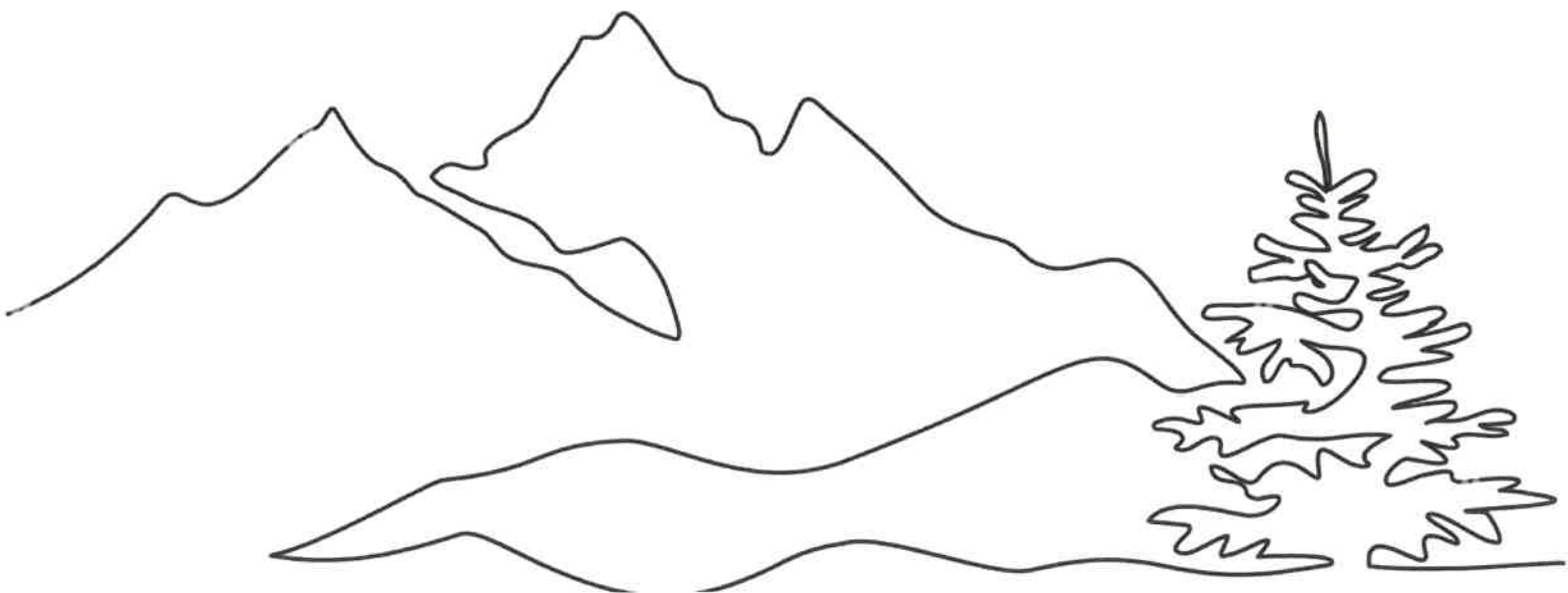
Road and Pedestrian Safety Plan



# **Economic Development Strategic Plan**

## **Waterbury, VT**

Written by Owen Sette-Ducati  
Economic Development Director  
in coordination with the  
Waterbury Area Development Committee  
Delivered May 2024



## Executive Summary

The Economic Development Strategic Plan is developed in coordination with the Waterbury Area Development Committee and Revitalizing Waterbury. It is a strategic plan that is referenced by both entities, as well as the municipal government in order to guide economic priorities in the town of Waterbury. Goals for involved stakeholders are broadly outlined, and focused on growing Waterbury's business and residential sectors while maintaining the historical character of the municipality.

The plan outlines characteristics of Waterbury that define the present economic environment. Strengths of the municipality include diverse economic opportunities, location, a high median-income for the area, and an involved community. Problem areas for the municipality include a lack of available housing, limited commercial real estate, and a floodplain that prohibits development in some parts of the municipality. Specific areas that have development potential are also outlined, including the commercial hub of Waterbury Center and the industrial park.

Specific economic strategies are outlined in order to support Waterbury's continued growth and ensure that it is a sustainable and equitable municipality to reside and do business in. Housing development is a priority of the strategic plan, with a focus on high-density housing opportunities. Infill development and infrastructure development are other major priorities identified by the strategic plan.

Secondary goals include targeted business recruitment and support, pushing for education on accessory dwelling units, short-term rental policies, and utilization of Waterbury's Revolving Loan Fund.

Finally, the plan describes actionable steps to be taken by invested actors in order to bring the goals outlined to fruition. Since this plan is intended to be used for long-form developmental guidance, the actionable steps are not exhaustive. Examples of active steps include engaging in business outreach to fill vacant commercial spaces and a Revitalizing Waterbury study on Route 100 engagement.

An addendum at the end of the plan outlines goals and areas that were in previous versions of the plans, including the Waterbury State Office Complex and reforming the town's zoning bylaws.

## Part 1: Introduction

The Economic Development Strategy Plan (EDSP, or “the Plan”) is developed in conjunction with the Waterbury Area Development Committee (WADC) and Revitalizing Waterbury to guide development in Waterbury and promote strategies that help to ensure that Waterbury continues to grow as an economically prosperous community.

The EDSP provides guidelines, analysis, and strategies for economic growth within Waterbury. It is a fluid plan, providing high-level goals and guidelines for the committee. It reflects the changing attitudes, climate, needs, and wants of the current members and leadership of the WADC. Should this plan be adopted, it would be implemented with the understanding that it should be updated every five years by economic development officials and municipal entities.

## Part 2: Assumptions and Goals

### 2.1 Assumptions

In developing the Plan, the following economic assumptions are recognized:

- Waterbury’s cultural and business landscape is ever-evolving, and the Plan seeks to implement flexible strategies that can accommodate the changing business landscape.
- The Central Vermont region will continue to undergo dynamic changes that will influence alternative development strategies.
- Rapid technological innovation and globalization have resulted in an unprecedented rate of business innovation. Waterbury should be poised to accommodate emerging businesses that will provide future generations with stable employment and opportunities.
- “Smart Growth” principles<sup>1</sup> will provide guidelines and development standards, while promoting the vitality and health of the Waterbury community.

### 2.2 Goals

- Promote ways to reduce barriers to economic growth in Waterbury.
- Promote development strategies that foster representation and inclusion, ensuring equitable opportunities for historically marginalized groups.
- Grow Waterbury’s reputation as an outstanding community for business-owners and residents.
- Strengthen private and public organizations by working with stakeholders to eliminate physical and financial barriers to success.
- Implement growth strategies in a manner that preserves Waterbury’s historical character and rural charm.
- Recruit new businesses and organizations that support community needs.
- Assist with and support efforts to maintain, improve, and expand Waterbury’s infrastructure to create a suitable environment for economic prosperity.

## Part 3: Present Economic Environment

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<sup>1</sup>Smart Growth Principles are an overall approach to development that encourages a mix of building types and uses, diverse housing and transportation options, development within existing neighborhoods, and robust community engagement.

Waterbury enjoys an attractive economic environment with development potential, as evidenced by robust growth in the past decade. Recent economic trends present a few key areas in need of improvement in order to sustain continued growth. These trends are not isolated to Waterbury, and are often reflective of state-wide and nation-wide issues. Regardless, steps should be taken to ensure continued growth. This section outlines Waterbury's strengths and opportunity areas, and defines problem areas that might hamper development for the municipality.

### 3.1 Strengths

#### *Diverse Economic Opportunities*

Waterbury's economic diversity is a major strength, and avoids the pitfalls of being hyper-dependent on a specific sector. Waterbury's history as a "company town" means that the attitude towards business growth from the residents is notably more friendly than that of comparable Vermont municipalities. The tenure of businesses such as Green Mountain Coffee Roasters, Keurig-Dr. Pepper, Ben & Jerry's, and Darn Tough Vermont are indicative of this historical reputation. Due to the departure of Keurig-Dr. Pepper, the multitudes of small businesses throughout the municipality are much more indicative of the current business climate and fill employment gaps in the absence of a single major employer.

Waterbury's restaurants enjoy a high local pedigree and are supported by the numerous service and boutique businesses throughout the town. Waterbury's thriving art scene provides even more variety to the retail offerings within the downtown. This combination, along with an industrial park complete with full-scale manufacturing capabilities, has resulted in a municipality that benefits from seasonal tourism dollars, but is not solely reliant on them.

#### *Location*

Waterbury's geographic location in the center of Vermont provides residents with easy access to regional commercial centers, including Chittenden County and Montpelier. Waterbury is also located within a hub of recreational opportunities, with easy access to Stowe, Bolton Valley, and the Mad River Valley. Waterbury has its own recreational draws including Perry Hill, a premier mountain biking destination, and the Waterbury Reservoir. The wide variety and easy access to year-round recreational opportunities is one of the town's major strengths.

#### *High Median Income*

Waterbury's median household income is high for the area. As of 2022, the median household income in the area was \$106,976.<sup>2</sup> Waterbury is located in Washington County, which has a median household income of \$70,128. This results in a larger tax base and more market potential for goods and services that cater to residents of the town.

#### *Involved Civic Community*

Waterbury has an active civic community, with a variety of volunteer organizations and residents who are engaged with town happenings. A variety of volunteer organizations, including the Waterbury Rotary Club, Revitalizing Waterbury, the Waterbury Historical Society, and others, provide residents with a range of opportunities to support community activities in their town of residence. Waterbury has such a strong sense of community that a housing study commissioned by Revitalizing Waterbury stated that "Waterbury's resources and assets would not be complete without mention of its residents. Residents of

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<sup>2</sup> United States Census Bureau. "QuickFacts: Waterbury town, Washington County, Vermont." Accessed May 8, 2024. <https://www.census.gov/quickfacts/waterburytownwashingtoncountyvermont>.

Waterbury feel adamantly that it is a wonderful place to live, work, and recreate and this became evident during our kick-off meeting.”<sup>3</sup>

### 3.2 Problem Areas

#### *Housing Stock Inventory*

One of Waterbury’s most pressing issues is its limited housing stock. Waterbury is an attractive location to live in, but there are few vacancies for individuals looking to rent space or purchase a home. Home prices and lack of inventory have resulted in a real-estate market that is unaffordable for middle-income and low-income earners. There is a need for additional residential units to support demand and foster economic growth.

A vacancy rate refers to the number of vacant units available in the area. A healthy vacancy rate for rentals is 5%, and a healthy vacancy rate for owned units is 3%. Washington County’s vacancy rates currently sit at 1.65% for rented units and 1.57% for owned units. These estimates are conservative, and the true percentages are likely lower. The county has the lowest rental vacancy rates in the state, outside of Chittenden County.<sup>4</sup>

Vacancy rates are a widely-used metric to gauge the health of housing stock in the area. Due to Waterbury’s low vacancy rates, housing availability provides a significant constraint on servicing the existing economy and continuing Waterbury’s growth trajectory.

#### *Limited Commercial Real-Estate*

Similar to limited housing availability, Waterbury also has a limited stock of commercially viable properties. Current zoning requirements and limited incentives to build commercial properties mean it is difficult for prospective businesses to find adequate spaces to house their businesses. The commercial properties that remain available often consist of small office spaces that are unusable for goods-or-services oriented businesses, or massive complexes that typically exceed the needs of a “typical” Vermont business.

#### *Floodplain Management*

Much of Waterbury is located within a 100-year floodplain. The increased prevalence of flooding and the associated costs make developing in these areas a risky endeavor. Due to flood insurance costs and regulations, developing within the floodplain is also prohibitively expensive and not desirable for most developers.

### 3.3 Opportunity Areas

Identified below are specific parcels and zones within Waterbury that have potential for re-development or expanded development. Implementing Smart Growth principles in these areas would allow for better

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<sup>3</sup>Main Street Group & Revitalizing Waterbury. “Waterbury, VT Housing Study.” 2022. Accessed March 20, 2024.

<sup>4</sup>Agency of Commerce and Community Development. “Webinar: Housing Deficit Data and Demographic Trends Presentation. December 15, 2023. Accessed January 15, 2024.

connections between areas of Waterbury and increase the livability and viability of the town as a whole. Focused development in these areas is a goal of the Plan.

### *Waterbury Center*

Waterbury has two primary “hubs.” Downtown Waterbury is located to the south of town, along Route 2. This area is walkable and contains substantial infrastructure. Waterbury Center is located to the north of town. Waterbury Center is home to businesses such as Cold Hollow Cider Mill, Vermont Artisan Coffee & Tea, and the Children’s Literacy Foundation. Waterbury Center benefits from a strong business corridor along Route 100 and access to Stowe. Waterbury Center’s infrastructure is lacking in comparison to the downtown district.

A portion of Waterbury Center received a Village Center designation from the State of Vermont Agency of Commerce and Community Development. The boundaries of this designation encompass several commercial properties, a village green, and some residential properties near the intersection of Maple Street, Guptil Road, and Howard Avenue. This designation creates the opportunity for property owners to apply for tax credits, and makes the area eligible for specific state funding opportunities, among other benefits.

### *Route 100 and Route 2 Corridors*

Boundary constraints on Downtown Waterbury mean the area is reaching the limit of its development potential. More development potential exists along the Route 100 N and Route 2 corridors, although a variety of factors make continuing development along these corridors more difficult than within the Designated Downtown District. Floodplain management is a particular concern on the Route 2 corridor, and municipal water and sewer access make development on both corridors costly. The difficulty of developing these areas can be seen in the Alchemist’s decision to build a new facility in Stowe when their preferred choice, on Waterbury’s Route 100 corridor, was not feasible.

### *Pilgrim Park Industrial Area*

Pilgrim Park is home to a large-scale manufacturing plant, and is adequately zoned for commercial usage. Pilgrim Park exists outside the floodplain, is relatively hidden from the view of Main Street, has plenty of parking, and has developable space. The changing nature of commercial production means the manufacturing that occurs in Pilgrim Park no longer hampers residential livability in the commercial district. Zoning standards for Pilgrim Park are changing in the updated zoning bylaws, expected to be completed by early 2025. The new zoning bylaws will allow for conditional multi-unit housing in the area.

### *Other Individual Sites*

Within the boundaries of Downtown Waterbury, there are sites that could support denser development. New zoning bylaws and expanded conditional uses should allow for these sites to be developed in a manner that reflects and supports Waterbury’s current character. These sites are:

- The former Stanley & Wasson building parcel.
- Area behind and in the vicinity of the present Sunoco Gas Station on South Main Street.
- Demeritt Place (north side of the train tracks).

## **Part 4: Economic Strategies**

The WADC has identified a variety of economic strategies that can be employed to achieve the goals outlined in this document. These strategies focus on Problem Areas and Opportunity Areas outlined in sections 3.2 and 3.3, respectively. Strategies are designed to be implemented over an extended period of time and are roughly organized by priority.

## 4.1 Priority Areas

The priority areas seek to solve Waterbury's major hindrances to achieving the goals outlined in this plan. Smart Growth practices suggest a feasible solution to this problem is to encourage development and redevelopment in high-density downtown areas. This allows for increased economic opportunities, while not hampering Waterbury's historical character and rural charm.

### *Housing Development*

Businesses and other organizations in town express concern that it is difficult to find employees, and a large part of that puzzle is a lack of affordable housing. Strategies to remedy Waterbury's housing issues include developing multiple types of high-density housing including affordable, workforce, senior, and market-rate housing. Affordable, workforce, and senior housing should be prioritized.

Affordable housing is subsidized housing based on the tenant's income. It is important to accommodate individuals who are unable to afford workforce or market rate housing at their current income levels. Income limits to qualify for affordable housing are based on median incomes in the area, with multiple levels of subsidization to account for different incomes beneath the median threshold. The maximum a single person could earn and still qualify for affordable housing in Waterbury is \$32,000. Affordable housing projects often take more time to develop than market rate housing, due to increased regulations and parameters necessary to obtain funding. In addition, these projects usually require community approval.

Workforce housing provides reasonably-priced housing for individuals who earn too much to qualify for subsidized housing, but aren't earning enough to comfortably afford market rate housing. This allows for a wider demographic spread in town and allows for renters, earning a moderate amount, to not spend an undue portion of income on housing. Workforce housing often targets "middle-income" earners, landing at 60% to 120% of the median income in the area. To incentivize workforce housing development, commercial property developers often utilize various grants, trusts, and funds.

Market-rate housing is housing priced by the real estate markets and private developers, with no direct subsidization. A healthy stock of market-rate housing allows high-earners to purchase or rent quality units, and can result in increased economic gains related to spending in the area. This also allows for increased municipal tax revenue from these higher-valued properties, and they tend to be completed more quickly than other styles of housing. Promoting market rate housing projects increases the supply of available units in the town, which has the potential to free up more affordable units, as housing is an inelastic good.

Senior housing is housing that can accommodate the needs of an aging populace. Senior housing can range from 24-hour assisted living facilities to apartments offering independent living opportunities for the elderly. Increased development of senior housing has the potential to increase housing stock



inventory for the municipality as a whole. As seniors downsize and move into apartments or assisted living facilities, this will bring more units into the market for younger individuals looking to purchase or rent in Waterbury. Providing seniors with more support and more options alleviates housing inventory problems and supports Waterbury's aging populace.

#### *Redevelopment*

Redeveloping existing spaces has the potential to mitigate Waterbury's housing issues. By identifying and transforming these spaces, Waterbury can maintain its historic character while making sure each property is fully utilized. Within the Designated Downtown or Waterbury Center boundaries, property owners or purchasers that choose to redevelop sites that are in disrepair are incentivized to improve them by qualifying for the state tax credit program for those improvements. Other local incentive tools can be created as well, such as a tax stabilization policy, to encourage making the best use of Waterbury's existing structures and enhancing the current demographic layout of the town.

#### *Infrastructure Development*

Lack of infrastructure often hampers development efforts in town, despite adequate available land. This is particularly the case outside of the Edward Farrar Utility District service area, which provides water and sewer access to land developments. Expanding water and sewer access up the Route 100 corridor would allow for increased development of housing and commercial enterprises. The WADC has decided not to prioritize development along the Route 2 corridor due to complications around floodplain management. Flood-resilient developments should still be encouraged along Route 2 and other streets along the floodplain.

It needs to be noted that property that is not in the downtown area can be annexed via petition to gain access to the municipal sewer system. The property owner is responsible for the cost of connecting to the system. While annexation has been successful in the past, it is not an easy process. A desired parcel would require all adjacent parcels to be annexed as well, thereby becoming increasingly costly the further away the parcel is located.

In community meetings, residents have expressed a desire to establish better connections between Waterbury Center and Downtown Waterbury. Existing recreational trails currently connect the village and center for pedestrian use, but these paths dip into private property and are not formally established trails. Expanding pathways between the downtown and Waterbury Center, and increasing pedestrian access within Waterbury Center are options that should be considered to make Waterbury Center more accessible.

Implementation of these proposed infrastructure expansions would carry extensive costs and require community support. Expanding sewer and water is of particular concern due to the high personal costs placed upon landowners and would require extensive research into the feasibility of an infrastructure expansion.

## 4.2 Other Strategic Approaches

#### *Targeted Recruitment*

A common economic development strategy is building on the existing success of local businesses to generate a hub for a specific type of business. This is somewhat easier in Waterbury, due to the

notability of well-known companies like Ben & Jerry's, Cold Hollow Cider Mill, Darn Tough Vermont, and Prohibition Pig. Building on these brands via targeted business recruitment helps leverage commercial interests and promotes Waterbury as a business-friendly municipality.

#### *Business Support and Outreach*

Revitalizing Waterbury provides a variety of avenues for business support including networking events, committee involvement, marketing and promotional materials, and grant programs facilitated via the Designated Downtown program. Revitalizing Waterbury's business support encourages business retention in town and encourages businesses to establish new operations within the town of Waterbury.

#### *Accessory Dwelling Unit (ADU) Housing Education*

ADUs are already allowed in Waterbury, but their development has been heavily restricted in the past. The Housing Opportunities Made for Everyone (HOME) Act of 2023, Act 47 (S.100) altered language in the Planning & Development statute, also known as Act 250, reducing restrictions on accessory dwelling units. The HOME Act ensures that restrictions placed on ADUs are not more restrictive than those on single-family dwellings.

This Act, in combination with new town zoning ordinances, should allow for the increased creation of ADUs as an additional resource to mitigate housing issues. Educating the public on the benefits of ADUs as a living space or a potential income stream would be beneficial in incentivizing their creation.

#### *Short Term Rental Housing Policy*

Short-term rentals (STRs) have seen a significant increase in Vermont and throughout Waterbury, compared to pre-pandemic levels. Roughly 3.6% of Vermont houses are used as short-term rentals, with Waterbury's STR rate at 7.2%. While this is not a sizable percentage of Waterbury's housing stock, STRs often have an outsized representation during discussions about housing stock in the state. Lower rental vacancy rates (and other factors) likely contribute to the continued focus on STRs as a problem statewide. Practical policy solutions should be implemented to deal with the potential growth of STRs and their impact on Waterbury's housing stock.

#### *Revolving Loan Fund (RLF)*

The Town of Waterbury is fortunate to have a revolving loan fund at its disposal. The fund was created in the 1980s via an Urban Development Action Grant (UDAG). The RLF has helped finance many important projects in Waterbury, including the Waterbury Train Station and the Ice Center. The revolving loan fund can be used to support project development in the town.

## **Part 5: Implementation**

### **5.1 Plan Implementation**

For successful implementation, the WADC and Economic Development Director (EDD) should make continuous reference to the Plan and make an effort to push for policies that support the Plan's goals. The Economic Development Director will act as a project champion for the strategic plan and take active steps to support implementation. The Revitalizing Waterbury Board of Directors, WADC members and other stakeholders will fill the role of supporting actors to this implementation.

### **5.2 Active Steps**

Active steps to progress implementation of the Plan include the following:

- The EDSP will be adopted by the town selectboard
- The EDD will sit on the Waterbury Housing Task Force and work with the Task Force to create common-sense solutions to our housing issues.
- The EDD will take active steps to work with commercial property developers to find re-developable property and support developers throughout the development process.
- The EDD will engage in business outreach to fill vacant commercial spaces.
- Revitalizing Waterbury will engage the public in a discussion around developments on Route 100 to determine next steps for the area.
- Promote education around Accessory Dwelling Units as an alternative housing method.
- Determine the feasibility and community support of walkable infrastructure projects in Waterbury Center.
- Determine feasibility and community support of sewer and water expansion projects in Waterbury Center.

## Addendum

### *Waterbury State Office Complex*

The completed renovation and restoration of the Waterbury State Office Complex in 2016 was a crucial component to Waterbury's post-Tropical Storm Irene growth. The critical mass generated by having the complex fully staffed and occupied by a total of 1,100 state workers provided the Waterbury community with a steady base of potential customers for all commercial enterprises.

The COVID-19 pandemic of 2019 and subsequent changes in workplace structures resulted in an occupancy decrease at the complex. In spring 2024, the Vermont Department of Health decided to move 380 employees from a Burlington location to the Waterbury location, bringing the State Office Complex back to full occupancy.

In previous drafts of the EDSP, the Waterbury State Office Complex was referenced as a potential redevelopment site. Due to the recent influx of employees, the EDSP will no longer suggest pursuing the site for redevelopment.

### *Zoning Reform*

It is mentioned in previous versions of the EDSP that zoning reform is necessary in order to further development within Waterbury. At the time, Waterbury's zoning bylaws were antiquated and outdated. Waterbury's zoning bylaws are currently being updated, with a complete zoning bylaw update expected by 2025. Recommendations that came from the WADC regarding zoning bylaw updates have been adopted by the town.

### *Support during Main Street Reconstruction, COVID-19, and Flood Events*

In addition to providing business support, Revitalizing Waterbury has frequently assisted in response to expected and unexpected shocks to the Waterbury community. Revitalizing Waterbury supported Main Street Reconstruction, and created a construction specific website and blog, held business support workshops and meetings, and planned local shopping initiatives.

During Covid-19, Revitalizing Waterbury was able to pivot and provide business support via weekly newsletters containing funding opportunities for local businesses. Revitalizing Waterbury also created a new community currency and developed new partnerships with other entities in the region in order to provide better community support during those times.

Revitalizing Waterbury has also provided support for the community during the various flooding events that have occurred recently and in the past. Revitalizing Waterbury was instrumental in providing community support after Tropical Storm Irene and developed a fundraising project raising slightly under a million to rebuild the community. Revitalizing Waterbury also established a Business Flood Relief Fund in order to further expand support for businesses impacted by the storm. Revitalizing Waterbury continued this work during the 2023 floods with a new focus on resiliency.

## TASK

2024

2025

	June	July	August	Sept.	October	Nov.	Dec.	Jan.	February	March	April	May	June	July	August	September	October	November	December
1	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
10	24	8	22	5	14	11	9	13	10	10	14	12	9	14	26	1	2	1	2
Review Historical Materials and Define Resources (2016 Bylaws, Historical participation, Parcel Assessments, etc)																			
Agree Upon Draft Schedule (UDB-P2 & Town Plan?)	X	X																	
Review & Complete UDB-P2 Purpose Statements	X	X																	
Review Archived Phase 1 Document to Identify Phase 2 Issues																			
Discussion/Agreement of ZD Boundaries																			
Revisions, if necessary																			
Review/Address Admin/Technical Changes																			
Listening Session - DRB																			
Listening Session - Landowners and Builders																			
Listening Session - Way Ctr Business, Conservation, Housing, and others																			
Listening Session - SB (share what we've heard so far)																			
Confirm ZD Boundaries																			
Review and Confirm ZD Uses																			
Review Applicable Dimensional Table																			
Review/Updates to all non-zoning district specific components																			
Seek Town Funding																			
Seek State Grants - Bylaws																			
Seek State Grants - Town Plan																			
Proof UDB-P2 - Confirm Schedule of Topic/Sections to review																			
Open Houses Preparation																			
Open Houses - Inside / Tour ?																			
Public Hearings																			
Tentative Present/Share to SB																			
Revisions based upon Public Feedback																			
Finalize Draft																			
Town Plan Update: (To Be Completed by Dec 2026)																			

To be completed by Dec 2026.

SIGNS  
ROW

pg 7

TOWN OF WATERBURY HIGHWAY ORDINANCE *AS AMENDED 12-17-1990*

Pursuant to the provisions of Title 19 VSA, the Board of Selectmen of the Town of Waterbury hereby adopt this Town of Waterbury Highway Ordinance, this *25<sup>th</sup>* day of *APRIL 1988*

- Part A Classification of Highways
- Part B General
- Part C Upgrade of Class 4 Town Highways
- Part D Proposed New Public Roads
- Part E Resurvey of Town Highways
- Part F Driveways
- Part G Culverts
- Part H Signs
- Part I Highway Specifications

This Ordinance supercedes any previously adopted Town Ordinance or Policy covering the matters addressed in this Ordinance.

PART A - CLASSIFICATION OF HIGHWAYS

All highways in the Town of Waterbury are classified as Class 1, 2, 3 or 4, as specified in 19 VSA Section 302. The purpose of each class and the Town's responsibilities thereto are as follows:

Class 1 Town highways are those highways which form the extension of a State highway route and which carry a State route number.

Class 2 Town highways are those Town highways selected as the most important highways in each Town. As far as practicable they shall be selected with the purpose of securing trunk lines of improved highways from Town to Town and to places which by their nature have more than normal amount of traffic. The Selectmen, with the approval of the State of Vermont Transportation Board, shall determine which highways are to be class 2 highways.

Class 3 Town highways are all traveled Town highways other than Class 1 or Class 2 highways. The Selectmen, after conference with a representative of the State Transportation Board, shall determine which highways are Class 3 Town highways. The minimum standards for Class 3 highways are a highway negotiable, under normal conditions, all seasons of the year by a standard manufactured pleasure car. This would include but not be limited to sufficient surface and base, adequate

drainage and sufficient width capable to provide winter maintenance.

Class 4 Town highways are all other Town highways other than class 1,2,or 3 .The Selectmen shall determine which highways are class 4 Town Highways.

#### PART B - GENERAL POLICY

All expenses, legal and otherwise, shall be borne by the applicant in the process of upgrading or resurveying Town highways, laying out and constructing new highways, constructing drives, or installing culverts or signs. Also all expenses incurred by the Town in connection with these activities must be borne by the applicant.

#### PART C - UPGRADE OF CLASS 4 TOWN HIGHWAYS

A person wishing to upgrade a Class 4 road or a portion thereof must apply to the Selectmen for permission to upgrade said road using the procedures outlined as follows:

- i. Applicants must submit a properly completed application to upgrade a Class 4 Town highway. Permits may be obtained at the Town Manager's Office. This application must be accompanied by all appropriate fees, a list of names of all property owners which abut the portion to be upgraded, three (3) copies of a survey map of the Town highway prepared by a registered surveyor and based on the original recorded description and on the existing roadbed, and three (3) copies of a plan prepared by a Professional Engineer for the proposed upgrade showing grade line, plan and profile of road and drainage layout (location and size). Plan shall be stamped by a Professional Engineer registered in the State of Vermont. Calculations substantiating proposed drainage system shall be provided. Any deviation from the Town of Waterbury Highway Specifications shall be noted on the plan as such. (If the survey of the highway has not been properly recorded, if the record has not been preserved or if its terminations and boundaries cannot be ascertained, the applicant can make an application for a highway resurvey as defined later in this ordinance).

In some cases it may be in the best interest of the applicant and all abutting property owners to cooperate in the up-grade process. In this case the survey based on the original description may be deleted and only a survey of the proposed upgrade highway provided if the applicant submits with the survey warranty deeds to the Town in fee simple from all abutting property owners.



These deeds shall be free of all encumbrances, except that existing water line, sewer line, power line or telephone line easements which do not interfere with use or maintenance of the highway may be allowed at the discretion of the Selectmen. The conveyance shall include necessary easements for maintenance of water courses or other drainage structures at desired locations outside the limits of the highway right-of-way.

2. At the time of application the center line of the highway shall be flagged at 50 ft. intervals and the location of all culverts shall be flagged.

3. If only a portion of a highway is to be upgraded by the applicant or the road is not a through highway, a turn around (cul-de-sac) must be provided at the end of the upgraded portion meeting the requirements of the highway specification (Part I). The turn around shall not be a portion of a driveway and shall be removed or altered if the road is further extended in the future. Clear title, after notification of final acceptance, shall be deeded to the Town, including a metes and bounds description of the limits of the right-of-way by warranty deed of any additional lands used in the turn around with adequate lands to cover the slopes and drainage.

4. In instances where the proposed upgrade will impact adversely on existing Town facilities, e.g. ditches and culverts or the roadway itself, the applicant will be responsible for, and pay the costs of, any upgrade of said Town facilities necessitated by the applicants' proposed design. The Selectmen shall determine which, if any, existing Town facilities will require upgrade.

The Selectmen shall inspect the highway to be upgraded and within 45 days of receipt of the completed application will hold a public hearing to receive suggestions and recommendations on the proposed upgrade. Affected property owners will receive 30 days notice of the hearing and notice shall be posted in the Town Clerk's Office and published in the local newspaper of record not less than 15 days before the hearing.

5. A decision on the application shall be made in writing by the Selectmen including their reasons for the decision. This shall be made at the next duly called meeting of the Board of Selectmen, after the public hearing.

6. A performance bond in a sum equal to 100% of the cost of the proposed road upgrade shall be provided to

the Town prior to beginning construction. The Selectmen shall determine the amount of the bond. The applicant shall submit complete cost estimates for review.

7. Prior to construction the Contractor shall provide to the Town Manager a certificate of Comprehensive General Liability Insurance and/or other insurance acceptable to the Selectmen, to be in effect for the duration of the project. The minimum amount of coverage shall be \$1,000,000/3,000,000 Bodily Injury and Property Damage per occurrence and aggregate. The Selectmen may require higher limits of coverage when in their judgement, such limits are necessary.

The Contractor shall also carry suitable automobile insurance and Workman's Compensation Insurance.

8. No roads will be inspected or accepted between October 15 and May 1.

Road specifications in effect at the time of the application will be applicable for a period of two (2) years from that date, after which time any new road specifications will apply. The only exception will be if the road in question at the end of the two (2) year period is under the twelve(12) month maintenance period.

9. When the highway has been completed, inspected and determined to meet town highway specifications and at least three (3) residences use the road for access, the Town will, upon request, begin normal maintenance activities for a Class 3 highway for an initial acceptance period of twelve (12) months. After twelve (12) months of maintenance, if no serious defects have been observed, the highway will be upgraded in classification to a Class 3 highway. During the twelve (12) months of initial acceptance period, any defects which are pointed out to the applicant will be his responsibility to correct before final acceptance.

#### PART D - PROPOSED NEW PUBLIC ROADS

A developer of a housing project or business development, or the owner of a permanent home may apply to the Selectmen for acceptance of their road as a Town highway following the same general procedures for Upgrade of Class 4 Town Highway. In addition the following apply:

1. Three (3) separate residences are required to be on the roadway involved.

2. The right-of-way shall be 60 feet in width, with wider slope rights if deemed necessary by the Selectmen. Center of the road is to be located in the center of the right-of-way. Clear title, after notification of final acceptance, shall be deeded to the Town, including a metes and bounds description of the limits of the right-of-way, by warranty deed. A survey map of the finished road shall be furnished in the form required by State Statutes and shall be recorded in the Town Clerk's Office.

3. For existing roads the flagging of the highway as defined in step two under Upgrade of Class 4 Town Highway may be delted.

4. The twelve (12) month trial period for acceptance defined under Upgrade of Class 4 Town Highways shall apply even to existing roads.

5. The survey to be provided will be in accordance with the standards for the survey defined under the section on Resurvey of Town Highways.

#### PART E - RESURVEY OF TOWN HIGHWAYS

An person wishing to resurvey a town highway or a portion thereof must apply to the Selectmen for permission to resurvey said road using the following procedures:

1. A properly completed application for resurvey of a Town Highway must be completed. Applications are available at the Town Manager's office. This application must be accompanied by all appropriate fees and a list of names of all property owners which abut the portion to be resurveyed. As a part of this application the applicant and a licensed surveyor must certify to the Selectmen that a search of the Town records has been performed and that the survey of a highway has not been properly recorded, or the record preserved, or that each termination and its boundaries cannot be ascertained.

2. The Selectmen shall inspect the highway to be resurveyed within 45 days of receipt of the completed application. The Board of Selectmen will hold a public hearing to receive suggestions and recommendations on the proposed resurvey. Affected property owners will receive 30 days notice of the hearing and notice shall be posted in the Town Clerk's Office and published in the local newspaper of record not less than 15 days before the hearing.

3. A decision on the application shall be made in writing by the Selectmen including their reasons for

the decision. This shall be made at the next duly called meeting of the Board of Selectmen, after the public hearing.

4. No roads will be inspected or considered for resurvey between October 15 and May 1. All applications once approved will be valid for a period of one year and the proposed resurvey must be completed within that time frame or the application becomes void.

5. After approval by the Selectmen and based on their direction, the applicant shall have the highway surveyed and monumented by a registered land surveyor and shall furnish the Selectmen with three (3) copies of a map (or maps) with minimum scale of one (1) inch = 100 feet showing the location of all monuments, the length of each curve, and all easements necessary for maintenance of watercourses or other drainage structures. All distances shall be measured and shown to the nearest 0.1 feet and angles to the nearest minutes of arc. All monuments shall be of a reasonable permanent nature and where feasible shall be "tied" by survey to other objects of a permanent nature and the "ties" shall be shown on said map. The map shall show approximate location of any property line within 200 feet of the proposed right-of-way. The maps shall also meet all requirements of State Statutes. In addition, a map or maps suitable for recording purposes shall be provided.

6. After submission of the maps, the Selectmen shall examine the marked bounds and survey and shall decide on the acceptability of the survey at the next duly called meeting of the Board of Selectmen. If accepted, the maps shall be recorded. If changes are required, the applicant shall be notified in writing.

#### PART F - DRIVEWAYS

A permit is required prior to constructing a driveway onto a public road. Forms and specifications are available at Vermont Agency of Transportation District 6 Office in Berlin, Vermont, for driveways accessing onto State Highways. Permit forms for driveways accessing onto Town Highways are available at the Town Manager's Office.

All driveways constructed with access to a Town Highway shall comply with Part I of this Ordinance. The site will be inspected by the Selectmen or their representative who will specify culvert size if one is required, necessary brush removal and necessary signs. Signs are to be furnished by the town and paid for by the applicant prior to final acceptance. The Selectmen will inspect on completion.

Where a driveway comes onto a paved road a 5' paved pad with a 2" crown shall join the driveway and the road. Driveways may not adversely modify the existing drainage of adjoining highways.

In case of unusual site conditions, the Selectmen may modify these specifications. However, any modifications shall be the minimum change necessary to meet the conditions and comply with this ordinance.

#### PART G - CULVERTS

Culverts will not be installed on private driveways by Town Highway personnel or at Town expense. Culverts installed by private residents will be done under the supervision of the Road Commissioner and done strictly in accordance with this ordinance.

Culverts that are currently in private driveways must be maintained by the owner whether the culvert was previously installed by the Town or by the owner. Culverts previously installed by the Town will not be replaced.

In the event a home owner does not maintain a culvert, necessary ditches to by-pass the culvert will be constructed and maintained by the Town until such time as the culvert is cleaned.

The applicant's attention is directed to paragraph 4 of Part C - Upgrade of Class 4 Town Highways, which shall apply if the culvert construction will impact on existing Town facilities.

#### PART H - SIGNS

Signs may be installed on Town highways only by permission of the Selectmen. The Selectmen may at their discretion have any sign removed for good cause.

#### PART I - HIGHWAY SPECIFICATIONS

The following specifications shall be met for a road before it can be considered for acceptance as a Town Highway. Unless noted otherwise, all specifications shall apply equally to upgrading an existing Class 4 highway and construction of a new highway.

References to State of Vermont Agency of Transportation Standard Specification for Construction shall be the latest edition of said specifications and are noted in this Town of Waterbury Highway Ordinance as "Vt. Specifications".

The term "Selectmen or their authorized agent(s)(s)" shall mean, either the Selectmen, the Town Road Commissioner, or any other person(s) the Selectmen authorize to act on their behalf in the interpretation or enforcement of the specifications.

1. Inspection

The Selectmen or their authorized agent(s) shall inspect the road site as follows:

1. Prior to initial clearing or start of construction but after stake out.
2. Upon completion of sub-grade
3. During sub-base application
4. During finish surface application

An inspection will be required prior to any pave surface treatment.

2. Right-Of-Way/Intersections

Any right-of-way conveyed shall have a minimum width of 60 feet and shall intersect at least one existing Class 3 or higher Town Highway. Wider slope rights may be required by the Selectmen.

A proposed right-of-way shall be connected to all other rights-of-way by curves with a radius of not less than 25 feet. Comparable chords may be substituted for curves.

No right-of-way may intersect another right-of-way, proposed or existing, at an angle of less than 75 degrees.

3. Minimum Design Requirements/Grades

Turnaround (cul-de-sac) right-of-way diameter shall be 120 feet minimum with an included traveled way diameter of at least 100 feet. The center point of the cul-de-sac shall be in a line that is an extension of the center line of the road and shall be not less than 50 feet beyond the end of the road. Wider slope rights, beyond the 120 feet diameter, may be required by the Selectmen at their sole discretion.

The entire turn around (cul-de-sac) shall be built to sub-grade, sub-base, and surface specifications as outlined in these pages. Turn around shall be constructed on level ground and provisions made at the perimeter for snow removal.

The center of the constructed highway shall follow the centerline of the right-of-way,.

Centerline curves shall have a radius of not less than 110 feet.

When two (2) highways intersect a third, the two must be separated by not less than 125 feet between centerlines.

Grades less than 75 feet distant from the intersection of the proposed centerline with an existing highway centerline shall not exceed 5%. All grades beyond said 75 feet shall not exceed 10% and shall be connected by vertical curves with lengths of not less than 100 feet.

There shall be a four (4) foot shoulder where four (4) to ten (10) foot embankments exist (a six foot shoulder where an embankment is more than 10 feet).

All slopes and cuts shall be no steeper than one (1) on one and a half (1 1/2) and shall be seeded and mulched or stabilized with rock of appropriate size, to meet requirements in the individual case involved.

3.1 Class 4 Upgrading: Existing centerlines and grades will be accepted unless found by the Selectmen or their authorized agent(s) to be hazardous to vehicular travel or impractical for maintenance purposes.

#### 4. Clearing

Clearing shall be in conformance with Vt. Specification Section 201 Clearing unless otherwise noted.

All trees, stumps, brush and hazardous obstructions shall be cleared from the right-of-way, with the exception of large hardwood trees which do not interfere with construction or future highway maintenance. (These trees to be designated by the Selectmen or their authorized agent(s)).

All stumps shall be removed from the roadbed, and all fallen trees and brush piles shall be removed from the right-of-way prior to final inspection.

Burning shall be done in accordance with State and Town of Waterbury fire regulations.

#### 5. Sub-Grade

Preparation of sub-grade shall be in accordance with Vt. Specification Section 203 Excavation and Embankments unless otherwise noted herein.

The sub-grade surface shall conform exactly in cross section and grade to the finished road surface. Compaction is required on any portion of the sub-grade which has been disturbed by excavation or which has

been filled during sub-grade construction. A minimum of twelve (12) inches of sand cushion shall be placed over any clay sub-grade or any other wet area where a sand cushion is deemed appropriate by the Selectmen or their authorized agent(s). In exceedingly wet areas a deeper sand cushion or a six (6) inch underdrain with flushing basin may be required by the Selectmen.

Sand shall conform to Vt. Specification for sand Borrow and Cushion No. 703.03A

#### 6. Sub-Base

Placement of subbase shall be in accordance with Vt. Specification 301 Subbase unless otherwise noted herein

Cross section and grade of the sub-base shall conform exactly to those of the finished surface. Material shall be a minimum eighteen (18) inches of gravel with a maximum stone size of four (4) inches. Gravel for subbase shall conform to Vt. Specification for Gravel for Subbase 704.04A unless otherwise noted herein. Whenever the roadbed is level or nearly level, the Selectmen or their authorized agent (s) may allow a sub-base of no less than 8 inches of gravel (maximum stone size 4") provided that a minimum 12 inches of good quality granular sand is placed over the sub-grade. Surface width shall be not less than 24 feet with a crown of three (3) inches. Minimum depth shall be increased at all locations where the Selectmen or their authorized agent(s) consider sub-grade conditions warrant an increase.

#### 7. Surface)

Finished road surface shall be the same as the Town Highway onto which the road being offered for acceptance is connecting. In addition any road or portion of a road being offered for acceptance with grade in excess of 5% shall have a bituminous concrete finished road surface regardless of whether the road connects to a gravel or paved Town Highway.

##### 7.1 Surface (Gravel)

Placement of aggregate surface course shall be in accordance with Vt. Specification Section 401 Aggregate Surface Course.

The surface course shall consist of a minimum of 6 inches of compacted, crushed select gravel, 24 feet in width, with a maximum stone size of 1 1/2 inches.

Crushed select gravel shall conform to Vt.

Specification Aggregate for Surface Course and Shoulders No. 704.12A unless otherwise noted herein The surface shall be crowned at least 3 inches from the centerline to the roadway edge.



## 7.2 Surface (Bituminous Concrete)

Placement of bituminous concrete pavement shall be in accordance with Vt. Specification Section 406 Bituminous Concrete Pavement. Materials shall meet the requirements of Vt. Specification Section 406 Para. 406.02 Materials Pavement thickness shall be 4". Pavement shall be placed in two lifts consisting of a 2 1/2" thick Type 2 base course and a 1 1/2" thick Type 3 wear course. Vt. Specification Section 406 Para 406.03 Composition of Mixture definition Type 2 and Type 3.

## 8. Culverts and Ditches

All culverts must extend to the center of the ditch on both sides of the highway. They shall extend at least one (1) foot beyond all fill (measured at the bottom of the culvert), and shall have not less than two (2) feet of compacted cover. No culvert shall have a diameter of less than 15 inches. Construction material must be approved by the Board of Selectmen.

Wherever the Selectmen or their authorized agent(s) determine that water flow is adequate to cause culvert erosion, the applicant shall provide professional engineering data to justify location and size of culverts. The Selectmen or their authorized agent(s) may require any culvert installation to include headwalls.

Lateral ditches not less than 2 feet wide and not less than 2 feet lower than the edge of the traveled way shall be constructed in all cut sections or wherever the ground slopes toward the highway and intersects the fill slope above the edge of the traveled way minus 2 feet. No lateral ditch shall extend more than 200 feet (on a 5% or above grade) or more than 400 feet (on less than 5% grade) without discharging into a culvert or other approved drainage structure.

The Selectmen or their authorized agent(s) may require culverts at shorter intervals if they determine that water run-off and slope conditions create special circumstances.

## 9. Guard Rails

Guard rails may be required for any location where the Selectmen consider their use necessary for the continuance of public safety. Construction material must be approved by the Board of Selectmen.

## 10. Bridges

Plans for bridges must be submitted for review prior to start of construction. Applicant must provide professional engineering data as proof that the bridge will meet all applicable safety standards. Construction will be authorized only after a review by State Highway Engineering personnel indicates that the bridge will meet all applicable Vermont Agency of Transportation specifications. Applicant shall bear all costs of the construction of new bridges.

#### 11. Class 4 Upgrading

Applicant must provide professional engineering data to prove that an existing bridge meets all applicable safety standards. If the Selectmen do not approve an existing bridge, applicant must provide plans and engineering data for its repair and/or replacement. Applicant shall bear all costs for bridge repair/replacement.

#### 12. Driveways

Before any highway can be accepted as a Town Highway all driveways must meet Town Highway access specifications.

#### 13. Sight Distances

Before any highway is accepted as a Town Highway or before any curb cut is granted for a driveway or other entry onto a Town Highway the applicant shall demonstrate that the Vermont Highway Specifications regarding sight distances (specification B-71) will be met.

#### 14. General Guidelines

All decisions of the Selectmen, as called for in these specifications, may be made at their discretion with the advise of the Town Road Commissioner, State Highway personnel or any other consultant the Selectmen authorize as a qualified party

The Selectmen may at their discretion modify any of the above requirements if their strict enforcement would cause undue hardship to the applicant due to unusual site conditions, provided that the general objectives of these specifications are satisfied, and that the continuance of public safety, and the prospect of reasonable maintenance, are in no way compromised.

The applicant must submit proof that all materials furnished in the proposed road system meet the specifications prior to their incorporation in the proposed road system. Gravels, sands etc. will require

a sieve analysis.

PART J - EFFECTIVE DATE

Unless a petition is filed in accordance with 24 VSA 1973, this ordinance shall become effective sixty (60) days after the date of its adoption in accordance with 24 VSA 1972.

Adopted at Waterbury, Vermont this 25th day of  
April, 19 88.

/s/ Edward E. Steele

/s/ James E. Chalmers

/s/ Alec G. Tuscany

/s/ Edward C. Brown

\_\_\_\_\_  
Board of Selectmen

Received and recorded this 25th day of  
April, 19 88.

/s/ Edward Finn

Town Clerk

AMENDMENT TO

AN ORDINANCE TO ESTABLISH SPEED LIMITS ON CERTAIN TOWN HIGHWAYS  
ADOPTED BY THE WATERBURY SELECT BOARD ON AUGUST 29, 1988 AND LAST  
AMENDED November 5, 2001:

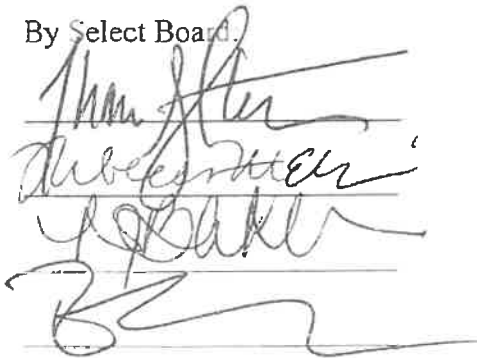
Pursuant to the provisions of 19 VSA, Chapter 3, 23 VSA, Chapter 13, and 24 VSA, Chapter 59 the  
Select Board of the Town of Waterbury hereby amends AN ORDINANCE TO ESTABLISH  
SPEED LIMITS ON CERTAIN TOWN HIGHWAYS as follows:

Perry Lea Road-T.H. 64: 25 miles per hour for the entire length of the road, in both directions.

Spruce Haven Road-T.H 46: 25 miles per hour for the entire length of the road, in both directions.

Adopted at Waterbury, VT this 21 day of Aug., 2006 to become effective 60 days after  
adoption, unless a petition is filed in accordance with 24 VSA section 1973

By Select Board:



Received and recorded this 21 day of Aug, 2006.

Donna Centonze  
Town Clerk

Posted in the following locations: Clerk's Office, Library, Center General Store

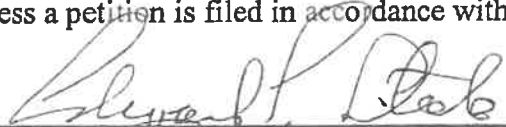


Published in the Times-Argus on: Aug 30, 2006


AMENDMENT TO  
AN ORDINANCE TO ESTABLISH SPEED LIMITS ON CERTAIN TOWN  
HIGHWAYS ADOPTED BY THE WATERBURY BOARD OF SELECTMEN  
NOVEMBER 5, 2001

Pursuant to the provisions of 19 VSA, Chapter 3, 23 VSA, Chapter 13, and 24 VSA, Chapter 59 the Board of Selectmen of the Town of Waterbury hereby amend an Ordinance to Establish Speed Limits on Certain Town Highways as follows:

- Gregg Hill Road, (T.H. 11):      25 miles per hour in both directions between the southerly intersection of Gregg Hill Road and Vermont Route 100 and a point on Gregg Hill Road 1.50 miles in a (generally) northerly direction from aforesaid intersection.
- Gregg Hill Road, (T.H. 11):      35 miles per hour in both directions from a point 1.50 miles from the southerly intersection of Gregg Hill Road and Vermont Route 100 for a distance of 2.4 miles in a northerly direction to the northerly intersection of Gregg Hill Road and Vermont Route 100.

Adopted at Waterbury, VT this 5<sup>th</sup> day of November to become effective 60 days after adoption, unless a petition is filed in accordance with 24 VSA, Section 1973.

  
\_\_\_\_\_

Received and Recorded this 5<sup>th</sup> day of November, 2001



Ss. Edward Steele, Chairman  
Chris Palermo  
Charles Sayah  
Carol Miller

These amendments were posted in the following locations in the Town and Village of Waterbury: Howard Bank, Northfield Savings Bank, Ideal Market, Village Library and Village Clerk's Office.

A summary of this ordinance was published in the Times Argus on Saturday November 10, 2001.

Ss. Donna Centonze, Town Clerk

Mr. Ernest Englehart  
District Transportation Engineer  
Agency of Transportation  
186 Industrial Lanes Rd/Berlin  
Barre, VT 05461

March 17, 2004

Dear Mr. Englehart,

At a warned meeting on March 15, 2004, the Select Board of the Town of Waterbury amended the town's highway ordinance to include the town and bridge standards as recommended by the state. In some instances our current ordinance is a higher standard than those proposed. In those instances the higher standards will still apply.

I have enclosed our current ordinance along with the new standards for your files. I hope this satisfies the agency's requirements and that Waterbury will now be eligible for the highest state funding available for our eligible projects.

If you have questions, please call.

Sincerely,

William A. Shepeluk  
Municipal Manager

SIGNS  
ROW

pg. 2



**TOWN and VILLAGE of WATERBURY**  
**SIGN BYLAWS**

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**TOWN and VILLAGE of WATERBURY  
SIGN REGULATIONS**

**ARTICLE VI      SIGN REGULATIONS**

**SECTION 600      PURPOSE**

These sign regulations are established to achieve the following objectives:

- (1) To ensure businesses, activities, events, or products are provided with sufficient opportunity for identification and promotion.
- (2) To ensure the safety and well-being of the users of streets, roads and highways in the Town and Village of Waterbury;
- (3) To reduce distractions and obstructions from signs which would adversely affect traffic safety, and to alleviate hazards caused by signs projecting over or encroaching upon public ways;
- (4) To discourage excessive visual competition in signage and ensure that signs aid orientation and adequately identify uses and activities to the public; and
- (5) To protect the natural and historic beauty of Waterbury's townscapes, rural highways, and scenic vistas from indiscriminate outdoor signage.

**SECTION 610      GENERAL REGULATIONS**

- (a) No sign shall be erected, displayed, moved or changed in size or lighting without a permit from the Zoning Administrator.
- (b) All signs, in both the Town and Village, must conform to the specific conditions as specified by these regulations.
- (c) A sign shall not be permitted for a use, structure, or activity which is in violation of the Town or Village of Waterbury Zoning Regulations.

**Section 610.1      Prohibited Signs**

- (a) Streamers, pennants, ribbons, spinners, or other similar devices are prohibited.
- (b) Flashing signs, roof signs, signs containing moving parts, and signs containing reflective elements or florescent paint are prohibited, except for time and temperature signs and barber poles.
- (c) Off-premise signs are prohibited.
- (d) Signs which appear to direct the movement of traffic, or which interfere with, imitate, or resemble any official traffic, directional, or route sign, signal, or device are prohibited, except as provided in Section 610.5(b).

**Section 610.2      Illumination**

- (a) Illumination of signs is to be effectively shielded to prevent beams or rays of light from being directed at any portion of the main traveled way of a public road.
- (b) The illumination of signs shall be by a steady light of only one color.

(c) Permanent strings of bulbs shall not be permitted. Such bulbs may only be a temporary part of a holiday decoration.

Section 610.3 Placement

(a) A sign may be mounted on a roof provided it does not exceed fifteen (15) feet in height, does not extend above the highest roof line of the building, and the top of such sign is not more than twenty (20) feet from ground level.

(b) Permanent signs shall not be drawn or painted on fences or erected, attached, or maintained upon utility poles, trees or other natural features.

(c) Free-standing or ground signs shall not be located within twelve (12) feet of a side or rear property lot line or be placed in any right-of-way.

(d) Projecting signs shall not extend into a public vehicular way, or be less than nine (9) feet above a pedestrian way.

(e) Signs should not cover important architectural details such as, but not limited to, arches, sills, moldings, cornices, and transom windows.

(f) No sign shall be erected within a municipal highway right-of-way except with the approval of the legislative body.

Section 610.4 Safety and Maintenance

(a) All signs shall be constructed of durable material, kept in good repair, and be maintained in a clean, neat and orderly appearance. Should a sign suffer structural deterioration or damage, it must be promptly repaired or removed by the owner.

(b) No sign shall be permitted which prevents a clear and unobstructed view of official signs and approaching or emerging traffic.

(c) No sign shall be erected, relocated, or maintained so as to prevent free entrance to or exit from any right-of-way, driveway, door, window, fire escape, or public street or road.

Section 610.5 Exemptions

The following signs, while subject to all general provisions of these Regulations, may be erected without a permit:

(a) Signs erected, maintained, or administered by the municipality, or by the State of Vermont under 10 VSA Chapter 21, Tourist Information Services.

(b) Small directional or warning signs, without advertising, displayed for the direction, instruction, or convenience of the public, including signs which identify restrooms, freight entrances, posted areas, etc., with an area not exceeding two (2) square feet. Such signs must be on the premises of the activity served by the sign. A maximum of one directional sign that states, refers to, or mentions the product, service, or name of the business served by that sign is permitted, provided that the purpose of the sign is to indicate the location of the business.

(c) Temporary signs:

- (1) Special event signs displayed for not more than four (4) weeks and not exceeding sixteen (16) square feet in area, which announce grand openings, fairs, expositions, auctions, lawn sales, campaign drives, or events of a

## Town and Village of Waterbury Sign Regulations

philanthropic, civic, or religious organization. Such signs shall be removed by their sponsors promptly after the completion of said event.

- (2) Political and campaign signs may be displayed for not more than fourteen (14) days prior to the time of election and shall be removed within seven (7) days following voting day.
- (3) Construction signs displayed at the construction site for not more than two (2) years not exceeding sixteen (16) square feet in area per face, which announce facts about the building or project under construction, such as the project title, contractor, architect, engineer, etc. Such signs shall not have more than two (2) faces and shall be removed promptly upon completion of the project.
- (4) Non-illuminated, portable real estate signs which advertise the sale, rental or lease of property. Such signs shall not exceed six (6) square feet in area, have not more than two faces, and be limited to one sign per broker. Real estate signs shall be removed promptly upon the sale or lease of the premises.
- (5) Temporary signs for the sale of seasonal agricultural products, provided they do not exceed four (4) square feet in area and are in place for no longer than twelve (12) weeks.

(d) Free-standing signs, such as sandwich boards or other moveable signs, providing such signs conform to the following standards:

- (1) Free-standing signs for business or civic uses shall not exceed four (4) feet in height nor eight (8) square feet in area. There shall be no more than one such sign per business.
- (2) No free-standing sign shall interfere in any way with pedestrian movement or safety on any sidewalk or thoroughfare nor interfere with traffic flow or safety on any public road or right-of-way.
- (3) A free-standing sign may only be displayed during the operating hours of and on the same premises as the business or activity it relates to and must be brought indoors or otherwise stored at the close of such business or activity.
- (4) No free-standing sign shall be illuminated other than by incidental lighting elsewhere on the site.

(e) Private home identification signs not exceeding one square foot in area.

(f) Signs in or on the rolling stock of a common carrier while in use as a vehicle and signs painted on or attached to registered and inspected vehicles, provided that any such vehicle is used primarily as a vehicle.

(g) Signs indicating the names of buildings, dates of erection, monument citations, commemorative tablets, and the like, when carved into the stone, concrete, or similar material, or affixed to the building with a permanent type of material, such as bronze, and made an integral part of the structure.

(h) Window displays and temporary signs on the inside of any window.

(i) Street banners announcing public events may be permitted by the Municipal Manager's Office. Any banners over public streets or on public property shall be subject to policies established, if any, by the legislative body or Manager's Office. Such banners shall be limited to community-wide or special events for the benefit of non-profit or civic organizations; may be erected for no more than two (2) weeks prior to the event; and shall be removed within seven (7) days after the event is over.

Section 610.6 Non-conforming Signs

(a) Any sign which was lawfully in place prior to the enactment or amendment of these regulations and does not conform to the standards herein with respect to area, height, setback, location on building, or number of signs permitted, is hereby known as a non-conforming sign.

(b) No non-conforming sign shall be enlarged, extended, moved, or changed in design, unless such changes are to bring the sign into compliance with these regulations.

(c) Any non-conforming sign which has been damaged or destroyed by fire or other accident may be re-established, providing that such repair or replacement occurs within six (6) months of the date of such damage or destruction.

(d) Any non-conforming sign which has been abandoned for more than six (6) months or identifies a business, activity, or product which has not existed at that location for more than six (6) months must be removed.

Section 610.7 Permitted Signs In All Districts

(a) A home occupation sign may be permitted in any district. Such signs shall have no more than two (2) faces and shall not exceed two (2) square feet.

(b) One permanent neighborhood identification sign (to identify the entrance to a particular subdivision recognized by a given name) is permitted at its entrance. Such sign shall have no more than two faces, each not exceeding four (4) square feet in area.

(1) If the subdivision has access from more than one entrance, identification signs will be permitted at each entrance unless both entrances are within view, provided that there be no more than two signs.

(2) In lieu of a double-faced sign, two (2) signs attached and angled, with a maximum area of four (4) feet per face, may be approved with suitable landscaping.

(c) Signs placed on or which are a part of an awning are subject to all other sign regulations in these bylaws.

**SECTION 620 SIGNS by DISTRICTS**

Section 620.1 Signs in the Village R-1, R-2, and R-3 and Town RR2 and RR5 Residential Districts

(a) There shall be no more than one (1) sign per lot identifying any non-residential building or use.

## Town and Village of Waterbury Sign Regulations

(b) No sign shall be larger than four (4) square feet in the Village R-1, R-3, and Town RR2 and RR5 Districts and no larger than twenty-five (25) square feet in the Village R-2 District. Appendages will be included in the total allowable area.

(c) Ground signs shall not exceed twelve (12) feet in height, including structural supports and ornamentations.

(d) The placement of signs shall conform with Section 610.3.

(e) Illuminated signs are prohibited in all residential districts except the R-2 District.

(f) For signs identifying residential subdivisions or other housing developments, the provisions of 610.7(b) shall apply.

### Section 620.2 Signs in Town & Village Commercial (C), Industrial (I), and Route 100 (R 100) Districts and the Colbyville, Waterbury Center Village Districts

(a) The total square footage of signage per property shall not exceed forty (40) square feet.

(b) Only one (1) ground sign shall be permitted per lot.

(c) Businesses that have property and public buildings fronting on two (2) public roads, or on both sides of a public road wherein exposure to the public is vital to the well-being and identity of said business or public building, may have a second sign approved by the Planning Commission.

(d) No ground sign shall be larger than forty (40) square feet in area in these districts except in the Village Commercial District, which shall be limited to twenty-five (25) square feet in area.

(e) Multi-business properties shall be permitted to erect an additional six (6) square foot sign for each business for the purpose of identifying the location of the entrance of the business on the property.

(f) A ground sign shall not exceed fifteen (15) feet in height, including structural supports.

### Section 620.3 Signs in the Conservation (CV) District

(a) No signs shall be permitted in the Conservation District, except a sign identifying the Conservation District, municipal or state recreation areas, or other recreation facilities, and not exceeding four (4) square feet, except as authorized under Section 610.7(a), regarding home occupations.

## **SECTION 630 ADMINISTRATION**

### Section 630.1 Application Procedure

(a) Any person wishing to erect, display, move or change in size or lighting any sign in the Town or Village of Waterbury, must first obtain written authorization in the form of a permit from the Zoning Administrator. Application forms are available from the Zoning Administrator or the Municipal Offices and shall have attached

thereto such information pertaining to the proposed sign as may be reasonably required.

(b) Within 30 days after receipt of a complete application, the Zoning Administrator shall issue or deny the permit. He or she may consult with the Planning Commission. If the Administrator determines that the application and proposed sign do not conflict with the provisions of these bylaws, he or she shall issue a permit. If, however, the Administrator determines that the application does not comply with all of the provisions of these bylaws, he or she shall deny the application. A written explanation for the denial shall accompany the notice of disapproval.

(c) If granted, the permit is issued to the property owner and the property owner is responsible for the sign's compliance with these bylaws. If the applicant is not the property owner, the application must include the signature of the property owner or authorized agent. In so doing, the property owner authorizes the erection of the sign and accepts all responsibility for any non-compliance or violation.

(d) Enforcement and appeal procedures established in Article VII of the Village of Waterbury Zoning Regulations and Article III of the Town of Waterbury Zoning Bylaws shall apply.

#### Section 630.2 Fees

(a) A fee shall be paid at the time of application to the Town or Village of Waterbury in accordance with the schedule adopted by resolution of the Board of Selectmen the Village Board of Trustees.

(b) An application shall not be considered complete unless all fees are paid.

#### Section 630.3 Measurement of Sign Area or Height

(a) Except where otherwise noted, the height of any sign shall be measured from where the ground, whether level or sloping, meets the base of the sign. The use of raised beds or earthen fill at the base of the sign shall not be used to determine the ground level (See Figure 1).

(b) Sign area measurement for ground and free-standing signs shall be based upon the entire perimeter of the sign display area, enclosing the smallest rectangle that encloses and any spaces within the actual sign surface (Figure 2).

(c) For a sign consisting of individual letters or symbols attached or painted on a surface, building, wall, or window, the area shall be considered to be that of the smallest rectangle which encompasses all of the letters and symbols.

(d) The area of the main vertical supporting framework shall not be included in the area if such framework is incidental to the display. For projecting signs, the main horizontal supporting framework shall not be included in the measurable area if such framework is incidental to the display.

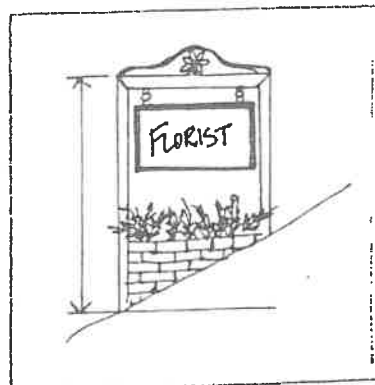


Figure 1. Height measurement

# Town and Village of Waterbury Sign Regulations

(e) When a sign has two (2) or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two (2) feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

(f) Decorative elements appended to the structural supports, such as, but not limited to, street numbers and names of historic buildings, shall not be included in the calculation of the sign area, so long as they are consistent with the scale and character of the sign.

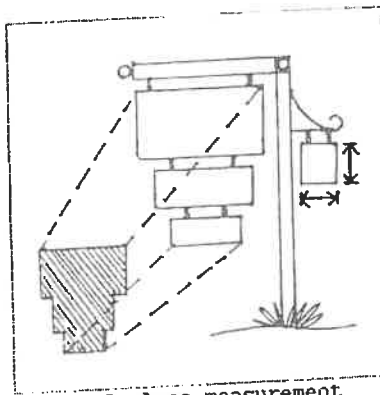


Figure 2. Area measurement

## SECTION 640 DEFINITIONS

Unless otherwise specified in this section, the meanings of words contained in these bylaws shall be interpreted by the definitions provided in the most current edition available of Webster's Dictionary.

**APPENDAGE:** An attachment to the main body of a sign, which could include a smaller sign, an ornament, or some form of direction indicator.

**AWNING:** A canopy, which may or may not be retractable, attached to a building and usually overhanging an entrance and/or a sidewalk to protect merchandise and/or the public from the elements.

**BANNER:** A sign made of a flexible material, such as paper, plastic, or fabric, hung with or without frames, to call attention to a campaign, event, or activity, usually of a civic, political, philanthropic, or religious organization.

**BILLBOARD:** See Off-premise sign.

**BUSINESS:** A lawful enterprise or organization, except a farm operation, that is conducted primarily for the purchase, sale, lease, and/or rental of personal or real property, and/or the manufacture, processing, and/or marketing of products, commodities, or the provision of services to the public.

**DIRECTIONAL SIGN:** A sign indicating the direction or location of various uses, businesses, activities, or facilities located on the premises.

**FACADE:** The exterior wall surface of a building facing onto a street or other public way.

**FLAG:** An article of flexible material, such as paper, nylon, or fabric, attached at one edge to a staff or cord, and used as a symbol of a nation, a state, or a civic or governmental organization.

**FLASHING SIGN:** A sign whose illumination is not kept constant in intensity at all times when in use, and which exhibits changes in light, color, direction, or animation. Illuminated signs which indicate the date, time, and temperature will not be considered flashing signs.



## Town and Village of Waterbury Sign Regulations

**FREE-STANDING SIGN:** A self-supporting, portable sign or sign structure not securely attached to the ground or to any other structure.

**GROUND SIGN:** A sign having its own supporting structure in a fixed location on the ground and is not attached to any building, wall, or fence.

**ILLUMINATED SIGN:** Any sign lit by electrical bulbs, florescent lights, or neon tubes.

**MOVEABLE SIGN:** See *free-standing sign*.

**OFF-PREMISES SIGN:** A sign which directs attention to a business, industry, profession, service, commodity, or activity which is conducted, sold, or offered elsewhere other than the premises where the sign is located.

**PENNANT:** A piece of fabric, plastic, or other material that is not a flag.

**POLITICAL SIGN:** A temporary sign calling attention to a political event, vote, election, or candidate for public office.

**PROJECTING SIGN:** A sign, other than a wall sign, which extends beyond the building or wall surface to which it is affixed in such a manner that the portion conveying visual communication is not flush with the building.

**PUBLIC VEHICULAR WAY:** That portion of a highway right-of-way which is traveled by vehicles.

**ROOF SIGN:** A sign which is located or projects above the lowest point of the eaves or the top of the parapet wall of any building, or which is painted or fastened to a roof surface.

**SANDWICH BOARD:** An A-shaped free-standing sign with one or both sides used for advertising.

**SIGN:** A structure or display of lettering, logo, or other image intended to directly or indirectly convey a message, advertise, direct, invite, announce, or otherwise draw attention to a use conducted, or goods, products, services or facilities available on the premises. This does not include window displays and merchandise.

**SIGN AREA:** The area of a sign shall be determined through Section 630.3 of these bylaws.

**STRUCTURAL SUPPORT:** Any post, beam, wall, or other device upon which the sign is affixed or suspended from, and which is incidental to the sign.

**TEMPORARY SIGN:** A non-permanent sign constructed of any material for the purpose of advertising a product, event, service, or facility for a limited period of time.

**WALL SIGN:** A sign attached to, painted on, or otherwise affixed to the exterior of a building, the display area of which is parallel to the building wall to which it is attached, and no part of which projects over six (6) inches from the face of the building.

### SUGGESTED DESIGN GUIDELINES

*This section offers guidelines only and are not requirements. Because signage is intended to be visible and attract attention, it has a significant visual impact on an area, particularly one which seeks to maintain its historic character and certain aesthetic qualities. Signage, as part of the overall character of an area, can produce a lasting impression on visitors and shoppers. This section is offered to sign owners and sign makers as a non-regulatory, voluntary guideline; it will not be used to evaluate a proposed sign.*

#### Signs in Historic Districts

There are many areas in Waterbury with structures of historical and/or architectural significance, including four designated historic districts. These historic districts are also consistent with original village settlements which remain characterized by mixed uses and a pedestrian orientation. Signage in these areas should complement the character of the area and the structure it relates to.

#### Sign Types

The choice of sign should depend upon the surroundings and the attention one desires to attract. An abundance of signs of many different sizes, shapes, and heights in the same area can be visually chaotic and ineffective as they compete for the attention of the viewer, particularly in business districts. Signs of with similar materials, lighting, and styles of support can provide a unifying element to a village or business district and enhance the area for business (Figure 3).

Ground signs are perhaps best used in situations where there is a large setback from the street, where the attention of fast-moving vehicles is being sought, or where there are several uses in one building or complex.

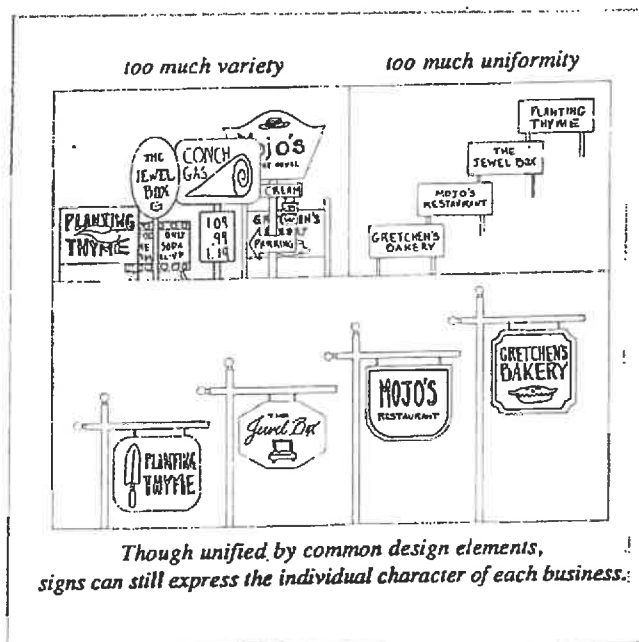


Figure 3. Variety vs Uniformity

Illustration from the Village Planning Handbook, Bucks County Planning Commission, 1989.

Wall signs; or other signs attached directly on a building, are best used in pedestrian or Village scale commercial areas. Figure 4 illustrates appropriate locations on a building for various types of signs.

Projecting signs are best used for street-level and second floor business identification where the attention of people in slow-moving cars or pedestrians is desired and where little or no front yard is available for a ground or free-standing sign (Figure 4, No. 8). Those identifying second floor businesses (No. 9) should be placed directly beside a related window and should not be higher than the height of the window opening. First floor projecting signs should not project more than three feet and second floor projecting signs should not project more than two feet beyond the facade of the building.

Windows provide an excellent area for signs which will not interfere with the architectural details or overall appearance of the structure. Such signs should simply state the name and function of the business. Covering the window with long lists of products, prices, and other information can create a cluttered and unattractive appearance.

Free-standing signs are perhaps best used in areas of slow-moving vehicular traffic or pedestrian activity. Free-standing signs work very well in intimate settings, such as court yards.

#### Placement

If two establishments share a common storefront (Figure 4, No. 1), ideally, both would use the same basic sign format. Signs relating to street-level establishments should be placed within an information band (No. 3) immediately above the storefront (No. 1) or should be applied directly to the display window (No. 2).

The information band (No. 3) should not be longer than the overall length of the storefront (No. 1). If it cannot be confined to the width of an existing band defined by the of the building, its recommended height should not exceed two feet, six inches.

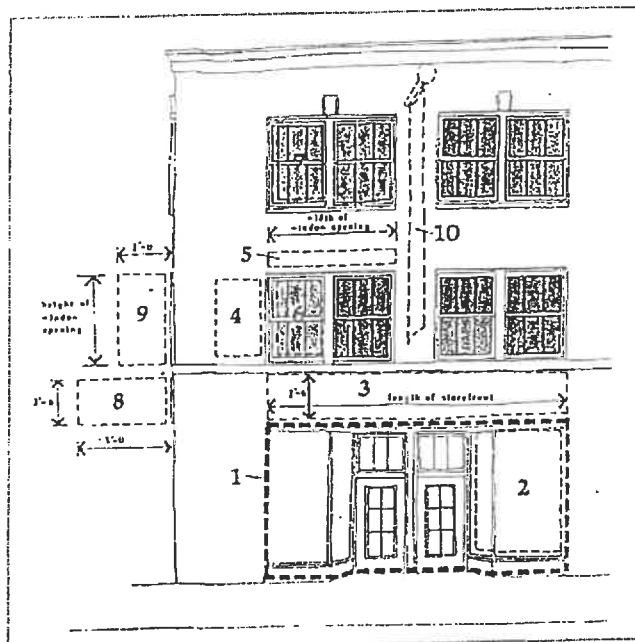


Figure 4. Sign types and placement

Illustration from the Montpelier Citruscape Workbook,  
A Guide for Development in the Design Control  
District, the Burley Partnership, 1976.

Second floor businesses should be identified either by a street-level directory or a sign which is placed directly beside (No. 4), immediately above (No. 5, or applied directly on a related window (No. 6.)). A sign placed beside the window should be no higher than the height of the window opening. A sign placed immediately above a window should be no longer than the overall width of the window.

Third floor businesses should be identified either by a street-level directory or a sign which is applied directly to a related window (No. 7). No signs should be placed on the facade of the building above the second floor.

### Size

The size of words and the overall sign should be kept in scale with the viewer's expected location and speed. The sign should also be scale with the building it is associated with. Larger, auto-oriented signs may be more appropriate on Route 100 but are generally not consistent with the scale and pedestrian-orientation of village areas (Figure 5).

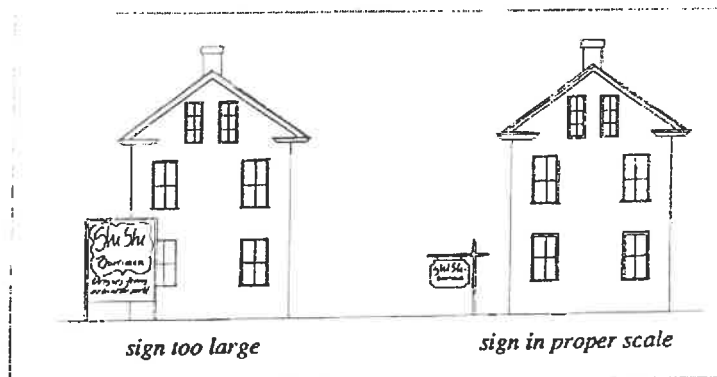


Figure 5. Size and scale

The size of the sign should depend upon its expected location on the facade of the building so it does not conceal significant architectural details (Figure 4).

### Content

The message on the sign should be easy to read, direct, and simple. Too much information on one or a group of signs may be difficult for a viewer to absorb (Figure 6). A sign using bold, easily-recognized symbols and clear, crisp lettering will effectively identify a business or activity, enhance the area in which it is located, and complement the general appearance of the street. Pictures, symbols, and logos can add individuality and character to signs, in addition to making them easier to read.

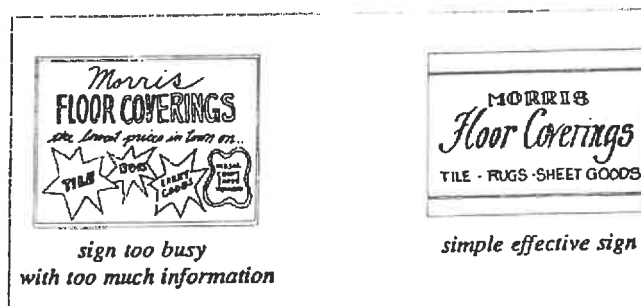


Figure 6. Cluttered vs. clear information

Figures 5 & 6 from the Village Planning Handbook, Bucks County Planning Commission, 1989.


## Materials

Materials should be selected which are compatible with the architecture of the building and the character of the area. For signs in historic village areas and business districts, consideration should be given to how its materials will fit into the surrounding streetscape. In Waterbury's historic village areas, for example, sign materials should be consistent with or complement the construction materials and architectural style of the building or structure. Signs of wood, either painted or carved, are usually most appropriate for the architectural features of villages. While a variety of supports could be used, wood or wrought iron is recommended. Internally-lit plastic signs are generally not consistent in historic village areas.

## Colors

Most signs need no more than three colors: one for background, a contrasting color for lettering, and a third for emphasis (such as borders, motifs, or shading). For an illustration incorporated into a sign, complementary colors should be used (Figure 7).

Colors used for a sign should complement general tone of the structure it serves. When more than one sign is used, the colors of the signs should be coordinated with each other to present a unified image.



color 1 Letters	color 2 Background	color 3 Accent Colors
Gold leaf, white, red, blue, green, cream, straw yellow	Black	White, red, green, gold leaf, blue, dark yellow
White, red	Navy blue	Black, white, straw yellow, gold leaf
Navy blue, black	Gray	White, red
Gold leaf, white, red	Emerald green	White, gold leaf, black
Gold leaf, light blue	Brown	Red, white
Navy blue, red	Cream	Black
Gold leaf, white, mustard yellow	Red	Black
Navy blue, red	Mustard yellow	Red, black

Figure 7. Colors

Figure 7 from the Village Planning Handbook, Bucks County Planning Commission, 1989

*Passed at Annual  
Village Meeting  
March 3, 1993  
Barbara A. Lyons  
Village Clerk*



Vermont League  
of Cities & Towns

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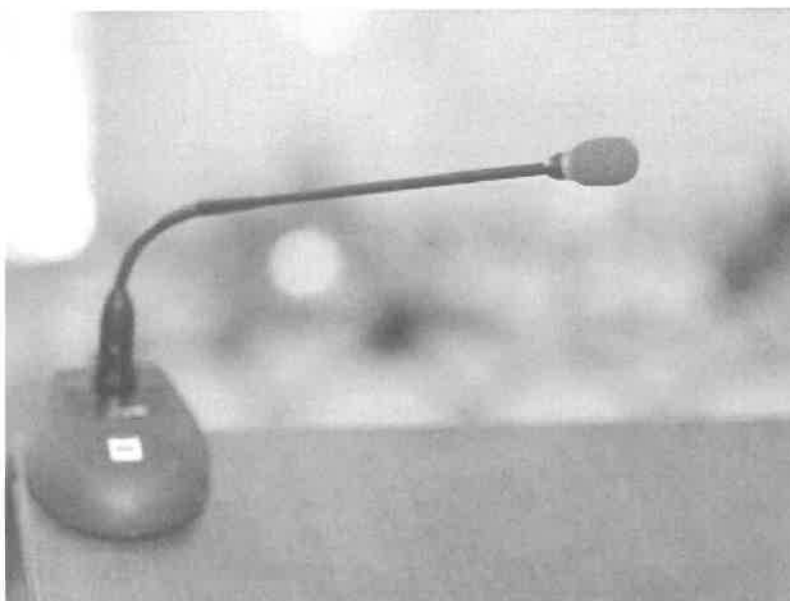
Home / News

# Act 133 (S.55) Amendments to Open Meeting Law to Take Effect July 1, 2024

**JUNE 12, 2024**

Act 133 (S.55) is a permanent amendment to Vermont's Open Meeting Law that:

- permits "advisory bodies" – those that do not have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or



budgetary matters – to meet electronically without a physical meeting location (i.e., remotely);

- requires all other public bodies (i.e., “nonadvisory bodies”) to record, in audio or video form, their meetings and post the recordings in a designated electronic location for a minimum of 30 days following the approval and posting of the official minutes of the meeting which was recorded;
- allows all public bodies to meet remotely in response to a state of emergency or “local incident”;
- requires all public bodies to provide local residents, members of the press, or members of the body itself electronic/telephonic or in-person meeting access options to a regularly scheduled meeting, if requested (unless it causes an undue hardship);
- requires a municipality to post on its website (if it maintains one):
  - an explanation of the procedures for submitting notice of an Open Meeting Law violation to the public body or the Attorney General; and
  - a copy of the text of 1 V.S.A. § 314; and
- imposes annual training requirements on selectboard chairs, town managers, and mayors.

**None of these changes take effect until July 1, 2024.** Until that time, all public bodies can continue holding remote meetings (see our COVID-19 Open Meeting Law FAQs), and after that time all public bodies will continue to be able to hold hybrid meetings.

The training requirements take effect on January 1, 2025.

VLCT’s Municipal Assistance Center is feverishly updating online resources affected by these new amendments as well as developing new Act 133 (S.55) Open Meeting Law FAQs, which will be out well in advance of the law’s July 1 effective date. Until then, please direct any questions you may have to [info@vlct.org](mailto:info@vlct.org) or 1-800-649-7915.

H.546 – Miscellaneous Tax Bill, Authorization of Local Option Tax  
H.629 (Act 106) – Municipal Tax Abatement and Tax Sales  
S.55 – Open Meeting Law Changes  
H.875 – Municipal Ethics

**H.875** *Repeals 24 V.S.A. § 1984. Amends 24 V.S.A. § 2291 and 24 V.S.A. chapter 60, § 1991 – 1997.*

*Effective date: January 1, 2025, except repeal of existing municipal ethics statutes takes effect upon passage and new training requirement takes effect September 30, 2025.*

This bill creates a new uniform municipal code of ethics that most municipal officers will need to follow; requires municipal legislative body members and quasi-judicial body members to take training; requires municipalities to take, investigate, and enforce ethics complaints; and implements new record keeping and reporting requirements.

Since 2019, municipalities have been required to adopt an ordinance or a policy that defines conflicts of interest and outlines how violations will be enforced. VLCT estimates that most municipalities have done exactly that, as the State Ethics Commission recognizes 66 such policies on its website, and we're aware of many others that have used our own model conflict of interest policy or have charter provisions addressing ethics. Moreover, we receive nearly 100 inquiries from our members a year – which almost always receive the same advice: “take a look at VLCT's model conflict of interest policy and FAQs.” But following the issuance of a [report on municipal ethics](#), the State Ethics Commission proposed to discard these municipal authorities and instead create a statewide municipal code of ethics.

The House largely ignored VLCT's input on the bill – making small changes related to prohibited conduct definitions. The Senate significantly improved the bill, making changes to whistleblower protection provisions that, if they had passed, would have allowed any citizen to file a lawsuit against any municipal official they believed violated the state's new code of ethics, even offering punitive damages.

**VLCT ultimately opposed the bill, in large part because of the deeply flawed nature of the one-size-fits-all approach that demonstrates a distrust of municipal officials, and also because of the new unfunded mandates put on municipalities.**

The bill:

- Places two former municipal officials on the State Ethics Commission – one appointed by the Speaker and one by the Senate Committee on Committees.
- Creates a uniform code of municipal ethics, including required recusal procedures and prohibited activities, that municipal officers must follow.
- Enables the State Ethics Commission to receive ethics complaints about municipal officials and *refer* them to municipal ethics liaisons for investigation and enforcement.



- Enables the State Ethics Commission to provide advisory opinions and guidance to municipal officials.
- Requires all members of legislative bodies and quasi-judicial bodies to take ethics training every three years.
- Requires training records to be maintained by the municipality or the municipal officers themselves.
- Directs the Ethics Commission to be the creator of ethics training (though they can approve other training vendors).
- Requires municipalities to post the code of ethics and enforcement mechanism of the code on their website and provide it to all municipal officers.
- Requires municipalities to designate an ethics liaison, within 30 days of the bill becoming law, to communicate with the State Ethics Commission.
- Requires municipalities to designate someone to receive complaints.
- Requires municipalities to maintain records of complaints and the disposition of those complaints.
- Requires municipalities to establish an investigation and enforcement ordinance, policy, or rule.
- Requires municipalities to report the number and outcome of any complaints to the Ethics Commission.
- Creates a new whistleblower protection for municipal employees that is nearly identical to that which protects state employees.

**Of note is that the bill gives no new resources to the State Ethics Commission or municipalities to undertake this work.**

In May, VLCT wrote to Governor Phil Scott explaining our concerns about the bill, and requested that he veto the legislation. **On June 10, Governor Scott allowed H.875 to become law without his signature** and [sent this letter to the legislature](#). Read Ted Brady's remarks in [VLCT's June 11 public statement](#). We will do our best to help our members comply. We are committed to ensuring that municipal officials hold themselves to the highest ethical standards and are accountable to the people who elected them. The State Ethics Commission is given the authority to provide guidance and advice to municipalities, so **we encourage municipal officials to contact the Ethics Commission and ask any ethics questions they may have, as the commission is best suited to interpret the state code at this time.**

## Karen Petrovic

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**From:** Thomas Leitz  
**Sent:** Tuesday, June 11, 2024 10:53 AM  
**To:** Karen Petrovic; Alyssa Johnson; Ian Shea; Kane Sweeney; michael.bard22@gmail.com; Roger Clapp  
**Subject:** 2024 tax rate  
**Attachments:** 2024 Tax Rate Calculation.xlsx

All:

I am sending this in advance of the upcoming meeting.

The attached spreadsheet lays out the budgeted tax rate calculation, plus the actual using the grand list as of today. The grand list came in higher than anticipated, so if the planned tax rate is utilized we will have a surplus of about \$40,000 in 2024. I note the voters approved a maximum tax rate of 0.5570.

That being said, we have four FEMA buyouts in the works and three of those properties are vacant, so we can logically expect for those owners to request abatements (and they all requested and received abatements in 2023). I estimate that cost at about \$13,000. There is a bill that would allow for the Town to be reimbursed for school tax abatements, but only if they are filed on time before the bill sunsets.

The "Tax Rate Calcs" tab shows the math using the budgeted rate of .5570, versus the rate that could be adopted to meet the budget exactly.

The "Tax Rate Variations" tab shows some options wherein the \$40k surplus is reduced in increments of \$10,000.

Regards,

Tom Leitz, Municipal Manager  
Town of Waterbury  
28 North Main St., Waterbury VT 05676  
(802) 244-4300  
he/him/his



2023: Taxes & Grand List

<b>2023 Final Grand List</b>	\$	7,845,212
Taxes Raised	\$	4,266,771
Budget Surplus (Deficit)	\$	4,266,771
<b>Adopted Tax Rate</b>		<b>0.5439</b>
Total Cost for a \$300,000 Home	\$	1,631.70

<b>Veterans Exemption</b>		
Exempt Value	\$	697,300
2023 Homestead Tax Rate		1.9154
Amount Required to Raise	\$	13,356
<b>Required Veterans Rate</b>		<b>0.0017</b>
Total Cost for a \$300,000 Home	\$	5.11

<b>Hunger Mountain Exemption</b>		
Exempt Value	\$	764,600
2023 Homestead Tax Rate		1.9154
Amount Required to Raise	\$	14,645
<b>Required Hunger Mountain Rate</b>		<b>0.0019</b>
Total Cost for a \$300,000 Home	\$	5.60

2024: Taxes & Grand List

<b>2024 Budget Plan</b>	<b>Rates/Amount</b>		<b>Change from 2023</b>	<b>% Change from 2023</b>
Total 2024 Taxes Required	\$	4,402,429	\$	135,658
Estimated 2024 Grand List	\$	7,903,919	\$	58,707
<b>Voter Approved Maximum Tax Rate</b>		<b>0.5570</b>		<b>0.0131</b>
Total Cost for a \$300,000 Home	\$	1,670.98	\$	39.28

<b>2024 Final Grand List</b>	\$	7,976,313	\$	131,101	1.7%
Taxes Raised Using 0.5570 Rate	\$	4,442,752	\$	175,981	4.1%
Budget Surplus (Deficit) Using 0.5570 Rate	\$	40,323			
<b>Tax Rate to Exactly Meet Budget</b>		<b>0.5519</b>		<b>0.0080</b>	1.5%
Total Cost for a \$300,000 Home	\$	1,655.81	\$	24.11	1.5%

<b>Veterans Exemption</b>					
Exempt Value	\$	660,000	\$	(37,300)	-5.3%
Estimated 2024 Homestead Tax Rate		2.2027		0.287	15.0%
Amount Required to Raise	\$	14,538	\$	-	-
				1,182	8.8%
				0	
<b>Required Veterans Rate</b>		<b>0.0019</b>		<b>0.0002</b>	8.8%
Total Cost for a \$300,000 Home	\$	5.56	\$	0.45	8.8%

<b>Hunger Mountain Exemption</b>					
Exempt Value	\$	764,600	\$	-	0.0%
Estimated 2024 Homestead Tax Rate		2.2027		0.287	15.0%
Amount Required to Raise	\$	16,842	\$	-	-
				2,197	15.0%
<b>Required Hunger Mountain Rate</b>		<b>0.0021</b>		<b>0.0003</b>	15.0%
Total Cost for a \$300,000 Home	\$	6.44	\$	0.84	15.0%

	Tax Rate Variations	Change from 2023	% Change from 2023
Voter Approved Maximum \$40k Surplus		0.5570	0.0131
\$30k Surplus		0.5557	0.0118
\$20k Surplus		0.5544	0.0105
			1.94%
Total Cost for \$300,000 Home			
Voter Approved Maximum \$40k Surplus	\$	1,671.00	\$
\$30k Surplus	\$	1,667.10	\$
\$20k Surplus	\$	1,663.34	\$
			31.64
			1.94%

Expected Cost of Tax Abatement Requests			
35 North Main	\$	157,800	
36 Union Street	\$	161,200	
40 Union Street	\$	141,200	
Subtotal	\$	460,200	
Estimated Lost Town Revenue	\$	2,563.31	
Estimated Lost School Taxes	\$	10,136.87	

# Parking Ordinance

Section 9-10  
Article IX



All enforcement officers are designated as issuing municipal officials under this ordinance for the purpose of enforcing the same.

- (b) Enforcement officers and others authorized to enforce this ordinance are hereby specifically authorized to direct traffic by voice, hand, or signal in conformance with general traffic laws and this ordinance, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, enforcement officers may direct traffic as conditions may require notwithstanding the provisions of the general traffic laws or this ordinance.
- (c) Officers of the fire department, when at the scene of a fire, or other emergency may direct or assist enforcement officers in directing traffic at the scene or in the immediate vicinity, as provided by the general laws of this state.
- (d) Civilian employees of the Town of Waterbury, authorized and designated by the Select Board and under the supervision of the Municipal Manager shall be empowered to enforce violations of Article X, "Parking Violations" of this ordinance and otherwise serve as an issuing municipal official under Chapter 59 of Title 24.

#### **Sec. 2-14 CIVIL ORDINANCE ENFORCEMENT GENERALLY**

In accordance with 24 V.S.A. Sections 1971 and 1974a, this ordinance shall be designated a civil ordinance and violations thereof shall be enforced according to the requirements of law. Nothing herein shall preclude the Town from pursuing any and all other civil remedies available by law at the violators expense for the purpose of collection or for pursuing any other remedy at law or in equity, including injunctive relief and process for contempt.

#### **Sec. 2-15 OBEDIENCE TO ENFORCEMENT AND FIRE DEPARTMENT OFFICERS**

No person shall willfully fail or refuse to comply with any lawful order of an enforcement officer or fire department official.

#### **Sec. 2-16 DEFINITIONS OF WORDS AND PHRASES**

The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them in this section.

- (a) **Authorized Emergency Vehicle:** Vehicles of fire departments, including volunteer members thereof, law enforcement vehicles, ambulance and medical service vehicles, and such other emergency or rescue vehicles of the Town of Waterbury or other municipal departments, the state or public utility corporations or privately owned vehicles designated as "authorized emergency vehicles" by the public body or official having jurisdiction.

- (b) Bicycle: Every device propelled by human power upon which any person may ride, having not more than three wheels in contact with the ground.
- (c) Commercial Vehicle: Any motor vehicle, except a school bus, with a gross vehicle weight of 26,000 lbs. or greater.
- (d) Crosswalk:
  - (1) That part of a roadway at an intersection included within the prolongation of the lateral lines of a sidewalk to the opposite side of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway.
  - (2) Marked crosswalk is any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the roadway surface.
- (e) Curb: A vertical or sloping member generally along and defining the edge of a roadway.
- (f) Curb line: The boundary between a roadway and a sidewalk usually marked by a curb.
- (g) Driver: Every person who drives or is in actual physical control of a vehicle or a bicycle.
- (h) Hydrant Area: A rectangular space 12 feet long and ten feet wide, one of the longer dimensions being the line of the curb, with the middle thereof at or opposite an adjacent fire hydrant.
- (i) Intersection:
  - (1) The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.
  - (2) Where a highway includes two roadways (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways (30) feet or more apart,



then every crossing of two roadways of such highways shall be regarded as a separate intersection. The junction of an alley with a street or highway shall not constitute an intersection.

- (G) **Motorcycle or Moped:** 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.
- (k:) **Motor Vehicle:** Every vehicle which is propelled by a motor or an engine.
- (l) **No Passing Zone:** A section of highway or street designated by the public body or official having jurisdiction as one where overtaking and passing or driving to the left of the roadway would be especially hazardous and is prohibited.
- (m) **Official Traffic Control Devices:** All traffic signs, highway traffic signals, traffic markings, 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 or guiding traffic.
- (n) **Park:** When prohibited means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers.
- (o) **Parking:** The stopping or standing on a street or roadway of any vehicle whether occupied or unoccupied regardless of the reason.
- (p) **Municipal Parking Lot:** The words "municipal parking lot" shall mean and include all areas of land owned, leased, or controlled by the Town of Waterbury, EFUD or their successors and prepared and managed for parking by the general public.
- (q) **Parking Lot-Private:** An area designated and owned by an individual, group of individuals, company or corporation which is designated for their use or the exclusive use of their patrons.
- (r) **Parking Lot-Public Safety:** An area for the regulated parking of emergency vehicles owned, used, or rented by the Town of Waterbury, the EFUD or their successors or the vehicles of employees/volunteers assigned to the public safety departments of those municipalities.
- (s) **Pedestrian:** Any person afoot.
- (t) **Enforcement Officer:** All law enforcement officers as defined in 23 V.S.A Section 4(11)(A)
- (u) **Right of Way:** The right of a pedestrian or a driver's vehicle to proceed in a lawful

manner in preference to another pedestrian or vehicle approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

- (v) Roadway: The portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the beam or shoulder. In the event a highway includes two or more separate roadways, the term "roadway", as used herein, refers to any such roadway separately but not to all such roadways collectively. For the purpose of this ordinance the words including, but not limited to, street, highway, road, avenue, lane, etc... shall be considered roadways.
- (w) Roundabout: An intersection of two or more roadways, designed as a circle to facilitate continuing traffic flow, where vehicles entering the roundabout yield to vehicles traveling within the circle and vehicles entering and exiting the roundabout yield to pedestrians within marked crosswalks.
- (x) Public Parking Lots Owned by the EFUD or its successor or the Town of Waterbury:
  - Elm Street Parking Lot: Located adjacent to 2 Elm Street
  - Stowe Street Parking Lot: On both sides of Bidwell Lane from its intersection with Stowe Street for a distance of 95 feet in an easterly direction.
  - Upper Bidwell Parking Lot: Off the south side Bidwell Lane behind, 23 Stowe Street
  - Middle Bidwell Parking Lot: Off the north side of Bidwell Lane, adjacent to railroad tracks.
  - Lower Bidwell Parking Lot: On both sides of Bidwell Lane, behind 46 South Main Street and in front of 30 Foundry Street.
  - 51 S. Main Street Lot: Adjacent to and behind the former Municipal Office Building at 51 S. Main Street
- (y) School Zone: A distance not greater than 1,000 feet along the street, on either side of a school, where a speed limit of 25 miles per hour may be posted and enforced when a yellow traffic signal light is flashing.
- (z) Sidewalk: The portion of the street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- (aa) Stop: When required means complete cessation of movement.

- (ab) Stop, Stopping or Standing: When prohibited means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a enforcement officer or a traffic control sign or signal.
- (ac) Street or Highway: The entire width between the boundary lines of every way publicly maintained where any part thereof is open to the use of the public for purposes of vehicular or pedestrian travel.
- (ad) Traffic: Pedestrians, animals, vehicles, and other conveyances either singly or together, while using any street for purpose of travel.
- (ae) Traffic Lane: A strip of roadway intended to accommodate the forward movement of a single line of vehicles.
- (at) Traffic Signals-Light:
  - 1. An official traffic control device with colored illuminated lenses used to control traffic, usually at major intersections, school zones or at public safety facilities.

## 2. Lens Colors:

- (a) Green: While the green lens is illuminated, vehicles facing the green lens may proceed through the intersection, but shall yield the right of way to pedestrians within crosswalks or vehicles in the intersection at the time the signal was exhibited.
- (b) Red: When the red lens is illuminated, vehicles facing the red lens shall stop prior to entering the crosswalk, or in the absence of a crosswalk, at the stop line or the curb line of the intersecting street. Unless otherwise prohibited by signage, vehicles intending to turn right at the intersection controlled by the red signal may do so after making a complete stop and then only if it is safe to do so.
- (c) Red-Flashing: When the red lens is flashing, vehicles facing the flashing red lens shall stop prior to entering the crosswalk, or in the absence of a crosswalk, at the stop line or the curb line of the intersecting street. If the way is clear and no vehicles are approaching the intersection, which have the right of way, the vehicle may proceed through the intersection.
- (d) Yellow: While the yellow lens is illuminated, waiting vehicles facing

the yellow lens shall remain standing and any vehicle facing the yellow lens approaching the intersection shall stop prior to entering the crosswalk, or in the absence of a crosswalk, at the stop line or the curb line of the intersecting street unless so close to that point that a stop at the required spot cannot be made safely.

- (e) Yellow-Flashing: A flashing yellow lens shall indicate the presence of a hazard or a reduced speed school zone and vehicles must proceed with caution at speeds not greater than posted.
- (ag) Trailer: A trailer is a vehicle without motive power designed to be drawn by a motor vehicle and so constructed so that no part of its weight rest upon the towing vehicle.
- (ah) Semi-Trailer: A semi-trailer is a vehicle without motive power designed to be drawn by a motor vehicle and so constructed that some part of its weight or its load rest upon or is carried by the towing vehicle.
- (ai) Vehicle: Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.
- (aj) Warning Signal Emergency: A bell, siren, or horn, when sounded in conjunction with either a red, red and white, blue, or blue and white light on an emergency vehicle.
- (ak) Manual on Uniform Traffic Control Devices-MUTCD: All signs and signals to regulate traffic, movements and parking of motor vehicles, bicycles and pedestrians on all highways, roads, and streets.
- (al) Town or Municipality: all references to Town or Municipality shall mean the Town of Waterbury, Vermont, a Vermont Municipal Corporation situated in Washington County in the state of Vermont.
- (am) Manager, Municipal Manager, Town Manager: The person employed to manage the Town as specified in 24 V.S.A. Sections 1231-1243.
- (an) Manager's Designee: Person authorized by the Municipal Manager to perform duties of the manager as authorized by this ordinance

**Sec. 2-17      DISOBEYING OFFICIAL TRAFFIC CONTROL DEVICES**

It shall be unlawful for any person to disobey the direction of an official traffic control device except in response to the direction of an Enforcement Officer.

**Sec. 2-18      TAMPERING WITH OFFICIAL TRAFFIC CONTROL DEVICES**

It shall be unlawful for any person to willfully, remove, injure, obstruct, tamper with, or deface any official traffic control device.

**Sec. 2-18A      Compliance with MUTCD Standards**

All signs and signals shall comply with MUTCD standards for size and reflectivity. The standard for installation and placement of the devices shall, as best as practicable, meet the MUTCD standard. If field conditions prohibit installation and placement in strict accordance with MUTCD standards, the devices shall be installed and placed to be as close to "in compliance" as possible.

**Sec. 2-19      LOCATION ON TRAFFIC CONTROL SIGNAL LIGHTS**

Traffic control signals are authorized by the Select Board at the following intersections:

- (a)      Main Street and Stowe Street
- (b)      South Main Street and Park Street
- (c)      Waterbury-Stowe Rd/ Rt. 100 at Stowe Street and Blush Hill Road.
- (d)      Stowe Street-At points not greater than 1,000 feet north or south of the school where lights which flash yellow have been installed to alert drivers of a school zone.
- (e)      Northbound 1-89 exit ramp at its intersection with Waterbury-Stowe Road
- (t)      Southbound 1-89 exit ramp, for left turning vehicles at its intersection with Waterbury-Stowe Road
- (g)      Waterbury-Stowe Rd/Rt. 100 at entrance to 820 Waterbury-Stowe Rd.
- (h)      Waterbury-Stowe Rd/Rt. 100 at Crossroad and Laurel Lane
- (i)      Waterbury-Stowe Rd/Rt. 100 at Guptil Road

**Sec. 2-20      MEANING OF TRAFFIC LIGHT AND BLINKER INDICATIONS**

Colors in traffic lights and blinkers shall have the meanings ascribed to them in this section 2-16.

#### **Sec. 2-21      PROCEEDING THROUGH INTERSECTIONS AND CROSSWALKS**

It shall be unlawful for the operator of any vehicle to enter or proceed through an intersection or crosswalk without due regard to the safety of other persons, regardless of what indications may be given by traffic lights.

#### **Sec. 2-22      LOCATION OF CROSSWALK**

Marked crosswalks shall be located at the discretion of the Select Board, and shall be clearly marked on the road surface. Signs indicating the locations of a crosswalk shall be installed at the crosswalk in compliance with MUTCD Standards.

#### **Sec. 2-23                      RIGHTS OF WAY AT CROSSWALKS**

It shall be unlawful for the operator of a vehicle to fail to yield the right of way to a pedestrian who is crossing a street in a marked crosswalk or has entered a crosswalk.

- (1) Pedestrians shall not have the right of way to cross at intersections controlled by traffic lights unless the lens facing them is green, flashing red, or flashing yellow.
- (2) Pedestrians shall not have the right of way to cross at intersections controlled by traffic signals equipped with a pedestrian crossing signal unless the signal indicates that pedestrians may cross.

#### **Sec. 2-24                      PASSING VEHICLES STOPPED FOR PEDESTRIANS**

Whenever a vehicle has stopped to permit a pedestrian to cross a street, it shall be unlawful for the operator of any other vehicle approaching from the rear to pass such stopped vehicle.

### **ARTICLE III. MISCELLANEOUS RULES**

#### **Sec. 3-10      PERSONS PROPELLING PUSH CARTS, BICYCLES OR RIDING ANIMALS TO OBEY TRAFFIC REGULATIONS**

Every person propelling any push cart or riding an animal upon a street or highway, and every person driving any animal-drawn vehicles, and every person riding a bicycle shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application or where excepted by state statute.

**Sec. 3-11**

**AUTHORIZED EMERGENCY VEHICLES**

- (a) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.
- (b) The driver of an authorized emergency vehicle may
  - (1) Park or stand, irrespective of the provisions of this ordinance;
  - (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation and only if the way is clear or the traffic entering the intersection has yielded the right of way.
  - (3) Exceed the prima facie speed limits so long as he does not endanger life or property;
  - (4) Disregard regulations governing direction of movement or turning in specified directions.
- (c) The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds an audible signal by bell, siren, horn or exhaust whistle, as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red or blue light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police or other law enforcement vehicle need not be equipped with or display a red or blue light visible from in front of the vehicle.
- (d) All emergency vehicles shall be equipped with red, blue, or blue and white lamps and or a siren.
  - (e) The foregoing provisions shall not relive the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety or others. Such driver and the Town of Waterbury shall have such immunity from liability for personal injury and property damage as provided for by the general law of the state.

**Sec. 3-12**

**PARKING NEAR CURB**

No person shall park any vehicle in any street except within 12 inches of the curb or the edge of the street thereof and with the curb or street edge to the driver's right, and if the parking area is marked, wholly within the parking area. Parking, in the fashion described above is permitted, in legal parking spaces, with the curb or edge of the street to the driver's left, if the street is marked as a One-Way Street.

**Sec. 3-13**                    **OBSTRUCTION OF CROSSWALKS AND INTERSECTIONS**

No person shall keep any vehicle or part thereof stationary, or keep or permit any animal in his charge standing, over or upon any crosswalk, or within the intersection of streets or of driveways with streets.

**Sec. 3-14**                    **OBSTRUCTION OF TRAFFIC**

No person shall keep any vehicle or part thereof stationary, or keep or permit any animal in his charge standing, in any street in such manner as unreasonably to obstruct travel thereon.

**Sec. 3.15**                    **OPERATION SO AS TO CREATE A NUISANCE**

- (a)     It shall be unlawful to operate or park a vehicle upon a street unless such vehicle is so constructed, loaded, and covered as to prevent its contents from escaping therefrom.
- (b)     It shall be unlawful for any person violating subsection (a) hereof not to remove forthwith from the street any substance or thing so escaping from such vehicle.

**Sec. 3.16**                    **PROCEEDING TO FIRE, ACCIDENT, EMERGENCY**

No operator of a motor vehicle, other than one on official business relating to the suppression of fire or handling of an emergency, shall follow any fire apparatus, ambulance, or other authorized emergency vehicle traveling to an emergency closer than five hundred (500) feet, or in a manner to interfere with the suppression of a fire or the handling of the emergency, or so as to endanger the life of any occupant of the authorized emergency vehicle, or thereafter park said vehicle so as to interfere with the suppression of a fire or the handling of the emergency.

**Sec. 3.17**                    **CROSSING EMERGENCY LINES**

It shall be unlawful for the operator of a vehicle to drive such vehicle across or beyond any lines which may be established at or near the scene of a fire, accident, or other emergency occurrence unless directed to do so by a fire department officer or by an enforcement officer.

**Sec 3.18**                    **DRIVING THROUGH PROCESSIONS**

It shall be unlawful for the operator of a vehicle to interfere with or break into a funeral procession



or into any duly authorized procession unless directed by an enforcement officer.

**Sec.3.19**

**CROSSING SIDEWALK**

It shall be unlawful for the operator of a vehicle emerging from an alley driveway or building, when the view of the sidewalk and/or street is obstructed, to fail to stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk and/or street extending across said alleyway, driveway or past said building.

**Sec. 3-20**

**HYDRANT AREA**

No person shall park any vehicle in any hydrant area. If, the hydrant is located behind the sidewalk, the area on the street or road adjacent to the hydrant shall not be considered a hydrant area and parking shall be allowed in that location unless otherwise restricted.

**Sec. 3-21**

**SIRENS OR EMERGENCY LIGHTS ON VEHICLES**

No vehicle, shall be equipped with, nor shall there be used thereon, any siren or any light, whether blue, blue and white or red unless it is an authorized emergency vehicle or is permitted to display such lights by the Vermont Department of Motor Vehicles

**Sec. 3-22**

**STOPPING FOR A SCHOOL BUS**

The operator of a vehicle, approaching a school bus from either direction must stop when the flashing lights mounted on the bus are illuminated and such vehicle may not proceed or pass the bus until such lights are off. Vehicles approaching a school bus, but traveling in the opposite direction and separated from the bus by a median shall not be required to stop for such bus when its flashing lights are illuminated.

**Sec. 3-23**

**NO PASSING ZONES**

The Select Board, at their discretion, may determine those portions of any street in the Town of Waterbury where overtaking and passing or driving on the left side of the roadway would be especially hazardous. The Select Board may, by appropriate signs, indicate the beginning and end of such zones and when the signs are in place and clearly visible, no driver shall at any time drive to the left of center of the roadway within the no passing zone, except where a vehicle is turning left into a street, alley, driveway, or private road, after yielding to oncoming traffic.

**Sec. 3-24**

**EXEMPTION TO AUTHORIZED EMERGENCY VEHICLES**

The provision of this ordinance regulating the movement of vehicles shall not apply to authorized emergency vehicles as defined in this ordinance while the driver of such vehicle is operating the same in an emergency and in the performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequences of reckless disregard of the safety of other.

**Sec. 3-25            UNNECESSARY VEHICLE NOISE: SOUND POLLUTION**

No person shall drive, run, or operate in any street any vehicle that, from faulty construction, want of repair, or improper handling, shall make unusual or unnecessary noise or disturbance.

**Sec. 3-26            SOUNDING HORN**

It shall be unlawful to sound the horn of a vehicle for any purpose except to give warning of the presence of such vehicle upon the street to other users of the street. Such use of a horn shall in all cases shall be limited to the extent reasonably necessary under the circumstances to give such warning.

**Sec. 3-27            ALLOWING UNOBSTRUCTED PASSAGE OF VEHICLES SOUNDING A SIREN OR DISPLAYING BLUE, BLUE AND WHITE, OR RED LIGHTS**

Upon the signal of any authorized emergency vehicle approaching in a street, a person driving or operating any vehicle in such street, or being therein with the same, shall immediately move such vehicle as near as may be to the curb at his right, so as to give such authorized emergency vehicle free and unobstructed passage, and thereafter no such vehicle shall proceed in said street until such authorized emergency vehicle has passed by.

**Sec. 3-28                            DRIVING OR PARKING ON SIDEWALKS**

No person shall ride, drive, wheel, draw, or push any vehicle upon a sidewalk, except wheelbarrows, children's scooters, tricycles, baby carriages and sleds, and children's sleds, carts and bicycles drawn or pushed by hand, or permit an animal, except dogs, under his/her care to go upon a sidewalk, except to cross the same at places specially built or designated as crossings, and to go into or out of any adjoining enclosure; and no person shall unnecessarily occupy, obstruct, or encumber a sidewalk so as to interfere with the convenient use of the same by the public. Areas suffered by the owner to be used by the public, and commonly used by the public, as a sidewalk shall not be regarded as an enclosure within the meaning of this section. Legally permitted vending carts may be exempted from certain provisions of this Section.

**Sec. 3-29                            VEHICLES ON SIDEWALKS**

It shall be unlawful for the operator of a vehicle to operate such vehicle wholly or in part on any sidewalk or on any area designated exclusively for pedestrian traffic except while crossing it traveling on a driveway.

**Sec. 3-30            USE OF SLEDS, SLEIGHS, SNOWMOBILES, ETC. IN THE STREET**

No person shall coast, course, or slide on a sled, sleigh, cart, or operate a snowmobile, or other such vehicle made especially for travel on snow and ice, in a street, except in such streets (other than such part thereof as is used for a sidewalk) as shall be designated therefore, and under such regulations as shall be prescribed by the Select Board, or as allowed by state law.

**Sec.3-31**

**RACING IN STREET**

No person shall engage in any race or trial of speed by the riding or driving of animals, or by the drawing or propulsion of vehicles of any kind, in any street or highway.

**Sec. 3-32**

**REPAIRS IN STREET**

No person shall assemble or dismantle any vehicle while parked on a street or municipal lot, or perform repairs thereon except minor emergency repairs or providing such vehicle with water, fuel, or motor oil.

**Sec. 3-33**

**DANGEROUS DRIVING**

No person shall ride, drive, or lead an animal, or move any vehicle in any street or highway in a manner tending to endanger or unreasonably to interfere with or incommode any person in such street or highway.

**Sec. 3-34**

**BOARD VEHICLE IN MOTION**

No person shall take hold of, or board any vehicle while the same is passing in a street or highway.

**Sec. 3-35**

**DRIVING OVER FIRE HOSE**

No person, without the permission of the Chief of the Fire Department, or of an officer or member of the Fire Department in charge of any hose or other fire apparatus in any street, shall ride, drive or lead any animal, or draw, push or propel any vehicle over or upon any such hose or other fire apparatus.

**Sec. 3-37      DESTRUCTION OF PROPERTY IN THE PUBLIC RIGHT OF WAY**

No person shall injure, deface, destroy, or remove a guide-post, guide-board, pole, post, lamp, light, sign, awning, fence, plant, shrub, tree, greensward, building, or other thing lawfully being in or upon a street, public place, common or park, without the consent of the owner thereof and the Select Board.

**Sec. 3-38**

**Parades**

- (a) The streets, highways, sidewalks, and other thoroughfares of the Town of Waterbury are provided and maintained primarily for use as a public means of transportation, transit, communication and travel, such use being an essential government function mandated by law. Under appropriate and proper circumstances, these highways, streets, and sidewalks may be used for parades and processions subject to reasonable regulation and control. The Select Board hereby recognizes and finds that, subject to the paramount government interests to keep highways, streets and sidewalks open for public

transportation, there is a right of all citizens to use the public ways for parades and processions. Accordingly, this ordinance shall be applied, construed, interpreted, and enforced to regulate and control parades and processions to the end that the welfare of the Town of Waterbury be protected.

- (b) As used herein, a parade is defined as a band or company of musicians, drum corps, a procession or like body, including those runners or bikers participating in road races, proceeding on foot or by vehicle in an organized manner, from place to place on, along, or across any public highway, street, sidewalk, or thoroughfare.
- (c) No parade, as so defined, shall proceed on the aforementioned public ways unless a permit for said parade is issued by the Municipal Manager or his or her authorized designee. Said permit must be issued no less than 7 days prior to the parade.
- (d) Applications for a parade shall be filled out on forms provided by Municipal Manager and said application shall be processed by the Municipal Manager or his or her authorized designee, within five days of its receipt.
- (e) No application fee is required, but the applicant may be charged for public safety services provided by the town during the event at the discretion of the Municipal Manager. The costs of such services will be negotiated between the applicant and the Municipal Manager prior to the issuance of said permit.

**Sec. 3-39**

**STOP WHERE TRAFFIC OBSTRUCTED**

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle, he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

**Sec. 3-40**

**RAILROAD TRAINS NOT TO BLOCK STREETS**

It shall be unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such manner as to prevent the use of any street for purposes of travel for a period of time longer than five minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching.

**Sec. 3-41**

**DUTY TO MOVE STANDING VEHICLE WHEN DIRECTED BY OFFICER**

No person shall leave any vehicle standing in any public highway after being directed to remove it by a police officer.

**Sec. 3-42**

**PARKING IN FIRE LANES PROHIBITED**

No motor vehicle shall be parked within designated fire lanes of any building.

## ARTICLE IV

## SPEED REGULATIONS

### **Sec. 4-10**

### **SPEED LIMITS**

On the basis of an engineering and traffic investigation dated March 15, 1996 conducted for the former Village of Waterbury and ordinances and amendments related thereto, adopted by the Waterbury Village trustees up to and through June 29, 2016, all of which has been reviewed and ratified by the Select Board of the Town of Waterbury, the Select Board hereby adopts, restates and reestablishes the following speed limits on Waterbury Streets listed below:

North Main Street .....	25 miles per hour (mph)
South Main Street .....	25 mph
Kennedy Drive.....	25 mph
Blush Hill Road from Route 100 to Kennedy Drive .....	25 mph
Wallace Street .....	25 mph
Intervale Avenue .....	25 mph
Prospect Street .....	25 mph
Butler Street.....	25 mph
Winooski Street.....	25 mph
Union Street.....	25 mph
Stowe St northbound and southbound from Main St to Hillcrest Terrace .....	25 mph
Stowe St northbound and southbound from Hillcrest Terrace to Route 100 .....	25 mph
Hillcrest Terrace.....	25 mph
Ellinwood Avenue.....	25 mph
Armory Avenue.....	25 mph
High Street .....	25 mph
Hill Street.....	25 mph
Railroad Street.....	25 mph
Bidwell Lane .....	25 mph
Foundry Street.....	25 mph
Park Row .....	25 mph
Park Row Extension.....	25 mph
Park Street .....	25 mph
Batchelder Street .....	25 mph
Randall Street .....	25 mph
River Road.....	25 mph
East Street.....	25 mph
Roundabout.....	25 mph

Pursuant to an ordinance dated August 29, 1988 and amendments thereto dated October 1, 1990; July 6, 1999; November 5, 2001; and August 21, 2006, previously adopted by the Town of Waterbury, the Select Board restates and establishes the speed limits on the following Waterbury roadways:

Perry Lea Road.....	25 miles per hour (mph)
Spruce Haven Road.....	25 mph

**Gregg Hill Road**

In both directions between its southerly intersection with Rt 100 to a point, in a general northerly direction, 1.5 miles from aforesaid intersection ..... 25 mph

In both directions from that point 1.5 miles in a general northerly direction from its southerly intersection with RT 100 for a distance of approximately 2.4 miles in a general northerly direction to its northerly intersection with Rt 100 ..... 35 mph

**Guptil Road**

In both directions, from its intersection with Rt 100 to a point .20 miles south of its intersection with Thatcher Brook Road.....40 mph

In both directions, from that point .20 miles south of its intersection with Thatcher Brook Road to a point .20 miles north of Thatcher Brook Road.....30 mph

In both directions, from that point .20 miles north of Thatcher Brook Road to its intersection with Howard Avenue ..... 25 mph

**Maple Street**

In both directions, from its intersection with Guptil Rd to its intersection with Loomis Hill Rd ... 25 mph

In both directions, from its intersection Loomis Hill Rd north to Barnes Hill Road .....30 mph

**Howard Avenue**

In both directions, from its intersection with Rt 100 to its intersection with Maple Street ..... 25 mph

**Hollow Road**

In both directions, from its intersection with Rt 100 to its intersection with Howard Avenue ..... 25 mph

**Barnes Hill Road**

In both directions, from Guild Hill Road to the Stowe town line..... 35 mph

**Guild Hill Road**

In both directions for its entire length from Guptil Rd to Rt 100.....35 mph

**Loomis Hill Road**

In both directions, from its intersection with Maple Street to the bridge over Thatcher Brook ..... 30 mph

In both directions, from the bridge over Thatcher Brook to its intersection with Ripley Rd..... 35 mph

**Sweet Farm Road**

In both directions, from its intersection with Ripley Road for the full length of the Class III section of that town highway ..... 35 mph

**Kneeland Flats Road**

In both directions, from its intersection with Guptil Rd to the end of the pavement..... 40 mph

**Ripley Road**

In both directions, for its full length from its intersection with Loomis Hill Rd to its intersection with Kneeland Flats Rd..... 35 mph

**Valley View Road**

In both directions, for its full length from its intersection with Loomis Hill Rd to its intersection with Shaw Mansion Rd ..... 35 mph

**Shaw Mansion Road**

In both directions, for its full length from its intersection with Loomis Hill Rd to its intersection with Kneeland Flats Rd..... 35 mph

**Perry Hill Road**

In both directions, for its length from its intersection with Kneeland Flats Rd to Lincoln St. 35 mph

**Blush Hill Road**

In both directions, from its intersection with Rt 100 to the end of the pavement..... 35 mph

In both directions, from that location where the pavement ends to the terminus of the road at the cul-de-sac at the reservoir..... 25 mph

**Lonesome Trail**

In both directions, for its full length from its intersection with Blush Hill Rd to the terminus of the public highway at Pinnacle Ridge Road ..... 30 mph

**Crossroad**

In both directions, for its full length from its intersection with Rt 100 to its intersection with Blush Hill Rd..... 25 mph

**Henry Hough Road**

In both directions, for its full length from its intersection with Perry Hill Rd to its terminus ...25 mph

**MaggiesWay**

In both directions, for its full length from its intersection with Guild Hill Rd to its terminus..25 mph

**Twin Peaks Road**

In both directions, for its length from its intersection with Kneeland Flats Rd to its tenninus.25 mph

**Perry Lea Road**

In both directions, for its full length from its intersection with Perry Hill Rd to its tenninus...35 mph

**Kneeland Flats Trailer Park**

In both directions, on all public roads within the park.....25 mph

**East Wind Drive (formerly Lea Haven Trailer Park Rd)**

In both directions, from its intersection with Rt 100 to the termini of all public portions of East Wind Drive.....25 mph

ARTICLE V.

**TURNING & MOVEMENT REGULATIONS**

**Sec. 5-10**

**PASSING MOTOR VEHICLES**

No person shall drive propel or operate any vehicle on any public street so as to cause such vehicle to overtake or overtake and pass another vehicle proceeding in the same direction, provided that proper signs have been erected and maintained on said streets giving notice to the operators of vehicles that passing within the areas designated by said signs is unlawful.

**Sec.5-11**

**U-TURNS**

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street or highway where signs are maintained prohibiting such vehicular operation.

**Sec. 5-12**

**OBEDIENCE TO NO-TURN SIGNS**

Whenever authorized traffic signs are erected by authority of the Select Board indicating that no right turn or left turn or U-turns are permitted, it shall be unlawful for a driver of a vehicle to disobey the direction on any such sign. The following turns are prohibited:

- Union Street at North Main Street-No left turn from Union Street onto North Main Street.
- South Main Street at Park Street-No tum from South Main Street onto Park Street.
- Driveway from Anderson Recreation Complex at Butler Street-No left turn from the driveway onto Butler Street.
- Hill Street at Railroad Street-No left turn from Hill Street onto Railroad Street.

- Railroad Street at Hill Street-No right turn from Railroad Street onto Hill Street.
- Mill Road at Waterbury-Stowe Road (Rt. 100)-No left turn from Mill Road onto Waterbury-Stowe Road.

## **Sec. 5-13**

## **OBEDIENCE TO NO ENTRY SIGNS**

Whenever authorized traffic signs are erected by authority of the Select Board indicating that no entry by vehicle is permitted, it shall be unlawful for a driver of a vehicle to disobey the direction on any such sign.

## **ARTICLE VI.**

## **ONE-WAY STREETS AND ALLEYS**

### **Sec. 6-10**

### **AUTHORITY TO PLACE ONE-WAY STREET SIGNS**

The Select Board may designate streets on which traffic may proceed only in one direction whenever they deem such a designation to be in the public's interest. Whenever the Select Board designates a one-way street, signs shall be placed and maintained giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

### **Sec. 6-11**

### **ONE-WAY STREETS**

In accordance with Sec. 6-10 of this Article, when properly posted, all vehicular traffic shall pass on the following streets only in the direction indicated and not otherwise.

1. Park Street: Traffic shall travel only in a southerly direction from its intersection with Moody Court to its intersection with Main Street.

## **ARTICLE VII**

## **STOPS SIGNS**

### **Sec. 7-10**

### **VEHICLES TO STOP AT STOP SIGNS**

When stop signs are erected as authorized by the Select Board, every driver of a vehicle shall stop before entering the crosswalk on the near side of the intersection. In the event there is no crosswalk, driver shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway before the driver has view of approaching traffic on the intersecting roadway, before entering the intersection except when directed to proceed by an enforcement officer or traffic-control signal and then shall proceed so as not to interfere with traffic. Stop signs shall be placed in the following locations:

- a) Kennedy Drive at its intersection with Blush Hill Road
- b) Lincoln Street with its intersection with Stowe Street



- c) Lincoln Street Extension with its intersection with Lincoln St and Perry Hill
- d) Union Street at its intersection with Stowe Street
- e) Union Street at its intersection with North Main Street
- f) Foundry Street at its intersection with S. Main Street
- g) Park Row at its intersection with Randall Street
- h) Railroad Street at its intersection with Stowe Street
- i) Driveway at Best Western Hotel (Blush Hill Rd) at its intersection with Blush Hill Rd.
- j) High Street at its intersection with Stowe Street
- k) Butler Street at its intersection with N. Main Street
- l) Wallace Street at its intersection with N. Main Street
- m) Winooski Street at its intersection with N. Main Street
- n) Bidwell Lane at its intersection with Stowe Street.
- o) Railroad Street at its intersection with Park Row Extension
- p) Randall Street at its intersection with Park Row
- q) Elm Street at its Intersection with S. Main Street
- r) East Street at its intersection with Stowe Street
- s) Hillcrest Terrace at its intersection with Stowe Street
- t) Armory Drive at its intersection with Union Street
- u) Armory Avenue at its intersection with High Street
- v) Adams Court at its intersection with Winooski Street
- w) Swasey Court at its intersection with Stowe Street
- x) Park Street at its intersection with S. Main Street
- y) Demeritt Place at its intersection with S. Main Street
- z) Batchelder Street at its intersection with S. Main Street.
- aa) Ashford Lane at its intersection with Acorn Drive
- ab) Mill Rd at its intersection with Rt 100.
- ac) Hill Street at its intersection with Railroad Street
- ad) River Road at its intersection with S. Main Street
- ae) Railroad Street, while proceeding in a southerly direction, at its intersection with Hill Street.
- at) Railroad Street, while proceeding in a northerly direction, at its intersection with Hill Street.
- ag) Hill Street at its intersection with Railroad Street
- ah) Pilgrim Park Road at its intersection with Railroad Street and Park Row
- ai) State Drive at its intersection with Randall Street and Park Row
- aj) State Drive at its intersection with South Main Street
- ak) South end of Horseshoe Drive at its intersection with South Main Street.
- al) O'Hear Court at its intersection with Armory Drive
- am) Mill Road at its intersection with Rt.100
- an) Crossroad at its intersection with Rt.100
- ao) Perry Hill Rd at its intersection with Lincoln St. and Lincoln St. Ext.
- ap) North Street at its northerly intersection with Stowe Street
- aq) North Street at its southerly intersection with Stowe Street
- ar) Ashford Lane at its intersection (with its own loop) at Ashford Lane
- as) Crossroad at its intersection with Blush Hill Rd.
- at) Lonesome Trail at its intersection with Blush Hill Rd.

- au) Driveway from Ben & Jerry's at its intersection with RT 100
- av) Guptil Rd at its intersection with Rt 100
- aw) Stowebury Rd. with its intersection with Rt 100
- ax) East Wind Dr. at its intersection with Rt 100
- ay) Mc Neil Rd at its intersection with Rt 100
- az) Howard Ave at its intersection with Rt 100
- al) *Intentionally left blank*
- a2) Reservoir Rd at its intersection with Rt 100
- a3) Lakeview Terrace at its intersection with Rt 100
- a4) Hollow Rd at its intersection with Rt 100
- a5) Sunset Dr. at its intersection with Rt 100
- a6) Suss Dr. at its intersection with Rt 100
- a7) Gregg Hill at its southern terminus with Rt 100
- a8) Gregg Hill at its northern terminus with Rt 100
- a9) Guild Hill Rd. at its intersection with Rt 100
- al0) Beaver Pond Rd at its intersection with Rt 100
- al 1) Spruce Haven Rd at its intersection with Rt 100
- al2) Ruby Raymond Rd at its intersection with Rt 100
- al3) Russell Rd at its intersection with Rt 100
- al4) Maggies Way at its intersection with Guild Hill Rd
- al 5) Guild Hill Rd at its intersection with Maple Street
- al 6) Mountain View Dr. at its intersection with Barnes Hill Rd
- al 7) Loomis Hill Rd at its intersection with Maple Street
- al8) Howard Ave at its intersection with Maple Street
- al 9) Howard Ave at its intersection with Hollow Rd and Guptil Rd-4 Way Stop
- a20) Guptil Rd at its intersection with Howard Ave and Hollow Rd-4 Way Stop
- a2 1) Hollow Rd at its intersection with Howard Ave and Guptil Rd-4 Way Stop
- a22) Maple Street at its intersection with Guptil Rd.
- a23) Metayer Ct at its intersection with Howard Ave
- a24) Kneeland Flats Rd at its intersection with Guptil Rd
- a25) Huntington Place at its intersection with Kneeland Flats Rd.
- a26) Twin Peaks Rd at its intersection with Kneeland Flats Rd
- a27) Kneeland Flats Trailer Park Rd at its intersection with Kneeland Flats Rd,
- a28) Perry Hill Rd at its intersection with Kneeland Flats Rd.
- a29) Shaw Mansion Rd at its intersection with Kneeland Flats Rd.
- a30) Kneeland Flats Trailer Park Rd at its intersection (with its own loop) with Kneeland Flats Trailer Park Rd
- a31) Shaw Heights at its intersection with Shaw Mansion Rd.
- a32) George's Way at its intersection with Shaw Mansion Rd.
- a33) Woodland Acres Rd. at its intersection with Perry Hill Rd.
- a34) Henry Hough Rd. at its intersection with Perry Hill Rd.
- a35) Perry Lea Rd. at its intersection with Perry Hill Rd.
- a37) Upland Mowing Rd. at its intersection with Perry Hill Rd.
- a38) Stewart Lane at its intersection with Perry Hill Rd.
- a39) Perry Hill Rd at its intersection with Lincoln Street and Lincoln Street Extension
- a41) Shaw Mansion Rd with its Intersection with Loomis Hill Rd

- a42) Perry Hill Rd at its intersection with Lincoln Street  
a43) Valley View Rd at its intersection with Loomis Hill Rd.  
a44) Ripley Rd. at its intersection with Loomis Hill Rd. and Sweet Rd.  
a45) Perry Hill at the intersection of Henry Hough Rd.

## Sec. 7-11 EMERGING FROM ALLEY, DRIVEWAY OR BUILDING

The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, yielding the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

**Sec. 7-12** **YIELD SIGN**

Yield signs are erected as authorized by the Select Board. All vehicles, upon approaching such a sign, shall do so at a reasonable and safe speed. Prior to entering such a posted intersection, each operator shall yield the right-of-way to any vehicle approaching the intersection or already within the intersection, unless directed otherwise by an enforcement officer. Yield signs shall be placed in the following locations:

- Roundabout at intersection of Rt. 2 and Rt. 100: Vehicles entering the roundabout yield to vehicles traveling within the circle and vehicles entering and exiting the roundabout yield to pedestrians within marked crosswalks.
- At the intersection of the southbound offramp from I-89 and Rt. 100: Vehicles from the off-ramp yield to vehicles traveling south on Rt. 100.
- Hubbard Farm Rd at its intersection with Loomis Hill Rd: Vehicles on Hubbard Farm Rd. entering Loomis Hill Rd. must yield to vehicles traveling on Loomis Hill Road.

Sec. 7-13 TRAFFIC CONTROL SIGNAL

All vehicle operators shall obey directions given by traffic control devices that are legally authorized and properly erected. Official traffic control signals of the various colors and arrows of direction, and posted signs indicating directions and traffic control shall be obeyed unless directed otherwise by an enforcement officer.

## ARTICLE VIII. PARKING AND PARKING ZONES

## Sec. 8-10 PARKING TRAILERS AND SEMI-TRAILERS

No person shall leave or park a trailer or semi-trailer upon any street in the Village while such trailer

is not attached to a motor vehicle in running condition having sufficient motive power to draw said trailer or semi-trailer.

#### **Sec. 8-11**

#### **MOTOR VEHICLE OWNER, LIABILITY**

A person who is the registered owner(s) of a motor vehicle which is parked in contravention of the sections of this Ordinance, shall be subject to and liable for the penalties of Section 10-17 and 10-18 of this Code.

### **ARTICLE IX. PARKING OF VEHICLES**

#### **Section 9-10**

The Select Board for the Town of Waterbury shall cause signs to be erected and maintained and pavement and curbing to be painted indicating areas where parking is regulated, controlled, or prohibited.

### **ARTICLE X. PARKING VIOLATIONS**

**Sec.10-10 No motor vehicle shall be parked at any time on any street or municipal lot within the Town of Waterbury when:**

1. Within six feet either side of a fire hydrant if the hydrant is located in the street, curb line or sidewalk. Parking is not prohibited if the hydrant is located behind the sidewalk.
2. In front of the Main Street Fire Station located on South Main Street from the driveway at #29 S. Main Street for a distance of 135 feet in an easterly direction.
3. Within 15 feet of the curb line of another street unless otherwise posted.
4. On the Stowe Street railroad overpass or the approaches to the overpass.
5. On the east side of Park Row, from its intersection with South Main Street north, for a distance of 50 feet.
6. On the east side of Park Row, from the north end of Rusty Parker Park, south for a distance of 50 feet.
7. On the north side of Union Street from a point 20 feet west of the driveway at 23 Union Street, west to its intersection with North Main Street.
8. On the east side of Stowe Street, from its intersection with High Street, north to the

driveway of the Brookside Primary School.

9. On the west side of Stowe Street beginning at the south end of the turnout at the Newton Baker Mini-Park, south to a point across from the driveway of the Thatcher Brook Primary School.
10. On the west side of Park Row, from a point 75 feet south of its intersection with South Main Street, in a southerly direction to Randall Street.
11. On the east side of Park Row from between South Main Street and Randall Street.
12. On the east side of Park Street between Moody Court and South Main Street.
13. Except on the right-hand side of the street in the direction in which said vehicle is headed. Such vehicle shall park or stand within 12 inches of said right hand curb or street edge. Parking, in the fashion described above is permitted, in legal parking spaces, with the curb or edge of the street to the driver's left, if the street is marked as a One-Way Street.
14. On any sidewalk.
15. On any crosswalk.
16. In front of a public or private driveway.
17. Abreast of another vehicle.
18. Along the side or opposite any street excavations or obstructions.
19. On the east side of Hill Street from Railroad Street to the intersection of High Street.
20. On the north side of High Street from a point 20 feet easterly of its intersection with Stowe Street for a distance of 195 feet in an easterly direction to the steps at the High Street entrance to the school AND on the north side of High Street from a point 20 feet westerly of its intersection with Amory Avenue for a distance of 90 feet in a westerly direction, except as provided hereunder:
21. On the south side of High Street from its intersection with Stowe Street to its intersection with Hill Street except as provided hereunder:
  - (a) Vehicles displaying a permit for resident/guest parking issued for such purpose by the Town of Waterbury may park in this described area provided they comply with all other sections of this ordinance.)

22. On the south side of North Main Street from its intersection with Moran Lane in an easterly direction to a point 45 feet east of the entrance to the Dascomb P. Rowe Recreation Field.
23. On the North side of North Main Street, from its intersection with Stowe Street to the west side of the driveway at #17 North Main Street.
24. Within a parking space designated as handicapped parking by the international symbol of access and/or the words "Handicapped Parking Only" unless the vehicle is displaying a special handicapped plate or card from any state, as provided in 18 VSA 1324.
  - a) This shall include handicapped spaces in any parking facility open to and used by the general public.
25. Said vehicle is not properly registered.
26. At any point on a street, including a designated parking space, when the presence of such vehicle in conjunction with any other condition then existing will obstruct the free passage of other vehicles upon the street.
27. On either side of Demeritt Place from South Main Street to the railroad tracks.
28. On the south both sides of Randall Street from its intersection with Park Row for a distance of 150 feet in a westerly direction to a point five (5) feet west of the driveway at 40 Randall Street.
29. On the east side of Butler Street from its intersection with N. Main Street for a distance of 110 feet in a northerly direction.
30. On the west side of Butler Street from its intersection with N. Main Street for a distance of 75 feet in a northerly direction.
31. On the south side of S. Main Street from its intersection with the State Drive for a distance of 60 feet in an easterly direction.
32. On the west side of Batchelder Street from its intersection with Main Street to the railroad tracks.
33. On the south side of Union Street from the west side of the driveway at 16 Union Street west to the westerly side of the driveway at 34 Union Street.

34. On the south side of North Main Street from the east side of the driveway at 6 North Main Street in an easterly direction to the east side of the driveway at 1 South Main Street.
35. On the west side of Stowe Street at its intersection with Swasey Court for a distance of 20 feet in a northerly direction.
36. On the north side of High Street from its intersection with Armory Avenue in an easterly direction to its intersection with Hill Street.
- 36 a) On the west side of Armory Avenue for its entire length between High Street and Hillcrest Terrace.
37. On the north side of Pilgrim Park Road
38. On the south side of Pilgrim Park Road from the railroad tracks for a distance of 160 feet in an easterly direction.
39. On the north side of High Street from its intersection with Stowe Street in an easterly direction for a distance of 20 feet.
40. On the south side of Mill Street.
41. On the south side of East Street from the corner of Stowe Street in an easterly direction for 435 feet.
42. On the south side of South Main Street from the east side of the driveway at 47 S. Main Street for a distance of 60 feet in an easterly direction to the west side of the driveway at 51 S. Main Street when signage is present restricting these spaces for the parking of buses-otherwise no restrictions.
43. On either side of Reservoir Road from its intersection with Rt. 100 to its terminus.
44. **For not more than two hours at a time, between the hours of 8:00 am - 6:00 pm in the following locations:**
  - a) On either side of South Main Street between Foundry Street and its intersection with Stowe Street.
  - b) On south side of North Main Street from the east side of the driveway at 8 North Main Street (Congregational Church) for a distance of 60 feet in an easterly direction to the west side of the driveway at 6 North Main Street. This space is reserved for passenger cars only.

- b) On either side of Stowe Street from its intersection with Main Street to the approach of the railroad overpass, except for the space in front of 5 Stowe Street, which is designated as a 15 minute space.
  - c) On east side of Elm Street from its intersection with South Main Street for a distance of two hundred (200) feet in a southerly direction.
  - d) On the west side of Elm Street from its intersection with South Main Street for a distance of one hundred feet (100) in a southerly direction.
  - e) In the Stowe Street Parking lot
45. **For not more than 15 minutes, between the hours of 8:00 am - 6:00 pm, when designated by 15 minute signs, designated with Town of Waterbury insignia, in the following locations:**
- a) On the west side of Elm Street in the two spaces in front of 3 Elm Street.
  - b) On the north side of South Main Street in the space at 34 South Main Street immediately north of the driveway at 34 South Main Street.
  - c) On the west side of Stowe Street at 5 Stowe Street.
  - d) On the south side of South Main Street, in the space in front of 27 South Main Street.
  - d) On the south side of South Main Street, in the space in front of 29 South Main Street.
46. **Bus Parking:** When marked by signs buses may park for up to 15 minutes to load or discharge passengers in the spaces on the south side of South Main Street from the east side of the driveway at 47 S. Main Street for a distance of 60 feet in an easterly direction to the west side of the driveway at 51 S. Main Street,
47. A vehicle shall be deemed continuously parked unless it has been withdrawn from the parking space for at least five (5) minutes.

#### **Sec.10-11**

#### **PAINTED SPACES**

Where lines are painted outlining parking spaces and when said lines are visible, vehicles shall be parked wholly within the boundaries of said lines.



**Sec.10-12****REPAIRS**

It shall be unlawful to assemble or dismantle any vehicle while parked on a street or municipal lot, or to perform repairs thereon except emergency minor repairs or the securing of such vehicle with gasoline or oil or water.

**Sec.10-13****SPACES DELINEATED, VIOLATION**

The Select Board may have lines or markings painted or placed upon the curb and/or upon the street adjacent to each parking space for the purposes of designating the parking space to be used and each vehicle parking adjacent to or next to any parking meter shall park within the lines of markings so established. It shall be unlawful and violation of this ordinance to park any vehicle across any such line or making or to park said vehicle in such position that the same shall not be entirely within the area so designated by such lines or marking.

**Sec. 10-14****PARALLEL PARKING SCHEME**

When a parking space in any parking zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked such a manner that the foremost part of such vehicle faces in the direction of the line of vehicular travel upon such street; and said vehicle shall be parked within 12 inches of the curb or curb line.

**Sec.10-15****COMMERCIAL TRUCK LOADING AND/OR UNLOADING**

Commercial trucks may park in the parking zones to load or to unload merchandise for a period not to exceed thirty (30) minutes. Should any truck or delivery car be so parked longer than thirty (30) minutes, it will be classed as a violation of this ordinance.

**Sec. 10-16****NIGHT PARKING DURING WINTER**

Parking of motor vehicles or any other conveyance on the streets of the Town of Waterbury between the hours of 12:00 Midnight and 6:00 A.M. is hereby prohibited between November 15 and April 15, inclusive.

Parking of motor vehicles or any other conveyance in public parking lots owned by the Town or EFUD, between the hours of 2:00 A.M. and 6:00 A.M. is hereby prohibited between November 15 and April 15, inclusive.

The Municipal Manager or his or her designee may, by executive order, prohibit night parking at any other times of the year, if emergency road conditions exist.

**Sec.10-17****REMOVAL OF VEHICLES PARKED IN VIOLATION**

Any motor vehicle, trailer or other conveyance parked on the streets, parking lots and public property of the Town, in violation of any sections of Article X of this ordinance may be removed, when the Municipal Manager or his or her designee or any enforcement officer or officer of the fire department determines that public safety demands; or may be removed when the Municipal Manager or Public Works Director or their designees determines the proper plowing, maintenance or repair of said street or water or sewer mains or pipes under said street requires its immediate removal. All costs of said removal and any expense incurred in securing such removal may be charged against the owner of the vehicle at the time removal is ordered and said vehicle shall not be released to the owner, or person responsible for it at the time removal was ordered, until all such cost have been made.

**Sec. 10-18      REMOVAL OF VEHICLES PARKED WITHOUT AUTHORIZATION**

Whenever any vehicle shall impede access to any public or private property within the Town of Waterbury, or be parked thereon without authorization of the owner or other person entitled to the use or possession thereof, any enforcement officer may order its removal. The owner of such vehicle shall pay any reasonable towing and storage charges to the extent permitted by law, which charges shall be a lien on said vehicle, prior to reclaiming the towed vehicle.

**Sec.10-19****REMOVAL OF UNREGISTERED VEHICLES**

It shall be unlawful for any person to park or leave standing any motor vehicle or conveyance that is not a legally registered motor vehicle in any jurisdiction upon a public street within the geographical boundaries of the Town of Waterbury.

Any vehicle found contrary to the above prohibition shall be removed immediately by the owner. Should the owner fail to remove the vehicle, the municipal manager or his or her designee or any enforcement officer may cause the vehicle to be removed at the expense of the owner. A reasonable attempt will be made to locate the owner to locate the owner prior to having the vehicle removed.

**Sec.10-20****REMOVAL OF VEHICLES CONSIDERED ABANDONED**

Any vehicle or conveyance found in a public parking lot or on any town street for 48 consecutive hours or parked contrary to the provisions of this ordinance for 48 hours shall be deemed abandoned.

Should the owner fail to remove the vehicle, then an enforcement officer shall cause the vehicle to be removed at the expense of the owner.

The enforcement officer will make any reasonable attempt to locate the owner prior to having the vehicle removed.

**Sec.10-21****TOW-AWAY ZONES**

The Select Board may determine from time to time to create tow-away zones. Any area designated as a tow-away zone shall be adequately posted as such. Any vehicle or conveyance parked contrary to any parking ordinance, and within a tow-away zone, may be removed upon the order of a police officer. The following areas have been designated as tow-away zones:

**Sec.10-22****SPECIAL HANDICAPPED PARKING**

- (a) The Select Board may, at its discretion, establish certain selected parking spaces for those handicapped persons whose vehicles shall display a distinguishing decal, placard, or a registration plate approved and issued by the State Department of Motor Vehicles in accordance with Title 18, Section 1325 of the Vermont Statutes Annotated.
- (b) No person shall park a motor vehicle in a space designated as parking for the handicapped without displaying a special handicapped plate or card issued by the Vermont Department of Motor Vehicles, or as otherwise provided by law of the state in which the vehicle is registered. Any person found in violation of this section shall be fined per the prevailing state statute and be subject to costs for the vehicle's removal under all applicable sections of Article 10 of this ordinance. For purposes of this subsection "space designated as parking for the handicapped" means any space designated as handicapped parking under either 18 V.S.A. 1324 (a) or subsection (a) of this section.

The following spaces are designated for Special Handicapped Parking Areas:

- a) On the west side of Stowe Street, in the space immediately south of the driveway at 14 Stowe street.
- b) On the south side of Bidwell Lane, in the westerly most space of the Stowe Street Parking Lot.
- c) In the space marked for handicapped parking by line striping and signs in the Upper Bidwell Parking Lot.
- d) In the space marked for handicapped parking by line striping and signs in the Middle Bidwell Parking Lot.
- e) In the space marked for handicapped parking by line striping and signs in the Lower Bidwell Parking Lot

f) In the space marked for handicapped parking by line striping and signs in the Elm Street Parking Lot.

Sec. 10-23

PARKING VIOLATION WAIVER

Any person violating any section of Article X of this ordinance may, within three business days from the date of such violation, admit the violation and waive the issuance of any further process or hearing, by voluntarily paying to the Town the waiver penalty for the violation as listed in Section 10-24a hereunder,

Sec. 10-24

WAIVER PENALTIES

a. The following penalties shall be imposed for violations of the ordinance.

1. Overtime Parking .....	\$25.00
2. Crosswalk.....	\$25.00
3. Curb of Left .....	\$25.00
4. Prohibited (Pro) Parked (all other).....	\$25.00
5. Hydrant .....	\$25.00
6. Winter Night Parking 12:00 midnight-6:00 a.m .....	\$25.00
7. Winter Night Parking in Village lots, 2:00 a.m. -6:00 a.m.....	\$25.00
8. Handicap Parking.....	according to statute
9. All penalties for speeding and other moving violations shall be in accordance with state statute.	

b. The waiver penalty for a violation of any section of Article X of this ordinance must be paid to the Town within three business days from the date of such violation. If not paid within the specified time, the applicable penalty will be increased by multiplying the waiver penalty by 1.5. After thirty (30) days from the date of the violation, the applicable waiver penalty shall be increased by multiplying the original waiver penalty by 2.0. The late penalties listed above for untimely payment do not apply to Handicapped Parking or Obstructed Crosswalk violations.

c. In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant name in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

## **Sec.10-25      REMOVAL OF VEHICLES**

Vehicles parked in violation of the ordinance regarding parking at hydrants or at the fire station, in front of a public or private drive, unregistered, all-night parking, abandoned vehicles, or in any manner as to cause a public nuisance or who's presence condition, or manner of parking create a hazard, shall be subject to removal and storage at the owner's expense by the order of any enforcement officer.

## **Sec. 10-26      EXEMPTIONS TO AUTHORIZED EMERGENCY VEHICLES**

The provisions of these ordinances shall not apply to authorized emergency vehicles when parking is necessary in an emergency and in the performance of their official duties.

This exemption shall not, however, protect the operator of any such vehicle from the consequences of their reckless disregard of the safety of others.

Nothing in this Ordinance shall be construed to make unlawful vehicle stops in obedience to a signal by an enforcement officer, stops to clear the way for emergency vehicles, or stops made necessary by causes beyond the control of the operator.

## **ARTICLE XI    REGULATING COMMERCIAL VEHICLES ON WATERBURY STREETS**

The Select Board may regulate the passage of commercial vehicles, except school buses, on streets, but must ensure that deliveries to residences and businesses on such designated streets can be made. Signs must be posted at all entrances to such designated streets which clearly indicate the prohibition of commercial vehicles

### **Sec. 11-10      Streets on Which Commercial Vehicles are not Permitted**

Commercial vehicles may not pass on the following streets except to make deliveries to residents or businesses located on those streets:

- a) Union Street
- b) Winooski Street
- c) Batchelder Street
- d) Railroad Street
- f) Hillcrest Terrace from its intersection with Ellinwood Avenue to its intersection with Stowe Street
- g) Randall Street

## ARTICLE XII

## PENALTIES FOR VIOLATIONS

Any person violating any section of this ordinance, except one or more sections of Article X, may within twenty (20) days from the date of such violation, admit the violation and waive the issuance of further process and or hearing, by voluntarily paying to the Town the waiver penalty for the violation as referenced in Section 12-10.

### 12-10

### PENALTIES

The penalties for violations of this ordinance, except for municipal parking violations as specified in Section 10-24, shall be consistent with applicable Vermont Law and the Judicial Bureau Waiver Penalty Schedule.

## ARTICLE XIII

## INCONSISTENT ORDINANCES REPEALED

Ordinances or parts thereof in force at the time this ordinance takes effect and inconsistent herewith are hereby repealed as of the date of the effect of this ordinance.

## ARTICLE XIV

## EFFECTIVE DATE

This ordinance shall be effective at midnight the 61st day after the date of adoption by the Select Board.

Amended on this 16th Day of October, 2023, by all or a majority of the Select Board whose signatures appear below,

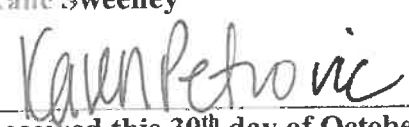
  
Roger Clark, Chair

  
Mike Ba/d

  
Alyssa Johnson

  
Danielle Kehlmann, Vice Chair

  
Kane Sweeney

  
Received this 30<sup>th</sup> day of October 2023  
Karen Petrovic, Town Clerk

**Meeting of the Waterbury Select Board**

**Monday July 1, 2024**

**In Person: Steele Community Room  
28 North Main Street**

**Join Zoom Meeting**

<https://www.zoom.us/join>

**Meeting ID: 826 8546 1216**

**Passcode: 016831**

**Dial by your location**

**1 309 205 3325**

7:00pm	Approve Agenda
7:05pm	Consent Agenda Items
7:10pm	Public
7:15pm	Consider Board Appointment: Two vacancies on the Conservation Commission One vacancy on the Library Commission: Christie Nold One vacancy on the Natural Disaster Preparedness Committee Three vacancies on the Recreation Committee One vacancy on the Tree Board
8:00pm	Phase 1 Bylaw Update Public Hearing (continued from May 20th; consider adoption)
_____	CVRPC bike share
_____	Housing Trust Update
_____	Police Stats and evaluation of statistics
_____	Bump Out for Stone's Throw & KC's Bagel
_____	Leaf Peeper's Traffic
10:00pm	Next Meeting Agenda
10:15pm	Executive Session (if needed)
10:30pm	Adjourn

**Next Meeting of the Select Board: Monday July 1, 2024**

**Parking Lot:**

3 Year Budget Plan

Change to Town Meeting format

Road and Pedestrian Safety Plan