

AN ORDINANCE FOR THE CONTROL OF
ACCESS TO HIGHWAYS

The selectmen of the Town of Barnet do hereby adopt the following ordinance:

I. Purpose and authorization

This ordinance shall be construed liberally for the purpose of curtailing the unlicensed creation, construction or alteration of access points from town highways pursuant to Title 19 V.S.A. Section 43 as amended.

II. Definitions

A. Highway: Shall mean any highway, road or trail within the Town of Barnet which said town has the duty to maintain.

B. Access Points: Any point on a highway which connects adjacent parcels of land to a highway for the purpose of vehicular travel or loading.

III. Prohibitions

It shall be unlawful for any person or entity to create, construct or alter any access point on a highway without first securing a permit to do so.

IV. Permit Applications

Each permit application shall include:

1. The name and address of the applicant;
2. The purpose for which an access point will be used;
3. The expected duration of use;
4. The exact location of the access point including the town highway number, which side of the road the access point is to be on, the name of the owner of the land to which the access point leads and the distance of the point from known and obvious points of reference, and a sketch of the proposed access point showing its location on the highway;
5. A fee of \$10.00 shall accompany each application and the completed application signed by the applicant, shall be tendered to the town clerk.

V. Approval

1. The selectmen shall consider the application at the next regular meeting after the permit is tendered to the clerk or at a special meeting and shall attach the same unless they find that the access point shall pose a safety hazard to travelers on the highway or if they find that allowance of the permit would cause irreparable damage to the highway. In approving the permit the selectmen may attach any of the conditions set forth in 19 V.S.A. 43 (b) and (c) which they deem reasonable.

2. In the event the selectmen find that damage to the highway may be caused by the creation, construction or alteration of the access point, or the activity to be conducted thereon, they may, in their discretion, request either or both, a cash bond up to \$500.00 to indemnify the town for any repairs they must make to the highway or its culverts and ditches by reason of the creation, construction or alteration of an access point, or use of such point; or the installation of reasonable construction details such as culverts or ditches to protect the highway and existing ditches against damage.

VI. Penalties

Any person or entity who, or which, creates, constructs or alters an access point with out a permit shall be guilty of a misdemeanor. The penalty for or conviction of a first violation of this ordinance shall be a fine of not more than \$500.00. The penalty for a second or subsequent conviction of this ordinance shall be a fine of not more than \$1,000.00.

Dated at Barnet, County of Caledonia, State of Vermont this 19th day of September, 1983.

Town of Barnet
Board of Selectmen:

Stanley Slayton
Stanley Slayton

Clifton Kinerson
Clifton Kinerson

William Graves
William Graves