

**Ordinance Restricting Through Truck Traffic on
Depot Street Town Highway #1, in Proctorsville and
Reducing the Weight Limit on Town Highway Bridge #58
Town of Cavendish, Vermont**

Pursuant to the provisions of Title 24 Vermont Statutes Annotated, Chapter 59 and Title 23, VSA §1392 and §1396 it is hereby ordained by the Board of Selectmen of the Town of Cavendish that the following ordinance is adopted for the Town of Cavendish, Vermont.

ARTICLE I: RATIONALE AND PURPOSE

Cavendish Town Highway #1, Depot Street, courses through a densely populated residential area in the Proctorsville Village area. It is classified as Class II Town Highway. There are numerous families residing on or nearby Depot Street many of which have children. Depot Street is frequently used as a short-cut or shunt for truckers traveling from Vermont Route 103 to Vermont Route 131 and from Route 131 to Route 103. Depot Street, which remains as laid out more than two hundred years ago has an abrupt, angular directional change just south of Bridge #58. This turn has been the cause of numerous accidents. Structural inspections have demonstrated that Bridge #58 is in need of repair work. The purpose of this ordinance is to address traffic safety issues as outlined above and to enhance public safety.

ARTICLE II: TRAFFIC AND WEIGHT LIMIT REGULATIONS

In consideration of these conditions, the Board of Selectmen of the Town of Cavendish hereby establishes an ordinance which prohibits through truck traffic on said Depot Street and reduces the legal load limits on Town Highway Bridge #58 to 20,000 pounds gross vehicle weight. Necessary truck traffic to provide delivery and service to local residents and businesses may legally travel on Depot Street, Town Highway #1, for such purposes. However, since all affected properties along or accessed via Depot Street, Town Highway #1, may be accessed from either a southerly or northerly approach without traverse over Town Highway Bridge #58, the Bridge #58 load limit shall not be waived for such local traffic. Town highway maintenance vehicles and emergency vehicles are exempt from these restrictions.

ARTICLE III: GENERAL PROVISIONS

Section 1. Separate Offenses: Each violation of a provision of this ordinance shall be deemed a separate offense.

Section 2. Penalties: The provisions of this ordinance shall be cumulative to the fullest extent permitted by law with respect to all other statutes or ordinances now or hereafter adopted regardless of their order of passage or enactment.

Section 3. Severability: The provisions of this ordinance are declared to be severable and if any provisions hereof be adjudged invalid such judgment shall not affect the validity of any other provisions.

Section 4. Designation: This ordinance may be referred to as the *Cavendish Ordinance Restricting Through Truck Traffic on Depot Street Town Highway #1, in Proctorsville and Reducing the Weight Limit on Town Highway Bridge #58* and in prosecution hereunder a copy of such ordinance, certified by the Town Clerk shall be prima facie evidence thereof. An allegation that the act constituting the offense charged is contrary to a specified provision of this ordinance shall be a sufficient reference hereto.

Section 5. Publication and Posting: This ordinance shall be published in the Vermont Journal on October 15th, 2008 and shall be filed with the Cavendish Town Clerk on October 8th, 2008.

ARTICLE IV: EFFECTIVE DATE

This ordinance will become effective on the 6th day of December, 2008, 60 days after its date of adoption by the Board of Selectmen unless a petition is filed with the Board of Selectmen by the 20th day of November, 2008. Such petition should be addressed to the Board of Selectmen and signed by at least five percent (5%) of the legal voters of the Town of Cavendish and should request a special meeting to be called on the question of disapproving this ordinance. Questions pertaining to this ordinance may be directed to the Cavendish Town Office at 37 High Street, P.O. Box 126, Cavendish, Vermont 05142 or by calling the office at (802) 226-7291.

Adopted by the Board of Selectmen, Town of Cavendish at its meeting held on the 7th day of October, 2008.


Chairman




