

**TRAFFIC ORDINANCE  
TOWN OF MARLBORO, VERMONT**

Pursuant to the provisions of Title 23, Vermont Statutes Annotated, Section 1007 and 1008, and Title 24, Vermont Statutes Annotated Sections 1971 and 2291(1)(4) and (5), and such other general enactments as may be material hereto, it is hereby ordained by the Town of Marlboro Select Board, that the following Traffic Ordinance is adopted for the Town of Marlboro, Vermont

**ARTICLE I  
DEFINITIONS**

The definitions of Title 23, Vermont Statutes Annotated, Section 4, are incorporated by reference.

**ARTICLE II  
SCOPE**

The ordinance establishes special traffic regulations on public highways within the Town of Marlboro, Vermont.

**ARTICLE III  
TRAFFIC CONTROL DEVICES**

**Section 1.**

It shall be unlawful for any person to disobey the direction of a traffic control device except in response to the direction of a law enforcement officer.

**Section 2.**

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

**Section 3.**

It shall be unlawful for any person to install any sign or device, which may resemble or be mistaken for an official traffic control device, without prior approval of the Marlboro Select Board.

**ARTICLE IV  
SPEED REGULATIONS**

In accordance with the standards set forth in the Manual of Uniform Traffic Control Devices (MUTCD), and road characteristics, the following speed limits are hereby established and adopted:

**Vermont Route 9.**

Speed limits shall be the same as set by the State of Vermont and enforceable under this regulation.

**Class II Town Highways:**

- TH. # 1 (Augur Hole Road): Paved portion from Route 9 to Higley Hill intersection – 40 mph.

Unpaved portion of intersection with Higley Hill Road to the beginning of pavement (4.6 miles) – 35 mph.

Paved portion beginning 4.6 miles from Higley Hill intersection to the Newfane Town Line – 40 mph.

- TH # 2 (Higley Hill Road): Unpaved portion of Higley Hill Road from Augur Hole Road intersection to Hawes Road, the beginning of pavement – 35 mph

Paved portion from Hawes Road to Wilmington Town line – 40 mph.

Sharp curve/uphill grade at approximately 0.2 miles from Augur Hole Road intersection – 20 mph advisory speed signs and arrows in both directions.

- TH # 3 (South Road): A primary speed limit of 35 mph from the intersection of Vermont Route 9 north to south on South Road to Moss Hollow Road at Marlboro College.

A posted limit of 25 mph from 0.3 miles when traveling north to south on South Road from Vermont Route 9 to 0.6 miles (approximately 100 yards north of fire station). The distance of 0.3 miles provides a 25 mph zone in the area approaching from either direction, the Town Office, Post Office and church.

An advisory warning speed limit of 25 mph 1.9 miles from the intersection of Vermont Route 9 and South Road immediately north of Lucier Road on approach and when traveling through Marlboro College campus area..

- TH # 4 (Ames Hill Road): a maximum speed limit of 35 mph for the entire length.

### **Class III Town Highways:**

A maximum speed limit of 35 mph for all Class III highways.

The above speed limits shall be posted in accordance with the standards set forth in the MUTCD and shall be in effect when so posted.

## **ARTICLE V STOP AND YIELD INTERSECTIONS**

### **Section 1.**

The following intersections shall be designated as STOP intersections, and shall be so signed:

- All roads that intersect with Vermont Route 9, as required by State of Vermont.
- Intersection of TH # 1 and TH #2 (Higley Hill and Augur Hole Roads).
- Intersection of TH # 4 (Town Hill Road) with TH # 3 (South Road).

**Section 2.**

The following intersections shall be designated as YIELD intersections and shall be so signed:

- Intersection of TH # 3 (South Road) with TH # 4 (Ames Hill Road).

**ARTICLE VI  
GENERAL PROVISIONS**

**Section 1. Separate Offenses:**

Each violation of a provision of this ordinance shall be deemed a separate offense.

**Section 2. Severability:**

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

**Section 3. 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 4. Designation:**

This ordinance may be referred to as the Marlboro Traffic Ordinance and in a 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. Repeal of Prior Ordinances:**

Any other ordinance or traffic regulation heretofore adopted by the Town of Marlboro is hereby repealed. The Select Board amended Article IV of this Ordinance with regard to the speed limits and signage on South Road, Augur Hole Road and Higley Hill Road.

**Section 7. Publication and Posting:**

This ordinance was entered in the Select Board minutes, filed with the Town Clerk and posted in at least five conspicuous places within the Town. A summary of this ordinance was published in the *Brattleboro Reformer* on March 6, 2009, not later than 14 days following the date specified below when this Ordinance was adopted.

**Section 8. Right to Petition:**

Citizens of the Town of Marlboro are further hereby notified that within 44 days from the date of adoption they may petition for a vote on the above Ordinance at an annual or special meeting as provided in 24 V.S.A. 1973.

**Section 9: Adoption History/Effective Date:**

The Marlboro Select Board adopted this Ordinance on February 25, 2009, and it will become effective after 60 days, on April 26, 2009.

Amendment of this Ordinance was an agenda item at regular Select Board meetings held on February 28, 2008, April 10, 2008, April 24, 2008, May 8, 2008, February 12, 2009 and February 25, 2009.

MARLBORO SELECT BOARD  
Lucy Gratwick, Chair  
Craig Hammond  
Gail MacArthur

February 25, 2009