

TOWN OF MONKTON
ORDINANCE FOR THE
REGULATION OF VEHICLE WEIGHT LIMITS ON TOWN HIGHWAYS

The Town of Monkton (the "Town"), by and through its duly elected Selectboard pursuant to 23 V.S.A. § 1400a *et. seq.* and 24 V.S.A. § 1971 *et. seq.* do hereby make the following civil ordinance for the regulation and permitting of overweight vehicles on Town bridges and highways ("Ordinance"). All remedies and penalties or fines assessed pursuant to this Ordinance shall be considered civil ordinance violations enforceable pursuant to 24 V.S.A. § 1974a, *et. seq.*

ARTICLE I

Section 101. Jurisdiction

A person, as defined by 1 V.S.A. § 128, or other entity, owning or operating a traction engine, tractor trailer, motor truck or other motor vehicle that desires to operate in excess of the weight and size limits provided in this Ordinance over Town bridges and class 2, 3 and 4 Town highways shall be regulated as set forth in this Ordinance.

ARTICLE II

Section 201. Permit Application

An application is required to be filed with the Town Selectboard for the operation of any vehicle within the Town which by weight or size exceeds the Town highway and bridge limits as hereinafter established by the Selectboard.

Section 202. Town Weight Limits

The Town shall be responsible for establishing any weight limits on Town highways and bridges, which are more restrictive than the maximum gross weight of 80,000 lbs. set forth in 23 V.S.A. § 1392(3). The Town shall file a complete copy of the Town weight limitations with the Vermont Department of Motor Vehicles as the same may be amended from time to time.

ARTICLE III

Section 301. Administrative Fees

An annual administrative fee of \$5.00 shall be paid by an applicant at the time of any request for a permit under this Ordinance which shall expire on March 31st of each year following issuance of a permit.

Section 302. Fleet Permit - Administrative Fee

An annual administrative fee of \$10.00 shall be paid by an applicant at the time of any request for a fleet permit involving two or more motor vehicles and shall cover the period expiring March 31st of each year following issuance of a fleet permit for all the registered vehicles which are intended to be operated in the Town.

ARTICLE IV

Section 401. Insurance

A valid certificate of insurance in the name of the permittee applicant in the amount of a minimum of \$100,000/\$300,000 Personal Injury Liability Coverage and \$100,000 Property Damage Coverage covering the operation of each permitted motor vehicle shall be provided to the Town at the time of application.

ARTICLE V

Section 501 Posting of Permit

A single issue permit shall be posted by the operator in the vehicle for which it is issued. A fleet permit is not required to be posted as long as the operator can provide confirmation that a permit has been issued within 24 hours of a request for confirmation made by a Vermont certified police officer.

ARTICLE VI

Section 601. Weight Limits/State

When a Town bridge or highway is posted for state limits, the gross weight limits on town highways and bridges shall be the weight allowed by the state, including any additional weight allowed by permit issued by the Town pursuant to Article III.

ARTICLE VII

Section 701. General 24,000 lb. Weight Limits.

The following Town highways shall be restricted to a weight limit for all motor vehicles referenced in Section 101 not to exceed 24,000 lbs. at all times:

Highways

Silver St (T.H. #1)	Shattuck Rd (T.H. #17)
Monkton Ridge (T.H. #1)	Turkey Ln (T.H. #18)
Monkton Rd (T.H. #1)	Gilman Rd (T.H. #19)
Hollow Rd (T.H. # 2)	Bennett Rd (T.H. #21)
Bristol Rd (T.H. #3)	Nichols Rd (T.H. #21)
St Prison Hollow Rd (T.H. #4)	Cedar Lane (T.H. #23)
Hardscrabble Rd (T.H. #5)	Boro Hill Rd (T.H. #24)
Tyler Bridge Rd (T.H. #6)	Tracy Rd (T.H. #25)
Mountain Rd (T.H. #6)	Jockey Ln (T.H. #26)
Parks-Hurlburt Rd (T.H. #7)	Boro Hill Rd (T.H. #27)
Morgan Rd (T.H. #7)	Cemetery Rd (T.H. #28)
Covered Bridge Rd (T.H. #8)	Old Stage Rd (T.H. #29)
Higbee Rd (T.H. #9)	Barnum Rd (T.H. #30)
Rotax Rd (T.H. #11)	Piney Woods Rd (T.H. #31)
Roscoe Rd (T.H. #12)	Lime Kiln Rd (T.H. # 34)
Pond Rd (T.H. # 15)	Church Rd (T.H. #35)
Davis Rd (T.H. #16)	Murray Rd (T.H. #37)

ARTICLE VIII

Section 801. Special Weight Limits

Special weight limits for Town highways and bridges shall be reviewed on an annual basis by the Selectboard. Changes from previously established limits, or to state legal limits for Town highways or bridges shall be approved by the Selectboard and filed annually with the Vermont Department of Motor Vehicles no later February 10 of each year. The filing shall include of the name and number of the Town highways or bridges, the time of year that the restriction(s) applies, and the weight limitation in effect. Annual special weight limits shall also be posted on the Town's website.

Section 802. Temporary or Special Weight Restrictions

Temporary weight restrictions can be applied to any Town bridge or Town highway by the Town Road Foreman based on weather-related circumstances, which are of a temporary or special nature which shall not exceed a 3-month period. The application of such restrictions shall follow the statutory requirements for filing, posting and records management.

Section 803. Temporary Weight Limits November 15 to May 15

The following Town highways and bridges located thereon shall be restricted to a weight not to exceed Two-axel trucks 15,000 lbs.; Three-axel trucks - 18,000 lbs.; Tractor-trailer units – 20,000 lbs. from November 15th to May 15th of each year or as otherwise established due to seasonable weather conditions pursuant to Section 802:

Silver St (T.H. #1)	Shattuck Rd (T.H. #17)
Monkton Ridge (T.H. #1)	Turkey Ln (T.H. #18)
Monkton Rd (T.H. #1)	Gilman Rd (T.H. #19)
Hollow Rd (T.H. # 2)	Bennett Rd (T.H. #21)
Bristol Rd (T.H. #3)	Nichols Rd (T.H. #21)
St Prison Hollow Rd (T.H. #4)	Cedar Lane (T.H. #23)
Hardscrabble Rd (T.H. #5)	Boro Hill Rd (T.H. #24)
Tyler Bridge Rd (T.H. #6)	Tracy Rd (T.H. #25)
Mountain Rd (T.H. #6)	Jockey Ln (T.H. #26)
Parks-Hurlburt Rd (T.H. #7)	Boro Hill Rd (T.H. #27)
Morgan Rd (T.H. #7)	Cemetery Rd (T.H. #28)
Covered Bridge Rd (T.H. #8)	Old Stage Rd (T.H. #29)
Higbee Rd (T.H. #9)	Barnum Rd (T.H. #30)
Rotax Rd (T.H. #11)	Piney Woods Rd (T.H. #31)
Roscoe Rd (T.H. #12)	Lime Kiln Rd (T.H. # 34)
Pond Rd (T.H. # 15)	Church Rd (T.H. #35)
Davis Rd (T.H. #16)	Murray Rd (T.H. #37)

ARTICLE IX - EXCLUSIONS

Section 901. Town Construction

Nothing contained in this Ordinance shall restrict the weight limits on Town bridges and highways for snow plows, road machines, oilers, traction engines, tractors, rollers, power shovels, dump wagons, trucks or other construction or maintenance equipment when used by the Town, in the construction or the maintenance of any Town highway or bridge, provided that such construction or maintenance is performed by persons employed by or under contract with the Town, for such purpose. Any operation of motorized highway building equipment or road making appliances used in construction work contracted by the Town using its own equipment, shall be unrestricted as to weight only within a construction area.

Section 902. Fire Vehicles

Nothing contained in this ordinance shall restrict the weight of municipal and volunteer fire apparatus.

Section 903, Material Hauling Exemptions

Vehicles specially equipped to haul unprocessed forest products or unprocessed quarry products shall not be subject to the permitting or weight limitations set forth in this Ordinance.

Section 904. Farm Exemption

Agriculture service vehicles used for routine; non-commercial farm operations shall not be subject to the permitting or weight limitations set forth in this Ordinance provided the gross weight does not exceed 60,000 lbs.

ARTICLE X - ENFORCEMENT

Section 1001. Civil Penalties

This Ordinance is designated as a Civil Ordinance. Any person(s) or entity owning or operating a motor vehicle on Town highways or bridges in excess of the weight limitations set forth in this Ordinance or as otherwise permitted under Article IV of this Ordinance shall be fine as hereinafter provided.

Section 1002. Fine/Waiver Fee

	<u>Fine</u>	<u>Waiver Fee</u>
Failure to obtain a permit	\$15.00	\$10.00
Excess weight	\$250.00	\$100.00

A separate fine may be imposed for each weight violation of this Ordinance.

Determination of a violation shall be based on the lightweight of the vehicle and the contents contained within it. An officer shall have the authority to request the operator to

proceed to a location within the Town where registered scales are present to confirm weight if the operator questions whether a violation of this ordinance has occurred.

Section 1003. Civil Complaint

This Ordinance may be enforced by any Vermont certified law enforcement officer through the issuance of a civil complaint filed with the Vermont Judicial Bureau pursuant to Title 4 of the Vermont Statutes Annotated and 24 V.S.A. § 1974a, *et. seq.* Nothing contained herein shall be construed to limit the authority of the Town to seek and obtain any other remedies allowed by law to prevent to enjoin overweight operation of motor vehicles on Town highways and bridges and to seek damages and reimbursement for damages and repairs of Town highways and bridges caused by motor vehicle operators due to overweight vehicle operation or otherwise.

ARTICLE XI

If any part of this ordinance shall be held to be void, invalid or unconstitutional either under the laws or constitution of the State of Vermont or the United States by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and such portions shall be in full force and effect.

ARTICLE XII

Section 1201. Effective Date

This ordinance will become effective sixty (60) days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute will govern the taking effect of this ordinance.

Adopted this 10th day of February, 2026.

Selectboard for the Town of Monkton

Jessica Demeritt, Chair /s/

Walter Crandall, Vice Chair /s/

Sam Peisch, Secretary /s/

Joe Szarejko /s/

John Dunham /s/