

# Town of Monkton

## Highway Right-of-Way Policy

### 1. Purpose.

The purpose of this Policy is to define the standards by which the Town will maintain its Town Highway Rights-of-Way and to set reasonable expectations for the use of access to the Town Right-of-Way.

### 2. Definitions:

- a. **"Town Highway"** shall mean a public road or highway that is classified as class 1, 2, 3, or 4 as defined in 19 V.S.A. § 301(7) and 19 V.S.A. § 302(a), as amended.
- b. **"Selectboard"** shall mean the Selectboard of the Town of Monkton.
- c. **"Trail"** shall mean a public right-of-way as defined in 19 V.S.A. § 301(8), as amended.
- d. **"Town"** shall mean the Town of Monkton.
- e. **"Right-of-Way Permit" or "Permit"** shall mean a permit authorized by the Selectboard for access to a Town highway Right-of-Way pursuant to 19 V.S.A. § 1111.

### 3. Right-of-Way Access

Any person who wishes to perform or arrange for any maintenance, use, repair, restoration, installation, and/or improvement on a Town Highway or Trail may do so only after receiving a signed Right-of-Way Permit from the Selectboard or their designee. Permission for use, repair, maintenance, improvement, restoration, or installation work shall be given in accordance with 19 V.S.A. § 1111, the Town of Monkton Highway Access Policy-Curb Cuts and Driveways and the Town of Monkton Class 4 Highway Policy. The Town of Monkton Class 4 Highway Policy makes an exception for regular and routine maintenance on Class 4 highways.

A completed Right-of-Way Permit application shall be submitted to and approved by the Selectboard or their designee before work begins. The application shall be in writing and shall be signed by the applicant. The application shall include project plans detailing all work to be performed, all materials required and estimated quantities of such materials, timeline indicating the requested start date of work and expected completion date of work, any expected flagging or other road or lane closure arrangements that have been made, and any other information requested by Monkton.

By submission of an application for a Right-of-Way Permit the applicant agrees to bear all costs associated with the work on the highway or trail, that all the requirements for signage, work safety, and public safety required by law or reasonable prudence will be adhered to in connection with the work done under the Permit, and that all work will be done in conformance with the Permit. By acceptance of the Right-of-Way Permit, the Permittee agrees to defend, indemnify, and hold the Town, its officers, officials, employees, and volunteers harmless from all claims, injuries, damages, losses, or suits including attorney fees, arising out of or in connection with the performance of the activities authorized under the Permit.

All work within the Town Highway right-of-way shall be in conformance with current Town

highway specifications and procedures as amended and the Town Highway shall be left in as good as or better condition than when permission was granted. The Town reserves the right to impose or require any reasonable conditions as deemed necessary, including proof of Dig Safe, providing a certificate of insurance, and posting of a surety bond. The Selectboard or their designee may approve, approve with conditions, or deny a Right-of-Way Permit.

The Permittee shall notify the Selectboard or their designee before the work authorized under the Permit is commenced and within two (2) days after work is completed.

Permits and Easements allowing for the location of private infrastructure or utilities shall be recorded with the Town. Excavation for repair shall not be required to be recorded unless it's determined to be in the public's best interest.

#### 4. Mailboxes


Per 19 V.S.A. § 303: "Town highways shall be under the general supervision and control of the selectmen of the town where the roads are located. Selectmen shall supervise all expenditures. (Added 1985, No. 269 (Adj. Sess.), § 1.)" Residents in the Town of Monkton are responsible for complying with United States Postal Service (USPS) guidelines as outlined here: <https://www.usps.com/manage/mailboxes.htm> with regard to the placement of rural delivery mailboxes placed within Town highways and trail rights-of-way or on Monkton Town property.

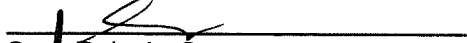
Mailboxes can be damaged by regular road maintenance and/or snow plowing for various legitimate reasons, such as poor visibility, the mailbox being buried in a snowbank, the sheer weight/volume of the snow being plowed, or the door of the mailbox being left open and sticking out into the road, or other similar situations.


The Town of Monkton is not responsible or liable for costs or other damages to mailboxes placed in the right of way regardless of whether they are permitted. Residents bear full responsibility for the repair, maintenance and replacement of mailboxes. If a mailbox is damaged by a town employee during the course of business (such as plowing snow), the town may, in the Selectboard's sole discretion, provide a replacement with no more than a basic standard mailbox sufficient and compelling evidence has been presented to the Monkton Selectboard that damage was caused by a town employee performing town duties.

**Adopted by the Selectboard this 26th day of August, 2025.**

  
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Jessica Demeritt, Chair

  
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Walter Crandall, Vice Chair

  
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Sam Peisch, Secretary

  
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Joe Szarejko

  
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John Dunham