

## **AN ORDINANCE TO REGULATE LOCAL ENFORCEMENT OF STOP AND YIELD SIGNS AND OTHER TRAFFIC CONTROL DEVICES IN THE TOWN OF NORWICH**

### **1. AUTHORITY**

1.1 This ordinance is adopted under the authority granted and provisions of Title 23, Section 1008; Title 24, Section 229(4); and Title 24, Chapter 59, of the Vermont Statutes Annotated.

1.2 Pursuant to the provisions of Title 23, Vermont Statutes Annotated, Section 1007 and 1008, and Title 24, Vermont Statutes Annotated Sections 1971-1973 and 2291(1)(4) and (5), and such other general enactments as may be material hereto, it is hereby ordained by the Board of Selectmen of the Town of Norwich that the following ordinance is adopted for the Town of Norwich, Vermont.

### **2. PURPOSE AND SCOPE**

2.1 The purpose of this ordinance, adopted in accordance with 23 V.S.A. § 13 and 19 V.S.A, is to regulate traffic in order to protect public health, safety and welfare.

2.2 This ordinance establishes special traffic regulations on public highways within the Town of Norwich, Vermont.

### **3. DEFINITIONS**

3.1 For purposes of this Ordinance, the following words and/or phrases shall be defined as identified below to include the definitions of Title 23, Vermont Statutes Annotated, Section 4, which have been incorporated by reference.

- A. Highway: shall be as defined in Title 19, Sections 1 (12) and (21), of the Vermont Statutes Annotated.
- B. Intersection: shall mean any point at which a highway joins another at an angle, whether or not it crosses the other.
- C. MUTCD: shall mean the Manual for Uniform Traffic Control Devices, issued by the Federal Highway Administration.
- D. Stop Sign: shall mean a sign as described in the M.U.T.C.D., Section 2B.04 and Title 23, Sections 1025 and 1048(b), of the Vermont Statutes Annotated.
- E. Town Highway: shall be as defined in Title 19, Sections 1 (12) and (21), of the Vermont Statutes Annotated.
- F. Yield Sign: shall mean a sign as described in the M.U.T.C.D., Section 2B.04, and Title 23, Sections 1025 and 1048(c), of the Vermont Statutes Annotated.

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**4. ESTABLISHMENT OF "STOP" INTERSECTIONS**

4.1 The following intersections of Town highways are hereby designated as "stop intersections" pursuant to 23 V.S.A. § 1008:

<b>Street</b>	<b>Intersection</b>
Academy Road	VT Route 132
Beaver Meadow Road	Main Street
Blood Hill East	Goodrich Four Corners Road
Bowen Road	VT Route 132
Bragg Hill Road	Beaver Meadow Road
Brigham Hill Road	Beaver Meadow Road
Butternut Road	US Route 5 North
Campbell Flats Road	VT Route 132
Carpenter Street	Church Street
Carpenter Street	Main Street
Chapel Hill Road (North)	Beaver Meadow Road
Chapel Hill Road (South)	Beaver Meadow Road
Church Street	Main Street
Douglas Road	New Boston Road
Dutton Hill Road (East)	Bragg Hill Road
Elm Street	Hopson Road
Elm Street	Main Street
Farrell Farm Road	US Route 5 North
Four Wheel Drive	Church Street
Goddard Road	Bragg Hill Road
Goodrich Four Corners Road	Union Village Road
Hawk Pine Road	Willey Hill Road
Hawk Pine Road	NE intersection of Hawk Pine Circle
Hazen Street	Main Street (East)
Hazen Street	Main Street (West)
Hemlock Road	US Route 5 North
Hogback Road	VT Route 132
Hopson Road	Beaver Meadow Road
Hopson Road	Elm Street
Hopson Road	US Route 5 South
Huntley Road	Beaver Meadow Road
Jones Circle	Elm Street
Kendall Station Road	US Route 5 North
Kerwin Hill Road	VT Route 132
Koch Road	Main Street
Ladeau Road	Norford Lake Road
Lary Lane	Carpenter Street
Loveland Road	US Route 5 North
Main Street	Church Street

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Maple Hill Road	Union Village Road
Maple Hill Road	Upper Pasture Road
Maple Hill Road	Willey Hill Road
Mckenna Road	VT Route 10A
Mitchell Brook Road	Beaver Meadow Road
Mill Road	US Route 5 South
Montshire Road	VT Route 10A
Moore Lane	Beaver Meadow Road
Moore Lane	Turnpike Road
Needham Road	Turnpike Road
New Boston Road	Turnpike Road
Norford Lake Road	New Boston Road
Old Bridge Road	US Route 5 North
Old Coach Road	Union Village Road
Partridge Hill	Union Village Road
Pattrell Road	Union Village Road
River Road	Church Street
Rock Ledge Lane	New Boston Road
Starlake Lane	Farrell Farm Road
Stevens Road	US Route 5 North
Stowell Road	Norford Lake Road
Sugarhouse Road	Beaver Meadow Road
Tilden Hill Road	Turnpike Road
Trumbull Lane	Main Street
Turnpike Road	Main Street
Union Village Road	VT Route 132
Upper Loveland Road	Church Street
Upper Turnpike Road	Turnpike Road
VT Route 132	US Route 5 North
Waterman Hill Road	Union Village Road
Willey Hill Road	Union Village Road
Willey Hill Road	Maple Hill Road

**5. ESTABLISHMENT OF "YIELD" INTERSECTIONS**

5.1 The following intersections are hereby established as "Yield Right-of-Way" intersections:

<b>Street</b>	<b>Intersection</b>
Bradley Hill Road	Union Village Road
Glen Ridge Road	Beaver Meadow Road
Huntley Street	Beaver Meadow Road
Needham Road	Upper Turnpike Road
River Road	US Route 5 North
Tucker Hill Road	Beaver Meadow Road
VT Route 132	Union Village Road

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5.2 Establishment of additional "Stop" or "Yield" intersections. The Selectboard may establish other "Stop" or "Yield" Intersections on designated throughways as it deems necessary by the recording of a description of the intersection and its designation in the Town Clerk's Office. The designation shall become effective upon compliance with 19 V.S.A. Section 27 and 28, as amended, or such other applicable law in effect at that time.

5.3 Traffic regulation. Except when directed to proceed by an enforcement officer every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

**6. PENALTIES AND FINES:**

6.1 This is a civil ordinance which shall be enforced in accordance with the provisions in 24 V.S.A. § 1974(a) and § 1977 et seq.

6.2 A violation of any provision of this Ordinance shall constitute a traffic offense and a penalty shall be imposed, as provided by 23 V.S.A. § 2302(a) (4).

6.3 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. The penalty for violation of any of the above shall be that set by the Judicial Bureau Waiver Penalty Schedule of Fines established by the State of Vermont as provided in VSA Title 23 Chapters 13, 23, and 24.

**7. ENFORCEMENT**

7.1 This Ordinance may be enforced by any law enforcement officer who has been certified according to the provisions of 20 V.S.A. § 2358.

**8. GENERAL PROVISIONS AND SEVERABILITY**

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

8.2 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.

8.3 Designation: This ordinance may be referred to as the Norwich Traffic Ordinance – Regulation of Stop and Yield Signs and other Traffic Control Devices and in a prosecution hereunder a copy of such

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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.

8.4 Repeal of Prior Ordinances: Any other ordinance or traffic regulation relative to Regulation of Stop and Yield Signs and other Traffic Control Devices heretofore adopted by the Town of Norwich are hereby repealed.

8.5 No section of this Ordinance shall be construed to supersede or replace any Vermont statute.

**9. EFFECTIVE DATE, PUBLICATION AND POSTING**

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

9.2 Adopted by the Selectboard, Town of Norwich at its meeting held on the 10th day of February, 2021.

**Claudette Brochu**

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Claudette Brochu, Chair

**Roger Arnold**

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Roger Arnold, Vice-Chair

**Robert Gere**

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Robert Gere

**John Langhus**

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John Langhus

**Mary Layton**

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Mary Layton

Published: Valley News Legal Classified on February 13, 2021

Posted beginning February 16, 2021 at: Town webpage, Town Clerk's Office, Norwich USPS, Town outdoor bulletin board, Main St. Community bulletin board, Dan & Whit's. Courtesy posting on Norwich Listserve

Filed with Town Clerk: February 16, 2021

Effective Date: April 11, 2021 (i.e., 60 days from February 10, 2021 – date of adoption)

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**APPENDICES:**

**Authority to adopt**

Universal Citation: 24 V.S.A. § 1971

“(a) A municipality may adopt, amend, repeal, and enforce ordinances or rules for any purposes authorized by law. (b) An ordinance or rule adopted or amended by a municipality under this chapter or under its municipal charter authority shall be designated as either criminal or civil, but not both.”

**Procedure**

Universal Citation: 24 V.S.A. § 1972.

“(a)(1) The legislative body of a municipality desiring to adopt an ordinance or rule may adopt it subject to the petition set forth in section 1973 of this title and shall cause it to be entered in the minutes of the municipality and posted in at least five conspicuous places within the municipality. The legislative body shall arrange for one formal publication of the ordinance or rule or a concise summary thereof in a newspaper circulating in the municipality on a day not more than 14 days following the date when the proposed provision is so adopted. Information included in the publication shall be the name of the municipality; the name of the municipality's website, if the municipality actively updates its website on a regular basis; the title or subject of the ordinance or rule; the name, telephone number, and mailing address of a municipal official designated to answer questions and receive comments on the proposal; and where the full text may be examined. The same notice shall explain citizens' rights to petition for a vote on the ordinance or rule at an annual or special meeting as provided in section 1973 of this title. (2) Unless a petition is filed in accordance with section 1973 of this title, the ordinance or rule shall become effective 60 days after the date of its adoption, or at such time following the expiration of 60 days from the date of its adoption as is determined by the legislative body. If a petition is filed in accordance with section 1973 of this title, the taking effect of the ordinance or rule shall be governed by subsection 1973(e) of this title. (b) All ordinances and rules adopted by a municipality shall be recorded in the records of the municipality. (c) The procedure herein provided shall apply to the adoption of any ordinance or rule by a municipality unless another procedure is provided by charter, special law, or particular statute.”

**Permissive referendum**

Universal Citation: 24 V.S.A. § 1973

“(a) An ordinance or rule adopted by a municipality may be disapproved by a vote of a majority of the qualified voters of the municipality voting on the question at an annual or special meeting duly warned for the purpose, pursuant to a petition signed and submitted in accordance with subsection (b) of this section. (b) A petition for a vote on the question of disapproving an ordinance or rule shall be signed by not less than five per cent of the qualified voters of the municipality, and presented to the legislative body or the clerk of the municipality within 44 days following the date of adoption of the ordinance or rule by the legislative body. (c) When a petition is submitted in accordance with subsection (b) of this section, the legislative body shall call a special meeting within 60 days from the date of receipt of the

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petition, or include an article in the warning for the next annual meeting of the municipality if the annual meeting falls within the 60-day period, to determine whether the voters will disapprove the ordinance or rule. (d) Not less than two copies of the ordinance or rule shall be posted at each polling place during the hours of voting, and copies thereof made available to voters at the polls on request. It shall be sufficient to refer to the ordinance or rule in the warning by title. (e) If a petition for an annual or a special meeting is duly submitted in accordance with this section, to determine whether an ordinance or rule shall be disapproved by the voters of the municipality, the ordinance or rule shall take effect on the conclusion of the meeting, or at such later date as is specified in the ordinance or rule, unless a majority of the qualified voters voting on the question at the meeting vote to disapprove the ordinance or rule in which event it shall not take effect."

**Enumeration of powers**

Universal Citation: 24 V.S.A. § 2291

"For the purpose of promoting the public health, safety, welfare, and convenience, a town, city, or incorporated village shall have the following powers: ... (4) To regulate the operation and use of vehicles of every kind including the power: to erect traffic signs and signals; to regulate the speed of vehicles subject to 23 V.S.A. chapter 13, subchapter 12; to regulate or exclude the parking of all vehicles; and to provide for waiver of the right of appearance and arraignment in court by persons charged with parking violations by payment of specified fines within a stated period of time."

**Stop or Yield Intersections**

Universal Citation: 23 V.S.A. § 104

"(a) Preferential right of way at an intersection may be indicated by "stop" signs or "yield" signs. (b) Except when directed to proceed by an enforcement officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right of way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection. (c) The driver of a vehicle approaching a yield sign shall in obedience to the yield sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection. However, if the driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, the collision shall be deemed prima facie evidence of the driver's failure to yield right of way."

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**Municipalities; payment to and liability of**

Universal Citation: 13 V.S.A. § 7251

“(a) Fines, forfeitures and penalties, imposed by the district or superior court or by the judicial bureau for violation of a village, town, or city ordinance shall be paid to the village, town or city, respectively, except for a \$12.50 administrative charge for each case which shall be retained by the state. (b) Fines, forfeitures and penalties imposed by the judicial bureau for all speeding traffic violations under subchapter 8 of chapter 13 of Title 23 entitled "speed restrictions" on state highways and for height and width violations under 23 V.S.A. § 1431 and length violations under 23 V.S.A. § 1432 on town highways resulting from the enforcement by towns within the jurisdiction of the town shall be paid to the town by the formula set forth in subsection (c) of this section except for the administrative charge according to the provisions of subsection (a) of this section which shall be retained by the state. The enforcement by towns shall be by a town law enforcement officer or a law enforcement officer by contract with the town. Such law enforcement officer shall be certified according to the provisions of 20 V.S.A. § 2358. Nothing in this section shall be construed to limit the jurisdiction of a certified law enforcement officer. The revenue that is collected by the state pursuant to enforcement of this section by a town shall be distributed annually during the first quarter of the fiscal year immediately following the fiscal year in which the fines, forfeitures and penalties are collected. (c) The allocation of revenue to the towns under the formula shall be updated annually by the state court administrator and shall provide that the revenue be distributed to those towns whose law enforcement efforts on state highways and town highways as specifically set forth in subsection (b) of this section have resulted in the imposition of the fines, forfeitures and penalties for all speeding traffic violations under subchapter 8 of chapter 13 of Title 23 entitled "speed restrictions" and for height and width violations under 23 V.S.A. § 1431 and length violations under 23 V.S.A. § 1432 provided that no town may receive more than five percent of the total revenue in any given year. The formula used for distribution shall reflect the percentage of a town's law enforcement expenditures as it relates to the town's total municipal taxing effort. The town's total municipal taxing effort shall be determined by subtracting the town's school taxes assessed from the total taxes assessed as provided each year in the annual report of the division of property valuation and review by the Vermont department of taxes. By July 31 of each year, the local legislative body of any town which had law enforcement efforts resulting in the imposition of fines, forfeitures and penalties and which wishes to participate shall submit to the court administrator the total amount of the funds spent for law enforcement in the most recently completed town fiscal year. (d) Fines, forfeitures, and penalties imposed by the judicial bureau for violations of subdivisions 352(3), (4), and (9) of this title, relating to animal cruelty that result from the enforcement by villages, towns, and cities within their jurisdiction shall be paid to the respective village, town, or city, except for a \$12.50 administrative charge for each violation which shall be retained by the state. The enforcement by villages, towns, and cities shall be by a local law enforcement officer or a law enforcement officer by contract with the village, town, or city. Such law enforcement officer shall be certified according to the provisions of 20 V.S.A. § 2358.”

**Enforcement of civil ordinance violations**



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Universal Citation: 24 V.S.A. § 1974a

“(a) A civil penalty of not more than \$800.00 may be imposed for a violation of a civil ordinance. Each day the violation continues shall constitute a separate violation. (b) All civil ordinance violations, except municipal parking violations, and all continuing civil ordinance violations, where the penalty is \$800.00 or less, shall be brought before the Judicial Bureau pursuant to Title 4 and this chapter. If the penalty for all continuing civil ordinance violations is greater than \$800.00, or injunctive relief, other than as provided in subsection (c) of this section, is sought, the action shall be brought in the Criminal Division of the Superior Court, unless the matter relates to enforcement under chapter 117 of this title, in which instance the action shall be brought in the Environmental Division of the Superior Court. (c) The Judicial Bureau, on application of a municipality, may order that a civil ordinance violation cease. (d) Civil enforcement of municipal zoning violations may be brought as a civil ordinance violation pursuant to this section or in an enforcement action pursuant to the requirements of chapter 117 of this title. (e)(1) When filed in court as an enforcement action by the municipality, municipal parking violations shall be brought as civil violations. The right to trial by jury shall not apply in such cases. (2) A person who received a criminal conviction in District Court for a municipal parking violation committed before January 1, 2005 may petition the court to seal all records in the matter. The person shall provide a copy of the petition to the State or municipal official who was the prosecuting authority on the matter in District Court. The court shall grant the petition if, after providing the prosecuting authority with an opportunity to respond, the court finds that sealing the records would serve the interests of justice.”

**Regulations in Municipalities:**

Universal Citation: 23 V.S.A. § 1008

“(a) The legislative body of a municipality may make special regulations as to the operation, use, and parking of motor vehicles, including angle parking, as to the location, design, and structure of traffic lights, as to "stop" signs and "yield right of way" signs at intersections, as to "no-passing" zones, and as to streets designated for one way traffic in the thickly settled portions of the municipality and may cause any street or highway of adequate width to be divided by appropriate markings into three or more lanes, and may, by ordinance or regulation, regulate the direction of travel and the turning of vehicles proceeding in those lanes and the passing of vehicles in one lane by overtaking vehicles in another lane, may cause markers, buttons or signs to be placed within or adjacent to intersections and thereby direct the course traveled by vehicles turning at an intersection, and when markers, buttons or signs are so placed no driver may turn a vehicle at an intersection other than as directed by the markers, buttons or signs. However, signs indicating the special regulations must be conspicuously posted in and near all areas affected. Special regulations may not be established on any state highway as defined by section 1 of Title 19. Regulations on all state highways may be made only by the traffic committee under section 1003 of this title, except that the traffic committee may authorize the legislative body of a municipality to regulate parking within a thickly settled area of a municipality, particularly described in the authorization, on state highways. The board of school directors of a union high school district may make special regulations as to the operation, use, and parking of motor vehicles within the boundaries of its school property. (b) The legislative body of a municipality may make special regulations as to the use of

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lights at night on motor vehicles at rest or in motion on well lighted streets. (c) Municipal motor vehicle regulations shall not duplicate or contradict any provision of this title.”

**Complaint for municipal civil ordinance violations**

Universal Citation: 24 V.S.A. § 1977

“(a) The complaint in a municipal civil case shall be signed by the issuing municipal official. The original copy shall be filed with the Judicial Bureau, a copy shall be retained by the issuing municipal official, and two copies shall be given to the defendant. (b) The municipal official may void or amend the municipal complaint issued by that official by so marking the complaint and sending it to the Judicial Bureau. (c) The Court Administrator shall approve an appropriate summons and complaint form, pursuant to 4 V.S.A. § 1105(a), to implement the assessment of the full and waiver penalty provisions of this section.”

**Minimum training standards; definitions**

Universal Citation: 20 V.S.A. § 2358

“(a) Unless waived by the Council under standards adopted by rule, and notwithstanding any statute or charter to the contrary, no person shall exercise law enforcement authority as a law enforcement officer without completing a basic training course and annual in-service training within a time and manner prescribed by the Council by rule. (b) The Council shall offer or approve basic training and annual in-service training for each of the following three levels of law enforcement officer certification in accordance with the scope of practice for each level, and shall determine by rule the scope of practice for each level in accordance with the provisions of this section: (1) Level I certification. (A) An applicant for certification as a Level I law enforcement officer shall first complete an off-site training program prior to entering and completing Level I basic training. Level I basic training shall include training to react to the circumstances described in subdivision (B) of this subdivision (1). (B)(i) The scope of practice of a Level I law enforcement officer shall be limited to security, transport, vehicle escorts, and traffic control, as those terms are defined by the Council, except that a Level I officer may react in the following circumstances if the officer determines that it is necessary to do any of the following: (I) protect an individual in the presence of the officer from the imminent infliction of serious bodily injury; (II) provide immediate assistance to an individual who has suffered or is threatened with serious bodily injury; (III) detain or arrest an individual who the officer reasonably believes has committed a crime in the presence of the officer; or (IV) detain or arrest an individual who the officer reasonably believes has committed a felony under Vermont law. (ii) If a Level I officer reacts to any of the circumstances described in subdivision (i) of this subdivision (B), he or she shall call upon an officer certified to respond and assume law enforcement authority over the incident. (2) Level II certification. (A) An applicant for certification as a Level II law enforcement officer shall first complete Level II basic training and may then become certified in a specialized practice area as set forth in subdivision (B)(ii) of this subdivision (2). Level II basic training shall include training to respond to calls regarding alleged crimes in progress and to react to the circumstances described in subdivision (B)(iii) of this subdivision (2). (B)(i) Except as provided in subdivisions (ii) and (iii) of this subdivision (B), the scope of practice of a Level II law enforcement officer shall be limited to investigating the following matters: (I) [Repealed.] (II) 7 V.S.A. § 658 (sale or furnishing

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to minors; enabling consumption by minors); (III) 13 V.S.A. chapter 7 (advertisements); (IV) 13 V.S.A. chapter 8 (humane and proper treatment of animals); (V) 13 V.S.A. §§ 505 (fourth degree arson), 508 (setting fires), and 509 (attempts); (VI) 13 V.S.A. chapter 19, subchapter 1 (riots); (VII) 13 V.S.A. §§ 1022 (noise in the nighttime), 1023 (simple assault), 1025 (recklessly endangering another person), 1026 (disorderly conduct), 1026a (aggravated disorderly conduct), 1027 (disturbing peace by use of telephone or other electronic communications), 1030 (violation of an abuse prevention order, an order against stalking or sexual assault, or a protective order concerning contact with a child), 1031 (interference with access to emergency services), 1042 (domestic assault), and 1062 (stalking); (VIII) 13 V.S.A. chapter 35 (escape); (IX) 13 V.S.A. chapter 41 (false alarms and reports); (X) 13 V.S.A. chapter 45 (flags and ensigns); (XI) 13 V.S.A. chapter 47 (frauds); (XII) 13 V.S.A. chapter 49 (fraud in commercial transactions); (XIII) 13 V.S.A. chapter 51 (gambling and lotteries); (XIV) 13 V.S.A. chapter 57 (larceny and embezzlement), except for subchapter 2 (embezzlement); (XV) 13 V.S.A. chapter 67 (public justice and public officers); (XVI) 13 V.S.A. chapter 69 (railroads); (XVII) 13 V.S.A. chapter 77 (trees and plants); (XVIII) 13 V.S.A. chapter 81 (trespass and malicious injuries to property); (XIX) 13 V.S.A. chapter 83 (vagrants); (XX) 13 V.S.A. chapter 85 (weapons); (XXI) 13 V.S.A. § 7559(d), (e), and (f) (violating condition of release); (XXII) 18 V.S.A. §§ 4230(a) and 4230d (marijuana possession); (XXIII) 18 V.S.A. § 4231(a) (cocaine possession); (XXIV) 18 V.S.A. § 4232(a) (LSD possession); (XXV) 18 V.S.A. § 4233(a) (heroin possession); (XXVI) 18 V.S.A. § 4234(a) (depressant, stimulant, or narcotic drug possession); (XXVII) 18 V.S.A. § 4234a(a) (methamphetamine possession); (XXVIII) 18 V.S.A. § 4235(b) (hallucinogenic drug possession); (XXIX) 18 V.S.A. § 4235a(a) (ecstasy possession); (XXX) 18 V.S.A. § 4476 (drug paraphernalia offenses); (XXXI) 20 V.S.A. § 3132 (firework prohibitions); (XXXII) 21 V.S.A. § 692(c)(2) (criminal violation of stop-work order); (XXXIII) any misdemeanor set forth in Title 23 of the Vermont Statutes Annotated, except for 23 V.S.A. chapter 13, subchapter 13 (drunken driving), 23 V.S.A. § 3207a (snowmobiling under the influence), 23 V.S.A. § 3323 (boating under the influence), or 23 V.S.A. § 3506(b)(8) (operating an all-terrain vehicle under the influence); (XXXIV) any motor vehicle accident that includes property damage and injuries, as permitted by the Council by rule; (XXXV) any matter within the jurisdiction of the Judicial Bureau as set forth in 4 V.S.A. § 1102; (XXXVI) municipal ordinance violations; (XXXVII) any matter within the jurisdiction of a game warden or deputy game warden as set forth in 10 V.S.A. chapter 103, subchapter 4 (game wardens); and (XXXVIII) any matter within the scope of practice of a Level I law enforcement officer. (ii) In addition to the scope of practice permitted under subdivision (i) of this subdivision (B), a Level II law enforcement officer may also practice in additional areas approved in writing by the Council based on a special certification or training approved by the Council. (iii) Notwithstanding the limitations set forth in subdivisions (i) and (ii) of this subdivision (B), a Level II officer may respond to calls regarding alleged crimes in progress and may react in the following circumstances if the officer determines that it is necessary to do any of the following: (I) protect an individual in the presence of the officer from the imminent infliction of serious bodily injury; (II) provide immediate assistance to an individual who has suffered or is threatened with serious bodily injury; (III) detain or arrest an individual who the officer reasonably believes has committed a crime in the presence of the officer; or (IV) detain or arrest an individual who the officer reasonably believes has committed a felony under Vermont law. (iv) If a Level II officer responds to calls regarding alleged crimes in progress or reacts to any of the circumstances described in subdivision (iii) of this subdivision (B) and that response or reaction is outside the scope of his or her scope of practice, he or she shall call upon an officer certified to respond and assume law

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enforcement authority over the incident. (3) Level III certification. (A) An applicant for certification as a Level III law enforcement officer shall complete Level III basic training. (B) The scope of practice of a Level III law enforcement officer shall include all law enforcement authority. (c) All programs required by this section shall be approved by the Council. Completion of a program shall be established by a certificate to that effect signed by the Executive Director of the Council. (d) [Repealed.] (e)(1) The criteria for all minimum training standards under this section shall include anti-bias training approved by the Vermont Criminal Justice Training Council and training on the State, county, or municipal law enforcement agency's fair and impartial policing policy, adopted pursuant to subsection 2366(a) of this title. (2) On or before December 31, 2018, law enforcement officers shall receive a minimum of four hours of training as required by this subsection. [Subdivision (e)(3) effective January 1, 2019.] (3) In order to remain certified, law enforcement officers shall receive a refresher course on the training required by this subsection during every odd-numbered year in a program approved by the Vermont Criminal Justice Training Council. (4) The Criminal Justice Training Council shall, on an annual basis, report to the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel regarding: (A) the adoption and implementation of the Panel's recommended data collection methods and trainings and policies pursuant to 3 V.S.A. § 168(f)(2) and (3); (B) the incorporation of implicit bias training into the requirements of basic training pursuant to this subsection; and (C) the implementation of all trainings as required by this subsection."

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**1972 Ordinance:**

Establishment of "Stop Intersections"

The following intersections of Town highways are hereby designated as "Stop Intersections" pursuant to 19 VSA Ch. 1.

1. The intersection of Jones Circle Road with Elm Street.
2. The intersection of Hopson Road with Elm Street on both the North and South intersections.
3. Mechanic Street and Main Street.
4. Cross Road and Meadowbrook Road.
5. Partridge Hill Road and Union Village Road.
6. Willey Hill Road and Union Village Road.
7. Turnpike Road and Main Street.

8. Koch Road and Willey Hill Road
9. Koch Road and Main Street
10. The North end of Hazen Street and Main Street.
11. The South end of Hazen Street and Main Street.
12. Carpenter Street and Main Street.

Establishment of "Yield Right-of-Way Intersections"

The following intersections are hereby established as "Yield Right-of-Way" intersections:

1. The intersection of Mechanic Street and Meadowbrook Road.
2. The intersection of Huntley Road, both intersections thereof, with Meadowbrook Road.
3. Brigham Hill Road and Beavermeadow Road.
4. Turnpike Road and New Boston Road.

Establishment of Additional "Stop" or "Yield" Intersections: The

Board of Selectmen may establish other "Stop" or "Yield" Intersections as it deems necessary by the recording of a description of the intersection and its designation in the Town Clerk's Office. The designation shall become effective upon compliance with 19 VSA Section 38 & 39, as amended, or such other applicable law in effect at that time.

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**Codification:**

**AN ORDINANCE TO REGULATE LOCAL ENFORCEMENT OF  
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TOWN OF NORWICH, VERMONT  
Adopted 02/10/2021; Effective 04/11/2021**

**§ 103-7. Establishment of "stop intersections".**

The following intersections of Town highways are hereby designated as "stop intersections" pursuant to 23 V.S.A. § 1008.

<b>Streets</b>	<b>Intersections</b>
Beaver Meadow Road	Main Street
Brigham Hill Road	Beaver Meadow Road
Bragg Hill Road	Beaver Meadow Road
Carpenter Street	Main Street
Dutton Hill Road	Beaver Meadow Road
Elm Street	Hopson Road (both sides) and Main Street
Hazen Street	North and South ends of Main Street
Hopson Road	Elm Street on both the North and South intersections
Huntley Street	East end of Beaver Meadow Road
Jones Circle Road	Elm Street
Koch Road at	Main Street and Willey Hill Road
New Boston Road	Turnpike Road
Partridge Hill Road	Union Village Road

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<b>Streets</b>	<b>Intersections</b>
Turnpike Road	Main Street
Willey Hill Road	Union Village Road

**§ 103-8. Establishment of "yield right-of-way intersections".**

The following intersections are hereby established as "Yield Right-of-Way" intersections:

<b>Street</b>	<b>Intersection</b>
Bradley Hill Road	Union Village Road
Huntley Street	West end of Beaver Meadow Road

**§ 103-9. Establishment of additional "Stop" or "Yield" intersections.**

The Selectboard may establish other "Stop" or "Yield" Intersections on designated throughways as it deems necessary by the recording of a description of the intersection and its designation in the Town Clerk's Office. The designation shall become effective upon compliance with 19 V.S.A. Section 27 and 28, as amended, or such other applicable law in effect at that time.

**Signature:** Claudette Brochu  
Claudette Brochu (Feb 26, 2021 14:29 EST)  
**Email:** cbrochu30@gmail.com

**Signature:** John Langhus  
John Langhus (Feb 26, 2021 14:33 EST)  
**Email:** johnlanghus@gmail.com

**Signature:** Mary Layton  
Mary Layton (Feb 26, 2021 14:33 EST)  
**Email:** marydlayton@gmail.com

**Signature:** Roger Arnold  
Roger Arnold (Feb 26, 2021 14:45 EST)  
**Email:** rogerarnoldvt@gmail.com

**Signature:** Robert Gere  
Robert Gere (Feb 26, 2021 20:25 EST)  
**Email:** rgere@mac.com














# StopYieldOrdinance Adopted - Take Two!

Final Audit Report

2021-02-27

Created:	2021-02-26
By:	Herbert Durfee (hdurfee@norwich.vt.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAOaBySbftDlw22sLQMJOjAlpFryJ97o

## "StopYieldOrdinance Adopted - Take Two!" History

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2021-02-26 - 7:26:49 PM GMT- IP address: 75.144.171.193
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