

Title 19: Highways

Chapter 3: TOWN HIGHWAYS

19 V.S.A. § 304. Duties of selectmen

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(a) It shall be the duty and responsibility of the selectboard of the town to, or acting as a board, it shall have the authority to:

(1) see that town highways and bridges are properly laid out, constructed, maintained, altered, widened, vacated, discontinued, and operated, when the safety of the public requires, in accordance with the provisions of this title;

(2) take any action consistent with the provisions of law, including determinations made pursuant to subdivision 302(a)(3)(B) or subsection 310(a) of this title, which are necessary for or incidental to the proper management and administration of town highways;

(3) purchase tools, equipment, and materials necessary for the construction, maintenance, or repair of highways and bridges, and to incur indebtedness from the municipal equipment loan fund as established in 29 V.S.A. § 1601 for these purchases. It may contract with governmental or private agencies for the use of tools, equipment, road building material, and services;

(4) order hills graded, surfaces graveled, or treated with a dust layer, or surface treated with bituminous material, upon any town highway either laid out by them or already existing;

(5) grant permission to enclose pent roads and trails by the owner of the land during any part of the year, by erecting stiles, unlocked gates, and bars in the places designated and to make regulations governing the use of pent roads and trails and to establish penalties not to exceed \$50.00, for noncompliance. Permission shall be in writing and recorded in the town clerk's office;

(6) make special regulations as to the operation, use, and parking of motor vehicles on highways under their jurisdiction, as provided in Title 23;

(7) make special regulations as to the speed of motor vehicles using the highways under their jurisdiction, as provided in Title 23;

(8) lay out winter roads and lumber roads pursuant to chapter 9 of this title;

(9) change the course of a stream, pursuant to chapter 9 of this title;

(10) erect embankment on stream, pursuant to chapter 9 of this title;

(11) construct a watercourse, drain, or ditch from a highway across lands of any person, pursuant to chapter 9 of this title;

(12) lay out, alter, classify, and discontinue town highways, pursuant to chapter 7 of this title;

(13) forward the town's annual plan for the construction and maintenance of town highways to the agency of transportation;

(14) keep accurate accounts, showing in detail all moneys received by them including from whom and when received and all moneys paid out by them, to whom and for what purpose, and settle the accounts with auditors not less than 25 days before the annual meeting;

(15) receive grant funds and gifts from public and private sources;

(16) unless the town electorate votes otherwise, under the provisions of 17 V.S.A. § 2646, appoint a road commissioner, or remove him or her from office, pursuant to 17 V.S.A. § 2651. Road commissioners, elected or appointed, shall have only the powers and authority regarding highways granted to them by the selectmen;

(17) number houses and name highways if desired;

(18) participate in cooperative purchasing arrangements with the state or other municipalities;

(19) prepare a transportation plan and capital budget for transportation for voter approval;

(20) retain staff and consultant assistance if needed in carrying out duties and powers;

(21) issue permits for work in highway rights-of-way pursuant to 19 V.S.A. chapter 11;

(22) regulate the location and relocation of utility wires and poles pursuant to 30 V.S.A. chapter 71; and

(23) publish and adopt after public hearing(s) road specifications for highways to be built or rebuilt within the town in compliance with applicable statutes.

(b) Nothing in this chapter shall be construed to affect the rights and powers conferred on incorporated villages and cities by their charters to appoint street commissioners, collect and disburse highway taxes, and repair and maintain highways under their care. (Added 1985, No. 269 (Adj. Sess.), § 1; amended 1999, No. 156 (Adj. Sess.), § 28, eff. May 29, 2000; 2001, No. 64, § 21, eff. June 16, 2001.)