

TOWN OF MIDDLEBURY
AN ORDINANCE FOR THE
REGULATION OF VEHICLE WEIGHT AND HEIGHT LIMITS ON TOWN HIGHWAYS

We, the Middlebury Board of Selectmen, pursuant to 23 V.S.A. 1400a et seq do hereby make the following civil ordinance for the regulation of overweight vehicles on Town bridges and highways within the limits of the Town. All penalties or fines assessed hereafter shall be imposed as civil penalties.

ARTICLE I.

Section 101. Jurisdiction

A person or corporation owning or operating a traction engine, tractor trailer, motor truck or other motor vehicle that desires to operate it in excess of the weight and size limits provided hereto over bridges and class 2, 3 and 4 highways under the jurisdiction of the Town shall be regulated under the conditions set forth in this ordinance.

ARTICLE II.

Section 201. Application

An application is required to be filed with the Town Manager for the operation of any vehicle, which by weight or size exceeds the road, and bridge limits established by the Board of Selectmen.

Section 202. Town Weight Limits

The Town shall be responsible for establishing any weight limits, which are more restrictive than the 80,000 lbs. authorized by the State. The Town shall file a complete copy of the weight limitations with the Department of Motor Vehicles.

ARTICLE III

Section 301. Administrative Fee

An administrative fee of \$5.00 shall be filed by the applicant at the time of the request for permit and shall cover the period expiring March 31 of each year for a vehicle.

Section 302. Fleet Permit - Administrative Fee

An administrative fee of \$10.00 shall be filed by the applicant at the time of the request for a permit and shall cover the period expiring March 31 of each year for all the registered vehicles which are intended to be operated in the Town of Middlebury.

ARTICLE IV

Section 401. Insurance

A valid certificate of insurance in the amount of a minimum of \$100,000/\$300,000 Personal Injury Liability Coverage and \$100,000 Property Damage Coverage shall be provided to the Town at the time of application.

ARTICLE V

Section 502. Posting of Permit

A single issued permit shall be posted by the operator in the applicable vehicle. A fleet permit is not required to be posted as long as the operator can provide confirmation that the permit has been issued within 24 hours of having been stopped by a 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.

ARTICLE VII - WEIGHT LIMITS/TOWN

Section 701. 8,000 lbs.

The following highways or bridges shall be restricted to a weight not to exceed 8,000 lbs.: Pulp Mill Bridge

Section 702. 10,000 lbs.

The following highways or bridges shall be restricted to a weight not to exceed 10,000 lbs.: Grist Mill Bridge

Section 703. 24,000 lbs.

The following highways or bridges shall be restricted to a weight not to exceed 24,000 lbs. at all times:

Highways

Bakery Lane	Foote Street
Blake Roy Road	Forrest Lane
Butternut Ridge Drive	Birchard Park
Chipman Heights	Brookside Drive
Cone Drive	Charles Avenue
Dragon Brook Road	Colonial Drive
Dwire Circle	Drew Lane
Fairview Circle	East Road
Forrest Ridge Road	Forbes Circle
Benedict Lane	Foster Circle
Boardman Street (east & west)	Franklin Street
Buttolph Drive	Fred Johnson Circle
Chipman Park	Gambrel Court
Creek Road (from end of pavement to Three Mile Bridge Road)	Gorham Lane Grist Mill Road
Danyow Drive	Green Mountain Place
East Munger Street	Grey Ledge Road
	Grist Midd Road

Halladay Road
Halpin Road
Halpin Covered Bridge Road
Happy Valley Road
Harrow Way
Heritage Circle
High Street
Hillcrest Road
Juniper Lane
Kings Row
Locust Lane
Lower Foote Street
Lower Plains Road
Maecliff Court
Maple Court
Maple Street
Mary Hogan Drive
Mead Lane
Meadow Glen Drive
Meadow Way
Methodist Lane
Middle Road (north & south)
Mill Street
Monroe Street
Morningside Drive
Morse Road
Munger Street
Murdock Court
North Leno Lane
North Street
Painter Road
Painter Hills Road
Park Street
Peterson Terrace

Pinewood Road
Piper Road
Quarry Road
Rogers Road
Rolling Acres
School House Hill Road
Seminary Street & Extension
Shannon Street
Seymour Street Extension
Short Shannon Street
Shard Villa Road
South Gorham Lane
South Leno Lane
South Pleasant Street
South Ridge Drive
South Street Extension (from end of
pavement south to end of road)
Star Point Drive
Stewart Lane
Stonegate Drive
Swanage Court
Thomas Street
Three Mile Bridge Road
Upper Plains Road
Valley View Road
Washington Street & Extension
Water Street
Willard Street
Wilmar Street
Willow Drive
Wilson Road
Woodland Park

Bridges

Muddy Branch Bridge
Halpin Bridge

ARTICLE VIII

Section 801. Height Limit

The following bridge shall be restricted to an overhead clearance of 8': Pulp Mill Bridge

ARTICLE IX

Section 901. Special Weight Limits

Special weight limits shall be reviewed on an annual basis by the Director of Public Works. Changes from previously established limits, or to the state legal limits for highways or bridges

shall be approved by the Selectmen and filed with the Department of Motor Vehicles no later than February 10 of each year. The filing shall include name of the highways or bridges, the time of the year that the restriction applies, and weight limitations in effect. Failure to notify the state within three days of the posting of any changes to the previously filed list shall make the newly established limit unenforceable.

Section 902. Temporary or Special Weight Restrictions

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

Section 903. Temporary Weight Limits from April 1 to June 1

The following highways or bridges shall be restricted to a weight not to exceed 24000 lbs. from April 1 to June 1st, or as dictated by seasonable weather conditions:

Birch Drive
Burnham Drive
Duane Court
Munson Road
North Branch Road
Oak Drive
South Munger Street

ARTICLE X. Exclusions

Section 1001. Town Construction

Nothing contained in this ordinance shall restrict the weight of 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 highway, provided that such construction or maintenance is performed by persons employed by or under contract with such town, for such purpose. However, any operation of motorized highway building equipment or road making appliances used in construction work contracted by a town, or by the town using its own equipment, shall be unrestricted as to weight only within a construction area.

Section 1002. Fire Vehicles

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

Section 1003. Material Hauling Exemptions

Vehicles specially equipped to haul unprocessed milk; unprocessed forest products or unprocessed quarry products shall be subject to state registration and regulation requirements only.

Section 1004. Farm Exemption

Farm equipment used for routine, non-commercial farm operations shall not be subject to these requirements.

ARTICLE XI

Section 1101. Civil Penalties

This ordinance is designated as a Civil Ordinance and all penalties or fines assessed thereunder shall hereafter be imposed as civil violations and any persons who violates any provisions of this ordinance shall be fined as hereinafter provided.

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. A person who violates any provision of this ordinance shall be fined not more than \$500. A fine may be imposed for each violation.

Section 1102. Fine/Waiver Fee

	Fine	Waiver Fee
Failure to obtain a permit	\$ 15.00	\$ 10.00
Excess weight	\$250.00	\$100.00
Height Limit	\$ 85.00	\$ 75.00

ARTICLE XII

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 XIII

This ordinance shall become effective 40 days from the date of adoption as provided in Section 107 of the Middlebury Town Charter. Upon the effective date of this ordinance the Town of Middlebury Ordinance Concerning the Pulp Mill Bridge shall be repealed in its entirety.

Adopted: March 28, 1995; Effective May 7, 1995

Amended: August 25, 1998; Effective October 4, 1998

Amended: August 24, 2021; Effective October 3, 2021