

§ 181-1 STREETS AND SIDEWALKS § 181-1

§ 181-36. Culverts.

§ 181-37. Roadside ditches.

§ 181-38. Bridges.

§ 181-39. Agency of Transportation guidelines.

§ 181-40. Deviations from policies.

§ 181-41. Applicability.

§ 181-42. Authority for final decisions.

§ 181-43. Verification of compliance; inspection report.

[HISTORY: Adopted by the Board of Selectmen of the Town of Rutland as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Subdivision of land — See Ch. 185.

**ARTICLE I
Driveway Installations
[Adopted 7-7-1980]**

§ 181-1. Permit required.¹

Any person desiring access to a Town highway for any use shall obtain a permit therefor, pursuant to this chapter, prior to commencing any work on constructing such access or, if a driveway preexists such use, prior to commencing use of such driveway in support of such use.

(Cont'd on page 18103)

¹ Editor's Note: Amended during codification; see Ch. 1, General Provisions.

§ 181-2. Authority; effect on other regulations.

The permit required by this chapter is issued in accordance with 19 V.S.A. § 43 relative to all highways within the control and jurisdiction of the Town of Rutland. The issuance of this permit does not release the applicant from any requirement of statutes, ordinances, rules and regulations administered by other governmental agencies.

§ 181-3. Compliance required; change of use.

The permit will be effective upon compliance with such of these requirements as are applicable and shall continue in effect for as long as the present land use continues. Any change from the present land use will require a new permit.

§ 181-4. Restrictions; applicability.

The permit required by this chapter is issued subject to the directions, restrictions and conditions contained therein and on the reverse of the permit form, and any attachments thereto, and covers only the work described in this application, and then only when the work is performed as directed. Violations are subject to the penalties set forth in 19 V.S.A. § 43, with fines of not less than \$100 nor more than \$10,000 for each violation.

§ 181-5. Safeguarding traffic.

The permit holder shall take all necessary precautions to safeguard the traveling public until the work is completed.

§ 181-6. Compacting backfill.

Backfill shall be thoroughly compacted to prevent future settlement of the highway.

§ 181-7. Replacement of disturbed courses.

Gravel, base and surface courses shall be replaced, if disturbed, by the permit holder.

§ 181-8. Inspections and approvals.

- A. All new drainage pipes within the highway right-of-way shall be approved by the Selectmen or Road Commissioner before backfilling trenches.
- B. An additional inspection and approval shall be obtained prior to paving drives.

§ 181-9. Installations and parking in right-of-way.

No installation or parking will be allowed within the highway right-of-way.

§ 181-10. Costs of work.

All construction costs and costs of material shall be at the permit holder's expense.

§ 181-11. Other regulations to be met.

All applicable town regulations and State Environmental Control Commission regulations must be met.

§ 181-12. Culvert.

A galvanized culvert with a minimum diameter of 12 inches (or size as requested by the Selectmen or Road Commissioner) minimum diameter galvanized culvert will be installed under the drive.

§ 181-13. Construction per details and standards.

Drives are to be constructed as per Detail A, B, or C, Standard for Residential and Commercial Drives.² Also see Vermont Standards B71.

§ 181-14. Responsibility within highway limits.

The applicant or the applicants agent shall be responsible for any damage, repair or maintenance of the facility within the highway limits.

§ 181-15. Drainage.

No effluent from septic tanks or drainage fields will be allowed to drain onto the highway right-of-way.

§ 181-16. Manner of grading slopes.

The slopes within the highway right-of-way shall be graded in a workmanlike manner, seeded and mulched.

§ 181-17. Manner of entry to right-of-way.

The driveway to be constructed will enter the town right-of-way at an elevation not higher than that of the shoulder of the highway. The driveway to be constructed shall not exceed 5% grade per 20 feet from the edge of the traveled portion of the road. The angle that the driveway enters the road shall be determined by the Selectmen, who, in their determination, will be guided by safe and practical ingress to and egress from the town highway.

² Editor's Note: The details and standards are available and on file in the office of the Town Clerk.

§ 181-18. Marking underground services.

Underground services will require sleeves and markers to locate them and will be referenced on a map submitted with the permit or before use of the driveway.

§ 181-19. Time of completion.

All construction shall be completed within one year of the approved application.

ARTICLE II**Acceptance of Roads and Town Highways****[Adopted 6-23-1997³]****§ 181-20. Documentation accompanying request for acceptance.**

All requests for acceptance of roads as town highways by a landowner shall be accompanied by following:

A. Survey.

- (1) A survey certified by a Vermont-licensed surveyor, showing outer limits of the land proposed for conveyance, with bearings and distances for straight lines and radii, arcs and chord lengths for all curves and turnaround areas. The survey shall show as built the roadway, any turnarounds, any sidewalks culverts and all slope and ditch areas. All roadways, turnarounds and sidewalks as built shall be within the land proposed for conveyance. If culverts, slopes or ditches extend outside the lands proposed for conveyance, the outer necessary easement areas shall be shown by bearings and distances, radii and chords, as appropriate.

³ Editor's Note: This policy supersedes former Art. II, Acceptance of Roads as Town Highways, adopted 7-10-1995.