Ordinance for Private Driveway Culverts at Town Roads

Statement of Purpose: This ordinance has been adopted by the Selectboard to ensure fairness and safety for all of the residents of Westminster, VT.

Statutory Authority: This ordinance has been created under the authority granted by the State of Vermont Statues under the provisions of Title 23 § 1001, and Title 24 §§ 1971 and 2291, along with other general enactments as may be material hereto.

Policy: Let it be known as of October 28, 2015, all driveway access permits off the Town's Right of Way will be $100.00 at the time of applying for a new driveway. The Owner / Applicant will be responsible for the purchase and installation of a proper make and sized culvert as per the "Orange Book" from the Vermont Department of Transportation adopted every year by the Selectboard, Road Foreman and/or the Road Commissioner. At that point thereafter, the Town of Westminster will maintain the ditches and culvert along the Town Road as necessary within the Right of Way. Upon the need for the access culvert to be replaced, the Town of Westminster will install the said culvert that will be purchased by the Owner, of again, the correct size and make as deemed appropriate by the guidelines of the "Orange Book", the Road Foreman, and/or the Road Commissioner. Exception: If the driveway access crosses a named stream, brook, or river which runs water on a normal basis for 75% of the year or greater, the Town of Westminster will assume the complete maintenance after the initial installation.

Publication and Posting: This ordinance will be entered into the Selectboard minutes, filed with the Town Clerk, and Posted in at least five (5) places within the Town. A summary of this ordinance shall be published in the Brattleboro Reformer and the Westminster Gazette not later than fourteen (14) days following the date specified as adopted.

Right to Petition: Citizens of Westminster are further hereby notified that within forty-four (44) days from the date of adoption they may petition for a vote on the above Ordinance at an annual or special meeting as provided in 24 V.S.A. § 1972(a).

Adoption/Effective Date: This ordinance is hereby adopted by the Selectboard of the Town of Westminster, VT on this the twenty-eighth day of October, 2015 and shall, unless a petition is filed as provided by law, become effective sixty (60) days from this date.

K. Sheldon Beebe – Chair

Paul Banik – V. Chair

Craig Allen – Clerk

Toby Young

Peter Barrett