

Town of Pittsford
Ordinance for Regulation of Vehicle Weight, Width, and Height Limits

We, the Town of Pittsford Select Board, 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 roadways 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 roadways 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's office for the operation of any vehicle, which by weight or size exceeds the road, and bridge limits established by the Select Board.

Section 202. Town Weight Limits:

The Town shall be responsible for establishing any weight limits, which are more restrictive than the 80,000 pounds 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 for a single vehicle permit and \$10.00 for a fleet permit 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 Pittsford.

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 the application.

ARTICLE V.

Section 501. 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. 16,000 lbs.

The following highways or bridges shall be restricted to a weight not to exceed 16,000 pounds:

Bridges:

Gorham Bridge
Cooley Bridge
Depot Hill Bridge

Roads:

Elm Street
Gorham Bridge Road
Depot Hill Road

Section 702. 24,000 lbs.

The following highways shall be restricted to a weight not to exceed 24,000 pounds at all times:

Adams Road	Ager Road	Allen Mills Road
Arch Street	Barnard Road	Beech Street
Blue Quarry Road	Brookside Drive	Camp Sangamon Lane
Corn Hill Road	Creed Hill	Cross Street
East Pittsford Road	Field Avenue	Fire Hill Road
Furnace Road	Goat Farm Road	Hendee Lane
Hitchcock Road	Hollister Quarry Road	Hudson Terrace
Humphrey Road	Long Trail	Markowski Road
Martin Road	Meadow Lake Drive	Mechanic Street
Mountain View Drive	North Fire Hill Road	Old Hubbardton Road
Orchard Hill Drive	Oxbow Road	Parker Road
Pine Woods Road	Plains Road	Pleasant Street

Randall Park
Road Sangamon Road
Sugar Hollow Road
Town Hill Road
West Creek Road
Woodland Drive

Randall Park Extension
Shadow Lane
Syndicate Road
Trombley Hill
Whipple Hollow Road

Recreation Area
Shaw Road
Terounzo Road
Village Green
Windy Hill

Section 703. 80,000 lbs.

The following highways shall be restricted to a weight not to exceed 80,000 pounds at all times:

Kendall Hill Stevens Road
.2 miles of Whipple Hollow Road between Fire Hill and Omya's Main entrance
.13 miles of Fire Hill Road from the intersection with Whipple Hollow Road railroad tracks
.2 miles of West Creek Road from the intersection with Kendall Hill to the intersection with Fire Hill Road

ARTICLE VIII

Section 801. Height Limit

The following bridges shall be restricted to an overhead clearance of:

Depot Hill Bridge 10'6"
Cooley Bridge 10'9",
Gorham Bridge 11'9"
Train underpass on West Creek Road 11'7"

ARTICLE IX.

Section 901. Special Weight Limits

Special weight limits shall be reviewed on an annual basis by the Highway Department Head. Changes from previously established limits, or to the state legal limits for highways or bridges shall be approved by the Select Board 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 March 1 to May 1 each year

The following highways or bridges shall be restricted to a weight not to exceed 15,000 pounds for a two-axle vehicle, 18,000 pounds for a three-axle vehicle, and 20,000 pounds for a four-axle vehicle from March 1 to May 1 or as dictated by seasonable weather conditions:

Ager Road	Barnard Road	Creed Hill Road	Elm Street
Fire Hill Road	Furnace Road	Hitchcock Road	Markowski Road
Oxbow Road	Parker Road	Sangamon Road	Pinewoods Road
Sugar Hollow Road	West Creek Road	Whipple Hollow Road	

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 specifically 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 if the gross weight does not exceed 60,000 pounds. The Town of Pittsford shall not be liable for injuries or damages to agricultural service vehicles or operators that result from crossing a posted bridge with an agricultural service vehicle that weighs more than the posted weight limit.

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 the maximum allowed by law. A fine may be imposed for each violation.

Section 1102. Fine/Waiver Fee

Offense:	Fine:	Waiver Fee:
Failure to Obtain a Permit	\$15.00	\$10.00

Height or Weight Limit:

\$300 first offense, \$600 second offense within a two-year period and \$800 for a third or subsequent offense within a two-year period. Waiver fee is same as fine.

Covered Bridges:

Operation of a vehicle in excess of the legal limits designated for a covered bridge under section 1397a under subchapter 1434 of Statute 23 or applicable under subdivisions 1392(1) and (2) of this subchapter shall be a traffic violation, as defined in section 2302 of this title, and is punishable by a civil penalty of \$1,000 or, if the violation results in substantially impeding the flow of traffic, \$2,000. For a second or subsequent conviction within a three-year period, the applicable penalty shall be doubled. Waiver fee is the same as the fine.

Excess Weight	as scheduled below	same as fine
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\$15.00 for each 1,000 lbs. or portion thereof overweight for the first 5,000 lbs. overweight

\$30.00 for each 1,000 lbs. or portion thereof overweight when the gross overweight is more than 5,000lbs and less than 10,001 lbs.

\$45.00 for each 1,000 lbs. or portion thereof overweight when the gross overweight is more than 10,000lbs and less than 15,001 lbs.

\$60.00 for each 1,000 lbs. or portion thereof overweight when the gross overweight is more than 15,000lbs and less than 20,001 lbs.

\$90.00 for each 1,000 lbs. or portion thereof overweight when the gross overweight is more than 20,000lbs and less than 25,001 lbs.

\$150.00 for each 1,000 lbs. or portion thereof overweight when the gross overweight is more than 25,000 lbs.

Fines for subsequent violations of subchapter 15, Article 1 of Title 23 Motor Vehicles Statute shall be computed in accordance with subdivision (b)(1) of this section with the following percentage increases:

- (A) Upon a second conviction of a violation occurring within one year, five percent;
- (B) Upon a third conviction of a violation occurring within one year, ten percent;
- (C) Upon a fourth or subsequent conviction occurring within one year, fifteen percent.

In the Calculation of gross overweight, the weight allowed by registration or permit, whichever is greater, shall be the basis.

Right to Recover Expenses for Emergency Services:

Under V.S.A. 24 subsection 2296a, a municipal entity that deploys police, fire, ambulance, rescue or other services to aid an operator of a vehicle who is stranded due to a violation of V.S.A. 23 subsections 1006b, 1112, or 14349c may recover in civil action the costs of providing services from the operator or the operator's employer, provided that the operator was acting during or incidental to the operator's scope of employment.

ARTICLE XII

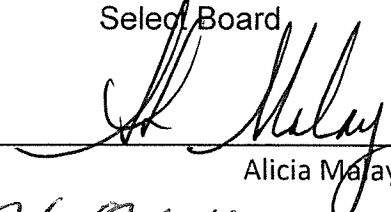
If any part of this ordinance shall be held to be void, invalid, or unconstitutional either under the laws or constitution of the State of Vermont or under the United States by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and such portions shall be in full force and effect.

ARTICLE XIII – Approval

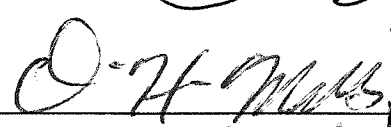
This ordinance shall become effective the 7 day of December, 2022.

Adopted this 7 day of December, 2022.

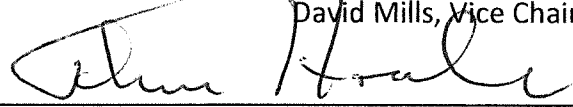
Select Board



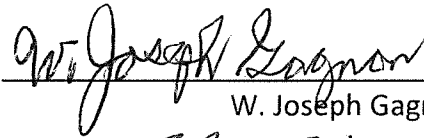
Alicia Majay, Chair



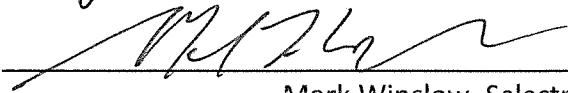
David Mills, Vice Chair



Thomas Hooker, Selectman



W. Joseph Gagnon, Selectman



Mark Winslow, Selectman

Adoption History

1. Agenda item at regular Selectboard meeting held on December 7, 2022
2. Read and approved at regular Selectboard meeting on December 7, 2022 and entered in the minutes of that meeting which were approved on _____.
3. Posted in public places on _____.
4. Notice of adoption published in the _____ newspaper on _____ with a notice of the right to petition.
5. Other actions

