

Town of Danville - Ordinance  
Relating to the Protection of Town Roads and Road Rights-of-way

Pursuant to 19 V.S.A. 304, 24 V.S.A. 2291, and 19 V.S.A. 1111 the Danville Selectboard hereby adopts the following Ordinance.

- I. The purpose of this Ordinance is to protect the Town roads and the Town roads rights-of-way with in the Town of Danville.
- II. Any person conducting a wood harvest shall not use Town roads and Town right-of-ways for log or lumber yard, landing, loading, or skid-ways.
- III. Any person intending to create a driveway cut with in the right-of-way of any Town road for access to a log or lumber yard, landing, skid-way, or other site related to the harvesting of wood or wood products shall first procure a permit to do so from the Road Commissioner.
- IV. Any person intending to create a driveway cut across a Town highway right of way, or intending to construct or place any structures or obstructions within a Town highway right of way, shall first obtain a permit from the Road Commissioner, who may impose such conditions as the Road Commissioner feels necessary to protect the town highway or its right of way. The responsibility and cost of complying with such conditions shall rest with the person to whom the permit is issued.
- V. As a condition for obtaining such a permit, the person shall post a bond by cash or certified check to the Town of Danville in the sum of \$500.00 for the purpose of making repairs to roads, bridges, ditches, rights-of-way or culverts occasioned by the activity of such person in the course of the wood harvest and transport of the product of such harvest.
- VI. Each person conducting a wood harvest who creates a log or lumber yard, landing, skid-way, driveway cut, or other site shall repair all damage caused to the town roads, bridges, ditches, culverts, or rights-of-way within 30 days of the cessation of the harvest. Such person shall be liable to the Town of Danville for damage not so repaired, and, after 5 days notice by regular mail to such person, the Town of Danville may repair the damage caused to its roads, bridges, ditches, culverts, or rights-of-way or culverts and reimburse itself or such person it should hire for the reasonable value of the labor and materials expended. The Town of Danville may use the bond for payment of its cost for repair.
- VII. Portions of the bond not used for repair shall be refunded to the person to whom the permit was issued. In the event the cost of the damage repair exceeds the security posted, the person to whom the permit was issued shall be liable for all such remaining damages, including reasonable attorney's fees incurred to collect the same.
- VIII. Any person failing to procure the permit required in section III of this Ordinance, after notice, may be enjoined from further timber harvest in an action brought under this Ordinance. Such person shall be responsible for reasonable attorney's fees incurred by the Town of Danville in such proceedings.
- IX. Failure to procure a permit required by this Ordinance, or comply with the conditions of such a permit, after notice, shall be a crime subject to a civil penalty of up to \$500.00 per week of violation, with each weeks violation being a separate offense.



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Adopted this 2<sup>nd</sup> day of June, 2005 by the Danville Selectboard.

A true copy: ATTEST:

  
Town Clerk



  
