



TOWN OF STRAFFORD
P. O. Box 27
Strafford, Vermont 05072

Town Office 1-802-765-4411
Town Garage 1-802-765-4550

ORDINANCE RELATING TO THE PROTECTION OF ROADS AND ROAD RIGHTS-OF-WAY IN THE TOWN OF STRAFFORD

Pursuant to 19 VSA 304 & 1111 and 24 VSA 2291, the Strafford Board of Selectmen hereby adopts the following Ordinance.

- I. The purpose of this Ordinance is to protect the roads and road rights-of-way in the Town of Strafford.
- II. Any person who creates a log or lumber yard, landing, skidway, driveway cut or other site related to the harvesting of wood or wood products within the right-of-way of any town road within the Town of Strafford, or proposes to reuse such a site after refund of the bond required in Section III, shall first procure a Logging Permit from the Board of Selectmen.
- III. As a condition of obtaining such a permit, such person shall post a bond by cash or certified check to the Town of Strafford in the sum of \$500 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.
- IV. Each person conducting a wood harvest who creates a log or lumber yard, landing, skidway, driveway cut or other site, or proposes to reuse such a site, shall repair all damage caused to the town roads, ditches, culverts, or rights-of-way within 30 days of the cessation of the harvest. Such person shall be liable to the Town of Strafford for damage not so repaired, and, after 5 days notice by regular mail to such person, the Town of Strafford may repair the damage caused to its roads, bridges, ditches, culverts or rights-of-way and, from the bond, reimburse itself or such person as it should hire for the reasonable value of the labor and materials expended.
- V. Portions of the bond not used by the Town of Strafford to reimburse itself for repair shall be refunded to the person to whom the permit was issued. In the event that the costs of damage repair exceed 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.

VI. Any person creating or proposing to reuse such a driveway cut for access to any site beyond the town right-of-way for the purpose of harvesting or transporting wood products or for purposes other than those stated in Section II of this Ordinance shall first procure a Highway Access Permit from the Board of Selectmen who may impose such conditions as it considers necessary to protect the town roads or rights-of-way, the responsibility and cost of complying with said conditions resting with the person to whom the permit is issued.

VII. Any person failing to procure the permit required in Section II 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 Strafford in such proceedings.

VIII. Failure to procure or comply with the conditions of any permit required by this Ordinance after notice shall be a crime subject to a civil penalty of up to \$500 per week for every week of violation, each week's violation being a separate offense.

IX. If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Ordinance.

X. This Ordinance shall become effective sixty (60) days after its adoption by the Strafford Board of Selectmen. If a petition is filed under 24 VSA 1973, that statute shall govern the taking effect of this Ordinance.

XI. This Ordinance has been adopted and entered into the minutes of the Strafford Board of Selectmen on December 17, 1997 and shall be posted in at least five conspicuous places in town. A concise summary of it shall be published in Valley News by December 31, 1997. The full text of the Ordinance may be examined at the Strafford Town Office or at any of the five locations where it has been posted.

This Ordinance will take effect on February 15, 1998, unless a petition signed by at least five percent of the voters of Strafford is filed with the Town Clerk by January 30, 1998 requesting a vote to disapprove the Ordinance. If such a petition is received, the Strafford Board of Selectmen shall warn the question for a vote at Town Meeting on March 2, 1998. The Ordinance shall become effective at the end of that meeting unless a majority of those voting on the question disapproves the ordinance.

For further information, call Selectmen Steve Willbanks at 765-4530, Kendall Mix at 765-4545 or Rod Maclay at 765-4566.

Adopted 17th of December, 1997 by the Strafford Board of Selectmen:


Stephen Willbanks, Chair


Kendall Mix


Roderick J. Maclay

**TOWN OF STRAFFORD
LOGGING PERMIT APPLICATION**

No. _____

The Town of Stratford, as of 2/15/98, by ordinance (Ordinance Relating To the Protection of Roads and Road Rights-of-Way In The Town of Stratford), requires that any individual who creates or reactivates 'a log or lumber yard, landing, skidway, driveway cut or other site related to the harvesting of wood or wood products within the right-of-way of any town road... shall first procure a Logging Permit' approved by the Board of Selectmen. As a condition of the permit, the applicant must post a \$500 bond by cash, certified check or letter of credit from a bank.

Location of Parcel(s) to be logged (Town Roads): _____

Property Owner: _____

Address _____ Phone _____

Forester: _____

Address _____ Phone _____

Logger: _____

Address _____ Phone _____

Approximate Duration of Logging Operation: _____

Bond (Check One): Cash: _____ Certified Check: _____ Bank Letter of Credit: _____
Bank: _____

Date Approved: _____
(Conditions, if any, on back) _____
Applicant Signature _____

Board of Selectmen: _____

Application Date _____

Date Bond Returned: _____

Bond Not Returned: _____
(Check--Explain on back)

Note: This permit is approved only on the condition that all state and other pertinent permits, including, if needed, a Town of Stratford Highway Access Permit, have been obtained.

CONDITIONS:

DISPOSITION OF BOND--If not refunded or not fully refunded:

CHELSEA

RSHIRE

WEST FAIRLEE

Please indicate the approximate area of your operation.



