

Town of Thetford Policy on Class 4 Roads

1. Definition:

Class 4 highways are all other highways not falling under definitions or class 1, 2, and 3 highways. as designed in Title 19, Section 301, Class 1,2, and 3 are defined for the purpose of receiving state aid and are passable with a pleasure vehicle on a year-round basis.

Trail means a public right-of-way which is not a highway and which:

- (a) previously was a designated highway having the same width as the designated town highway, or a lesser width if so designated, or
- (b) a new public right-of-way laid out as a trail by the Selectboard for the purpose of providing access to abutting properties or for recreational use.

2. Existing Use:

Existing rights-of-way of class 4 highways and trails as of the date of adoption of this policy shall be retained by the Town for purposes of recreational multi-use activities, access to private property, and agricultural and forest management.

3. Maintenance:

The Town shall not provide any maintenance or upkeep on trails.

Permission to repair, maintain or improve a class 4 road shall not be unreasonably withheld by the Selectboard. However, the traveled lane of a class 4 road shall not be increased to more than 16 feet in width, and the total width of the traveled lane and cleared roadside shall not exceed 24 feet. Clearing of trees and other plants shall be done in accordance with Thetford's Town Road Right of Way Clearing and Tree Policy. The party requesting permission to work on the road shall submit a written plan to the Selectboard and the Road Commissioner at least 4 weeks before the proposed work is to begin. Stone walls, foundations and other structures shall not be disturbed unless requested in the work plan and the Selectboard grants permission to do so. The road shall be left in as good condition or better condition than when permission was granted and as approved by the Selectboard.

The Town shall not provide any summer maintenance of class 4 highways except as required by necessity, and the public good and convenience of the inhabitants, such as bridges, culverts and ditches to control erosion of highways or runoff to adjacent property, and removal of obstructions.

The Town shall not provide any winter maintenance on class 4 highways and trails. The right to regulate snow plowing by private parties shall be retained by the Town. Year around access for any vehicles, including fire and rescue vehicles, is not guaranteed. Any winter plowing of a class 4 road allowed by the Selectboard to parties other than a municipality shall not nullify the privileges under 23 VSA 3206 (b:) (2).

4. Control:

The Selectboard shall exercise control of class 4 highways and trails to ensure their integrity as a public right-of-way by means which may include, but are not limited to, the following:

- a) establishment of vehicle weight limits;
- b) prohibition or restriction of wheeled vehicle use during mud and snow season; signs and barriers may be utilized to accomplish this purpose;
- c) requirements for temporary permits for heavy equipment access may be imposed and the stipulation included that any highway damaged will be repaired by or at the expense of the user; posting of bond or other security to guarantee that repairs are made may be required as a condition of any permits;
- d) speed limits may be established.

5. Change In Classification:

Class 4. highways may be reclassified to trail status, discontinued, or upgraded to class 3 or higher status. Trails may be discontinued or upgraded to class 4 or higher status. Reclassification will be done in accordance with Title 19, VSA, Section 708-716 and upon findings by the Selectboard. At a minimum, no class 4 highway or trail may be upgraded in status or discontinued without the permission of the Selectboard. The Selectboard may provide for an alternative travel easement of right-of-way replacing the travel route upgraded or discontinued to insure that users and landowners have uninterrupted access.

The Selectboard may require that the cost of upgrading a trail to a class 4 highway or a class 4 highway to a class 3 highway be assigned to the petitioner(s).

6. Right-of-Way Access:

The Selectboard shall control access into the road right-of-way for the installation or repair of utilities and for access of driveways, entrances, and approaches.

7. Posting:

No highway of any class may be intentionally closed by a gate or other obstruction except upon approval of the Selectboard (19 VSA, Section 1105). The Selectboard may post a road in accordance with 19 VSA, Section 1110. The Selectboard may post a highway for the purpose of preserving the Integrity of the road (19 VSA, #304).

8. Compliance With Other Regulations:

This policy is written to establish and clarify standards of construction and the authority of the Selectboard and their agents.

All other ordinances and regulations adopted by the Town of Thetford shall remain in full force and effect.

Approved December 6, 1996

Thetford Selectboard:

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Tim Moore
Wendy Cole
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Amended November 27, 2000