What roads are towns required to plow in the winter?

A town must keep class 1 highways "in good and sufficient repair during all seasons of the year." 19 V.S.A. § 310(a). Accordingly, class 1 highways must be plowed and maintained during the winter.

The selectboard may decide not to plow a class 2 road or a class 3 road in winter based upon "safety considerations for the traveling public and municipal employees." 19 V.S.A. §§ 302(a)(3)(B), 310(a). If the road was not routinely plowed before July 1, 2000, the selectboard may make such a decision without notice and hearing. 19 V.S.A. § 310(d). If the road was routinely plowed prior to July 1, 2000, the decision can be made only after notice and hearing. 19 V.S.A. §§ 302(a)(3)(B), 310(a). In both instances, an aggrieved property owner may appeal to the Transportation Board. 19 V.S.A. §§ 302(a)(3)(B), 310(a).

A town is not required to plow class 4 highways during the winter. "Class 4 highways may be maintained to the extent required by the necessity of the town, the public good and the convenience of the inhabitants of the town…."19 V.S.A. §§ 310(b), 711(b). The Municipal Assistance Center advises towns to spell out which class 4 roads it will plow in the winter, if any, in a written class 4 road policy. A model class 4 roads and trails policy is available in our online Resource Library at http://resources.vlct.org/. Please contact us for further assistance at 800-649-7915 or info@vlct.org.

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