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ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

AT THE

SIXTEENTH BIENNIAL SESSION, 1900.



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1900.

No. 162.—AN ACT TO AMEND THE CHARTER OF THE  
CITY OF MONTPELIER.

## Section

1. Boundary of city.
2. Power to hold real estate, erect and repair buildings and construct and maintain aqueducts and reservoirs.
3. Ward boundaries.
4. City council may change the bounds and number of wards.
- 5-13. City meetings.
14. Election of city officers.
15. Commissioners of Green Mount Cemetery and Park Commissioners.
16. Election of aldermen.
- 17-18. Freemen's meetings.
19. Vacancies in city offices.
20. Salaries.
- 21-24. Powers of mayor and aldermen; regular meetings of city council.
25. Police.
26. Appointment of superintendent of streets, superintendent of water works, city attorney, overseer of the poor, health officer, fire wardens, city engineer.
27. Board of civil authority; abatement of taxes.
28. City clerk.
- 29-31. City treasurer.
32. City sheriff, constables and special police.
33. City sheriff shall be collector of taxes; duties.
34. Auditors, duties of.
35. Listers, duties of.
36. Grand jurors, duties of.
37. Overseer of the poor, duties of.
38. Superintendent of streets, duties of.
39. City attorney, duties of.
40. Health officer, duties of.
41. Superintendent of water works, duties of.
42. Board of fire wardens, duties of.
43. Commissioners of Green Mount Cemetery, duties of.
44. No city official shall be interested in city contract.
45. Certain officers to give bonds; city council may require any officer to give bond.
46. Annual report.
47. Assessment of taxes by city council.
- 48-49. City council may establish water rates and taxes.
50. City at special meeting may authorize the issue of bonds.
- 51-53. The issuance and cancellation of bonds.
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- 55-56. Expenditures by city council limited.
57. Moneys to be paid only on warrant signed by mayor and voted by council.
58. Appropriation and disbursement of school moneys.
59. City council to authorize sales and leases, and conveyances to be signed by mayor; city contracts to be made by city council.

## Section

- 60-65. Powers of city council; ordinances.
- 66-69. Powers of city council with respect to streets and sidewalks.
- 70-73. Sewers; assessments against persons benefitted.
- 74-79. Assessments against land owners on making of highways, sidewalks and sewers.
- 80-87. Citation and notice in condemnation and assessment proceedings.
- 88-95. Schools and school officers.
96. City court.
- 97-98. Jurisdiction of city court in criminal cases.
99. Appeal from city court in criminal cases.
100. Filing of information in city court on request of respondent.
101. Disposition of fines, penalties and forfeitures recovered in city court.
- 102-3. Jurisdiction of and appeals from city court in civil cases.
104. Process returnable to city court.
105. Appeals in civil and criminal cases to Supreme Court.
106. Power of city court over its judgments, records and proceedings.
107. Reopening of causes and petitions for appeal.
108. Juries.
109. City sheriff to be city court officer.
110. Fees of judge, parties, juries, witnesses and officers.
111. Court open at all times; procedure in absence of judge.
112. Docket; preservation of pleadings.
113. Shall be court of record; may appoint and remove clerk, and fix his salary.
114. Judge may charge jury.
115. Jury trial had on request.
116. City judge *ex-officio* justice of the peace.
117. Justice or master in chancery may sign writs returnable to city court.
118. Who may institute criminal prosecutions.
119. Pleadings.
120. Abatement of nuisances.
121. City judge to file copy of oath in county clerk's office.
122. Payment of costs in criminal cases.
123. Compensation of city judge.
124. Prior rights, privileges and obligations of the village and town of Montpelier confirmed in the city of Montpelier.
125. This act not to affect penalties or proceedings under prior acts: city officials to hold office until expiration of their current terms.
126. Provisions of this act to be construed as a continuation of like provisions in prior acts.
127. A public act and subject to future legislation.
128. Takes effect from passage.

SEC. 41. The superintendent of water works, under the direction of the city council, shall have the general supervision of the water works belonging to the city, except hydrants for fire protection, and shall keep the same in repair.

SEC. 42. The board of fire wardens, or any one of them who may be present at a fire, shall have power to suppress all tumults and riots at such fire by force if necessary, to direct the labor of all persons present during the continuance of such fire, remove goods and effects endangered by such fire, protect the same from waste and depredation, and to pull down, remove or destroy any house, store or other building when they, or those present at such fire shall deem it necessary for the better preservation of any property. Said board of fire wardens may inspect the manner of manufacturing and keeping gun powder, lime, ashes, matches, lights, fireworks or combustibles, and the construction and repairs of fireplaces, stoves, flues and chimneys in said city. The board of fire wardens shall have full power to and may make investigation into the cause and origin of fires in the city and for that purpose may summon and examine witnesses and in such proceedings may have the assistance of the city attorney and make report thereof to the city council, all such witnesses to be summoned as in proceedings before justices of the peace in criminal cases, and the fees shall be paid by the city, and said fire wardens shall cause prosecutions to be entered for all violations of city ordinances relating to the same.

The board of fire wardens shall have full power to regulate their own proceedings, and to form new hose or hook and ladder companies and to organize and govern the fire department, have charge of hydrants for fire protection and subject to the approval of the city council to purchase necessary fire apparatus and to erect and control a fire alarm system and to have the general care and custody of the property pertaining to the fire department.

SEC. 43. The commissioners of Green Mount Cemetery shall constitute a board of cemetery commissioners and shall have charge of all public cemeteries and burial grounds in the city, with the same power and authority as similar officials in towns.

SEC. 44. No city official shall be directly or indirectly interested in any contract with the city, connected with the department to which his office belongs, and no city official shall have authority to bind the city by contract except by vote of the city council or by general law of the state or this act.

SEC. 45. The treasurer, clerk, sheriff, constables and superintendent of streets shall annually give bonds to the city to the satisfaction of the city council, for the faithful discharge of their respective duties, and any other city officer may, by the