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H.517

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Introduced by Representatives Dickinson of St. Albans Town, Keenan of

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St. Albans City, and McCarthy of St. Albans City

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Referred to Committee on

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Date:

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Subject: Municipal government; municipal charters; Town of St. Albans;

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adoption and codification

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Statement of purpose of bill as introduced: This bill proposes to approve the

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adoption of and codify the charter of the Town of St. Albans.

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An act relating to approval of the adoption and the codification of the

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charter of the Town of St. Albans

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It is hereby enacted by the General Assembly of the State of Vermont:

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Sec. 1. CHARTER ADOPTION APPROVAL

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The General Assembly approves the adoption of and codifies the charter of

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the Town of St. Albans as set forth in this act. Proposals of charter adoption

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were approved by the voters on March 5, 2013.

1 Sec. 2. 24 App. V.S.A. chapter 150 is added to read:

2 CHAPTER 150. TOWN OF ST. ALBANS

3 § 1. CORPORATE EXISTENCE RETAINED

4 The inhabitants of the Town of St. Albans, within the corporate limits now  
5 established, shall continue to be a municipal corporation by the name of the  
6 Town of St. Albans.

7 § 2. GENERAL LAW; APPLICATION

8 The Town of St. Albans shall have all the powers granted to towns and  
9 municipal corporations by the Constitution and laws of this State and this  
10 charter, together with all the implied powers necessary to carry into execution  
11 all the powers therein granted.

12 § 3. LOCAL OPTION TAX

13 (a) The Selectboard of the Town of St. Albans, by majority vote, may  
14 assess any or all of the following:

15 (1) a one-percent sales tax;

16 (2) a one-percent meals and alcoholic beverages tax;

17 (3) a one-percent rooms tax.

18 (b) Any tax imposed under the authority of this section shall be collected  
19 and administered by the Vermont Department of Taxes in accordance with  
20 state law governing such state tax or taxes; provided, however:

1           (1) that a sales tax imposed under this section shall be collected on each  
2 sale that is subject to the Vermont sales tax using a destination basis for  
3 taxation;

4           (2) a per-return fee of \$5.96 shall be assessed to compensate the  
5 Department for the costs of administration and collection, 70 percent of which  
6 shall be borne by the Town of St. Albans, and 30 percent of which shall be  
7 borne by the State to be paid from the PILOT special fund established under  
8 32 V.S.A. § 3709; and

9           (3) the fee shall be subject to the provisions of 32 V.S.A. § 605.

10          (c) Of the taxes collected under this section:

11           (1) 70 percent of the taxes shall be paid on a quarterly basis to the Town  
12 of St. Albans, after reduction for the costs of administration and collection  
13 under subsection (b) of this section;

14           (2) revenues received by the Town of St. Albans may be expended for  
15 municipal services only, and not for education expenditures; and

16           (3) any remaining revenue shall be deposited into the PILOT special  
17 fund.

18          (d)(1) If the Selectboard of the Town of St. Albans by a majority vote  
19 recommends or by petition of ten percent of the voters recommends, the voters  
20 of the Town of St. Albans may, at an annual or special meeting warned for that

1 purpose by a majority vote of those present and voting, rescind any or all of the  
2 local option taxes assessed under subsection (a) of this section.

3 (2) A vote on rescission of any local option tax under this section shall  
4 be by Australian ballot.

5 § 4. PLANNING COMMISSION MEMBERS; APPOINTMENT

6 (a) Members of the Planning Commission shall be appointed and any  
7 vacancy filled by the Selectboard in accordance with 24 V.S.A. § 4323(a).

8 (b) The length of term of the Planning Commission members shall be  
9 determined by the Selectboard.

10 (c) Any Planning Commission member may be removed at any time by  
11 unanimous vote of the Selectboard.

12 (d) Any appointment to fill a vacancy shall be for the unexpired term.

13 § 5. RECALL

14 Any elected officer of the Town may be recalled from office as follows:

15 (1) A petition signed by not less than 15 percent of the registered voters  
16 shall be filed with the Selectboard requesting a vote on whether the elected  
17 officer shall be removed from office.

18 (2) The Selectboard shall call a special town meeting to be held within  
19 45 days of receiving the petition to vote on whether the elected officer shall be  
20 removed.

21 (3) The vote shall be by Australian ballot.

1           (4) The official shall be removed only if at least as many registered  
2           voters of the Town vote as voted in the election wherein the officer was  
3           elected, or at least one-third of the registered voters of the Town vote,  
4           whichever is greater, and a majority of that number vote for removal.

5           (5) If the Town votes for removal of an elected officer, the office shall  
6           thereupon become vacant and the Selectboard shall call a special meeting to be  
7           held within 45 days of the vote for removal to fill the vacancy until the term of  
8           the officer so removed expires.

9           Sec. 3. TRANSITIONAL PROVISION; ELECTED MEMBERS OF THE  
10           TOWN OF ST. ALBANS PLANNING COMMISSION

11           On July 1, 2013, the terms of the elected members of the Town of  
12           St. Albans Planning Commission in office on that date shall expire.  
13           Thereafter, members shall be appointed to the Planning Commission as  
14           provided in Sec. 2 of this act in 24 App V.S.A. chapter 150, § 4.

15           Sec. 4. EFFECTIVE DATE

16           This act shall take effect on passage.