No. M-12. An act relating to approval of amendments to the charter of the city of Burlington.

(H.792)

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

Sec. 1. CHARTER APPROVAL

The general assembly approves the amendments to the charter of the city of Burlington as set forth in this act. Proposals of amendment were approved by the voters on March 6, 2012.

Sec. 2. 24 App. V.S.A. chapter 3 is amended to read:

CHAPTER 3. CITY OF BURLINGTON

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Subchapter 3. City Council With Mayor Presiding and City Council

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ARTICLE 24. BONDING THE CITY

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§ 62. COUNCIL; SCHOOL BOARD; NOT TO PLEDGE CREDIT OF CITY; EXCEPTIONS

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(f)(1) The chief administrative officer, when authorized and directed by resolution of the city council, may pledge the credit of the city by issuing negotiable orders, warrants, notes, or bonds in an amount not to exceed in the aggregate ~~$1~~ $2 million in any fiscal year for the purpose of providing working

capital and capital improvements, additions, and replacements required for the efficient and economical operation of the city and its departments, other than the electric light department and the water and wastewater divisions of the public works department. If any of such annual borrowing authority is used to provide working capital, notes shall be issued in anticipation of the receipt of city revenue and shall mature within two years from the date of issue, and may be renewed or refunded by the issue of other notes maturing within a similar period whenever such action is deemed expedient. If any of such annual borrowing authority is used to provide capital improvements, additions, and replacements, the negotiable orders, warrants, notes, or bonds issued for such purposes shall be of such denominations, payable at such time or times, at such rate of interest, and to be sold and registered in such manner and under such terms and conditions as shall be established by resolution of the city council.

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§ 63. COUNCIL MAY PLEDGE CREDIT OF CITY WHEN AUTHORIZED BY VOTERS TO DO SO

(a) Whenever the legal voters of said city, by two-thirds vote of all voters present and voting on the question at any special or annual city meeting duly warned for the purpose, or, if the purpose shall be the making of an improvement relating to a public school by a majority vote of all voters present and voting on the question, shall give authority to the city council thereof to

pledge the credit of said city for any purpose by issuing its negotiable orders, warrants, notes, or bonds, or whenever the city council shall determine by resolution, upon prior recommendation of the board of light commissioners, that it is necessary during a fiscal year to pledge the credit of the city by issuing its negotiable orders, warrants, notes, or bonds in an amount not to exceed in the aggregate ~~$1~~ $3 million in any such fiscal year for the purpose of providing capital improvements, additions, and replacements required for the efficient and economical operation of the electric light department, said city shall have power and authority to issue its negotiable orders, warrants, notes, or bonds, and to prescribe whether such bonds shall be registered or have interest coupons attached, to the amount, not to exceed the limit prescribed by the general laws of the state, for which authority has been given as aforesaid to so pledge the credit of said city; such notes or bonds to be of such denominations, payable at such time or times; and at such a rate of interest, and to be sold and registered in such manner and under such terms and conditions as shall be established by resolution of said city council.

(b) Notwithstanding subsection (a) of this section, however, a city council resolution authorizing the credit of the city to be pledged in an amount not to exceed ~~$1~~ $3 million in a fiscal year for the operation of the electric light department as aforesaid shall not give the city power to so pledge its credit until 44 days have passed following the effective date of such resolution. If

during such 44-day period a petition is filed with the chief administrative officer signed by not less than five percent of the qualified voters of the city requesting a referendum vote on whether the credit of the city will be pledged in accordance with the city council resolution, the credit of the city shall not be pledged pursuant thereto unless a majority of the qualified voters of the city present and voting at a duly warned annual or special city meeting vote to affirm such city council resolution. Upon receipt of a proper petition, a special city meeting shall be called by the city council within 60 days from the date such petition is received, or if the next annual city meeting falls within the 60-day period, the city council shall include an article in the warning for such annual city meeting, to determine whether the voters will affirm such resolution. If at such city meeting a majority of the qualified voters voting on the question affirm the action of the city council, the city shall have power to pledge its credit pursuant to the city council resolution as of the day following such city meeting. If the city council resolution is not affirmed by a majority of the qualified voters voting on the question, the city shall not have power to pledge its credit in accordance with such resolution.

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Subchapter 4. Taxation

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ARTICLE 28. QUADRENNIAL APPRAISAL

§ 81. TAX CLASSIFICATION; REPEAL OF INVENTORY TAX

(a) Except for the property of utilities subject to the provisions of 30 V.S.A. Chapter 3, all personal and real property set out in the grand list which is not used as residential property, farmland, and vacant land zoned "recreation, conservation and open space (RCO)", shall be classified as nonresidential property and shall be assessed at one hundred twenty (120) percent of fair market value; and further provided that inventories and personal property belonging to an owner whose total personal property does not exceed the fair market value of ~~$2,500~~ $45,000.00 shall no longer be set out in the grand list of the city as taxable personal estate. Properties upon which in-lieu-of-tax payments are made shall be likewise classified and assessed for the purposes of such payments.

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Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Approved: May 3, 2012