

1 H.517

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

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

4 Referred to Committee on

5 Date:

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

7 adoption and codification

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

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

10 An act relating to approval of the adoption and the codification of the
11 charter of the Town of St. Albans

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

13 Sec. 1. CHARTER ADOPTION APPROVAL

14 The General Assembly approves the adoption of and codifies the charter of
15 the Town of St. Albans as set forth in this act. Proposals of charter adoption
16 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.~~

(a) If the Selectboard of the Town of St. Albans by a majority vote
recommends, the voters of the Town may, at an annual or special meeting
warned for the purpose, by a majority vote of those present and voting, assess
any or all of the following:

(1) a one-percent sales tax;

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

(3) a one-percent rooms tax.

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

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

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

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

(c) Of the taxes collected under this section:

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

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

~~(2) any remaining revenue shall be deposited into the PILOT special fund.~~

~~(d)(1) If the Selectboard of the Town of St. Albans by a majority vote recommends or by petition of ten percent of the voters recommends, the voters of the Town of St. Albans may, at an annual or special meeting warned for that purpose by a majority vote of those present and voting, rescind any or all of the local option taxes assessed under subsection (a) of this section.~~

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

(b) Any local option tax assessed under subsection (a) of this section shall be collected and administered and may be rescinded as provided by the general laws of this State.

§ 4. PLANNING COMMISSION MEMBERS; APPOINTMENT

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

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

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

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

§ 5. RECALL

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

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

5 (2) The Selectboard shall call a special town meeting to be held within
6 45 days of receiving the petition to vote on whether the elected officer shall be
7 removed.

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

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

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

17 Sec. 3. TRANSITIONAL PROVISION; ELECTED MEMBERS OF THE
18 TOWN OF ST. ALBANS PLANNING COMMISSION

19 On July 1, 2013, the terms of the elected members of the Town of
20 St. Albans Planning Commission in office on that date shall expire.

1 Thereafter, members shall be appointed to the Planning Commission as
2 provided in Sec. 2 of this act in 24 App. V.S.A. chapter 150, § 4.

3 Sec. 4. EFFECTIVE DATE

4 This act shall take effect on passage.