

1 H.886

2 Introduced by Representatives Lanpher of Vergennes and Van Wyck of

3 Ferrisburgh

4 Referred to Committee on

5 Date:

6 Subject: Municipal government; municipal charters; Town of Panton; adoption

7 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 Panton.

10 An act relating to approval of the adoption and the codification of the  
11 charter of the Town of Panton

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 Panton as set forth in this act. Proposals of charter adoption were  
16 approved by the voters on March 4, 2014.

1 Sec. 2. 24 App. V.S.A. chapter 129F is added to read:

2 CHAPTER 129F. TOWN OF PANTON

3 § 1. CORPORATE EXISTENCE RETAINED

4 (a) Pursuant to the authority granted by the General Assembly of the State  
5 of Vermont, there is hereby enacted a charter to govern the organization and  
6 operation of local government in the Town of Panton, Vermont.

7 (b) The inhabitants of the Town of Panton, within the geographical limits  
8 as now established, shall continue to be a municipal corporation by the name  
9 of Panton, Vermont.

10 § 2. GENERAL PROVISIONS

11 (a) Except when changed, enlarged, or modified by the provisions of this  
12 chapter, all provisions of the statutes of the State of Vermont relating to  
13 municipalities shall apply to the Town of Panton.

14 (b) The Town of Panton shall have all the powers granted to towns and  
15 municipal corporations by the Constitution and laws of the State of Vermont  
16 and this chapter, together with all the implied powers necessary to carry into  
17 execution all the powers granted. The Town of Panton may enact ordinances  
18 not inconsistent with the Constitution of the State of Vermont, laws of the  
19 State of Vermont, or this chapter, and impose penalties for violation thereof.

1        (c) In this chapter, any mention of a particular power shall not be construed  
2        to restrict the scope of the powers which the Town would have if the particular  
3        power were not mentioned, unless this chapter otherwise provides.

4        (d) Nothing in this chapter shall be construed to in any way limit the  
5        powers and functions conferred on the Town of Panton, the Selectboard of the  
6        Town, or its elected or appointed officers by general or special enactment of  
7        State statutes or regulations in force or effect or hereafter enacted, and the  
8        powers and functions conferred by this chapter shall be cumulative and in  
9        addition to the provisions of the general or special enactment unless this  
10       chapter otherwise provides.

11       § 3. APPOINTED OFFICERS

12       (a) In addition to all other offices which may be filled by appointment by  
13       the Selectboard pursuant to State law or this chapter, the Selectboard shall  
14       appoint the following Town officers, who shall serve for such terms as the  
15       Selectboard may establish in its act of appointment or until the office otherwise  
16       becomes vacant:

17       (1) A Town Treasurer who shall not simultaneously hold any elective  
18       office within Town government. The Town Treasurer shall be responsible for  
19       the collection of current taxes. The Town Treasurer shall be paid an hourly  
20       wage.

1           (2) A Town Clerk who shall not simultaneously hold any elective office  
2           within Town government. The Town Clerk shall be paid an hourly wage.

3           (3) A Collector of Delinquent Taxes. Unless the Town shall vote under  
4           24 V.S.A. §1530 to pay the Collector of Delinquent Taxes a salary in lieu of  
5           fees and commissions, the Collector shall be compensated by the eight percent  
6           commission on delinquent taxes set forth in 32 V.S.A. § 1674(2), or such other  
7           percentage as may be set by a majority of voters present and voting at an  
8           annual or special meeting in accordance with 32 V.S.A. § 1674(3).

9           (b) The Selectboard shall adopt, and revise from time to time, a general  
10           statement of the qualifications necessary to perform the duties and  
11           responsibilities of each of these appointed town offices and a job description of  
12           those offices. These appointed officers shall exercise all the powers and duties  
13           necessary to carry out the provisions of this chapter as well as those provided  
14           by State law generally.

15           (c) These appointed officers shall be employees of the Town of Panton,  
16           subject to all personnel and employment rules, regulations, and policies of the  
17           Town. An officer appointed hereunder shall be eligible to apply for  
18           reappointment at the expiration of his or her term of office but failure by the  
19           Selectboard to make such reappointment shall not be construed as discharge  
20           from employment.

1        (d) Persons appointed to the positions of Clerk, Treasurer, or Collector of  
2        Delinquent Taxes need not be a resident or voter of the Town of Panton.

3        § 4. SEPARABILITY

4        If any provision of this chapter is held invalid, the other provisions of the  
5        chapter shall not be affected thereby.

6        Sec. 3. TRANSITIONAL PROVISION; ELECTED TOWN TREASURER,  
7        TOWN CLERK, AND COLLECTOR OF DELINQUENT TAXES

8        (a) Notwithstanding the provisions of Sec. 2 of this act, 24 App. V.S.A.  
9        chapter 129F, § 3, that provide that the offices of Town Treasurer, Town Clerk,  
10       and Collector of Delinquent Taxes shall be appointed by the Selectboard, an  
11       elected Town Treasurer, Town Clerk, or Collector of Delinquent Taxes in  
12       office immediately prior to the effective date of that section may continue to  
13       hold that office until July 1, 2014.

14       (b) On July 1, 2014, the terms of the elected Town Treasurer, Town Clerk,  
15       and Collector of Delinquent Taxes shall expire. Thereafter, the Town  
16       Treasurer, Town Clerk, and Collector of Delinquent Taxes shall be appointed  
17       by the Selectboard as provided in Sec. 2 of this act, 24 App. V.S.A.  
18       chapter 129F, § 3.

19       Sec. 4. EFFECTIVE DATE

20       This act shall take effect on passage.