

H.504

An act relating to approval of the adoption and codification of the charter of the Town of Waitsfield

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

Sec. 1. CHARTER APPROVAL

The General Assembly approves the adoption of and codifies the charter of the Town of Waitsfield as set forth in this act. The voters approved the charter on March 3, 2015.

Sec. 2. 24 App. V.S.A. chapter 155A is added to read:

CHAPTER 155A. TOWN OF WAITSFIELD

§ 1. CORPORATE EXISTENCE RETAINED

The inhabitants of the Town of Waitsfield, within the corporate limits as now established, shall constitute and continue to be a municipal corporation by the name of the Town of Waitsfield.

§ 2. GENERAL LAW APPLICATION

Except when changed, enlarged, or modified by the provisions of this chapter, all provisions of the statutes of this State relating to municipalities shall apply to the Town. Prior acts or enactments of the Town shall not be affected by this chapter, except as otherwise provided herein.

§ 3. POWERS OF THE TOWN

(a) The Town shall have all the powers granted to towns and municipal corporations by the Constitution and laws of this State together with all the implied powers necessary to carry into execution all the powers granted. The Town may enact ordinances not inconsistent with the Constitution, laws of the State, or with this chapter.

(b) In this chapter, any mention of a particular power shall not be construed to be exclusive or to restrict the scope of the powers that the Town would have if the particular power were not mentioned.

§ 4. ELECTED OFFICERS

(a) The elected officers of the Town shall be those required for towns by State law and they shall be elected by Australian ballot.

(b) Elected officers shall comply with all applicable rules, policies, and ordinances of the Town, including any conflict of interest provisions contained therein.

§ 5. APPOINTED OFFICERS

(a) Notwithstanding the provisions of subsection 4(a) of this chapter to the contrary, the Selectboard shall appoint the following officers to terms of not less than one year nor more than three years:

(1) Town Clerk.

(2) Town Treasurer.

(3) All Town officers whose appointment is required by law.

(b) The Selectboard may create and fill such other appointive offices, not provided for by this chapter or otherwise required by law, as it believes best serve the interests of the Town.

(c) Appointments shall be made for such terms as are established by law or, in the case of officers created by the Selectboard pursuant to subsection (b) of this section, annually.

(d) The appointed Town Clerk and Town Treasurer shall be subject to the Town personnel policies and may be removed pursuant thereto. All other appointed officers may be removed as provided by law or, in the absence of an express provision addressing removal, by the Selectboard at any time.

§ 6. SEVERABILITY

The provisions of this chapter are severable. If any portion or section shall be held to be invalid or unenforceable by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby and shall continue in full force and effect.

Sec. 3. TRANSITIONAL PROVISIONS

Notwithstanding the provisions of Sec. 2 of this act, 24 App. V.S.A. chapter 155A, § 5 (appointed officers) that provides that the office of Town Clerk and Town Treasurer shall be appointed by the Selectboard, an elected Town Clerk or Town Treasurer in office immediately prior to the effective date

of that section may continue to hold that office for the remainder of his or her term and until a successor is appointed. At the end of the elected Town Clerk and Town Treasurer's term of office or, in the case of a vacancy in his or her office, the provisions of Sec. 2 of this act, 24 App. V.S.A. chapter 155A, § 5, shall apply.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.