

1 H.881

2 Introduced by Representative Yantachka of Charlotte

3 Referred to Committee on

4 Date:

5 Subject: Municipal government; municipal charters; Town of Charlotte;

6 adoption and codification

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

8 adoption of and codify the charter of the Town of Charlotte.

9 An act relating to approval of the adoption and codification of the charter of  
10 the Town of Charlotte

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

12 Sec. 1. CHARTER APPROVAL

13 The General Assembly approves the adoption of and codifies the charter of  
14 the Town of Charlotte as set forth in this act. The voters approved the charter  
15 on March 1, 2016.

1 Sec. 2. 24 App. V.S.A. chapter 110 is added to read:

2 CHAPTER 110. TOWN OF CHARLOTTE

3 § 1. CORPORATE EXISTENCE

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

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

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 relating to municipalities  
13 shall apply to the Town.

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

20 (c) The powers and functions conferred upon the Town by this chapter  
21 shall be separate and in addition to the powers and functions conferred upon

1 the Town by laws now in force or hereafter enacted. Nothing in this chapter  
2 shall be construed as a limitation upon these previously specified powers and  
3 functions.

4 (d) In this chapter, any mention of a particular power shall not be construed  
5 to restrict the powers and functions conferred on the Town, the Selectboard, or  
6 its elected or appointed officers by general or special enactment of State  
7 statutes or regulations in force or effect or hereafter enacted, and the powers  
8 and functions conferred by this chapter shall be cumulative and in addition to  
9 the provisions of the general or special enactment, unless this chapter  
10 otherwise provides.

11 § 3. ADOPTION OF ANNUAL BUDGET AND BUDGET RELATED

12 ARTICLES

13 (a) The Town shall vote the budget amount for the Town and  
14 budget-related articles at the floor meeting of the annual meeting, which votes  
15 shall not become effective until the voters approve such budget and related  
16 articles by Australian ballot vote conducted in the manner set forth in this  
17 section.

18 (b) The Selectboard shall set a date for and warn a special meeting to vote  
19 on the budget and budget-related articles by Australian ballot. The date of the  
20 vote shall be at least 20 days following the posting of the warning.

1       (c) If a budget voted on by Australian ballot is rejected, the Selectboard  
2       shall prepare a revised budget. It shall establish a date for the vote on the  
3       revised budget and shall take appropriate steps to warn a public informational  
4       meeting on the budget and the vote. The date of the public informational  
5       meeting shall be at least five days following the public notice. The date of the  
6       vote shall be at least seven days following the public notice. The vote on the  
7       revised budget shall be by Australian ballot and shall take place in the same  
8       locations that the first vote was taken. The budget shall be established if a  
9       majority of all votes cast are in favor. If the revised budget is rejected, the  
10       Selectboard shall repeat the procedure in this subsection until a budget is  
11       adopted.

12       (d) If a budget related article voted on by Australian ballot is rejected, the  
13       Selectboard may prepare a revised budget-related article and take appropriate  
14       steps to warn a public informational meeting on the budget-related article and  
15       the vote. If the Selectboard does proceed with a vote on a revised  
16       budget-related article, the date of the public informational meeting shall be at  
17       least five days following the public notice. The date of the vote shall be at  
18       least seven days following the public notice. The vote on the revised  
19       budget-related article shall be by Australian ballot and shall take place in the  
20       same locations that the first vote was taken. The budget-related article shall be  
21       established if a majority of all votes cast are in favor. If the revised

1 budget-related article is rejected, the Selectboard may repeat the procedure in  
2 this subsection.

3 (e) As used in this section, “budget-related article” means an article that  
4 proposes to raise funds by imposing a tax on property in the town grand list.  
5 “Budget-related article” does not mean articles that seek approval to incur  
6 indebtedness to fund public improvements and acquisition of capital assets as  
7 such terms are defined in the Vermont general laws applicable to municipal  
8 corporations.

9 § 4. SEPARABILITY

10 If any provision of this chapter is held invalid, the other provisions of this  
11 chapter shall not be affected thereby. If the application of this chapter or any  
12 of its provisions to any person or circumstance is held invalid, the application  
13 of this chapter and its provisions to other persons or circumstances shall not be  
14 affected thereby.

15 § 5. AMENDMENT

16 Amendment of this charter shall be as provided by Vermont law.

17 Sec. 3. REPEAL; TOWN OF CHARLOTTE CHARTER

18 (a) 24 App. V.S.A. chapter 110 (Town of Charlotte charter) shall be  
19 repealed on July 1, 2020.

20 (b) On or before the date of the repeal set forth in subsection (a) of this  
21 section, the Town of Charlotte may propose to the General Assembly to repeal

1     this section by a majority vote of the legal voters of the municipality present  
2     and voting at an annual or special meeting warned for that purpose in  
3     accordance with the procedure for adopting, repealing, or amending a  
4     municipal charter under 17 V.S.A. § 2645.

5     Sec. 4. EFFECTIVE DATE

6     This act shall take effect on passage.