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H.494

Introduced by Representative Smith of New Haven

Referred to Committee on

Date:

Subject: Municipal government; municipal charters; Town of Weybridge;
adoption and codification

Statement of purpose of bill as introduced: This bill proposes to approve the
adoption of and codify the charter of the Town of Weybridge.

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

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 Weybridge as set forth in this act. The voters approved the
charter on March 3, 2015.

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

2 CHAPTER 155E. TOWN OF WEYBRIDGE

3 Subchapter 1. Corporate Existence Retained

4 § 101. CORPORATE EXISTENCE RETAINED

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

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

11 Subchapter 2. General Provisions

12 § 102. GENERAL PROVISIONS

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

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

1 (c) In this chapter, any mention of a particular power shall not be construed
2 to restrict the scope of the powers that 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, the Selectboard, or its elected or
6 appointed officers by general or special enactment of State statutes or rules in
7 force or effect or hereafter enacted, and the powers and functions conferred by
8 this chapter shall be cumulative and in addition to the provisions of the general
9 or special enactment unless this chapter otherwise provides.

10 Subchapter 3. Appointed Officers

11 § 103. APPOINTED OFFICERS

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

17 (1) A Town Treasurer who shall not simultaneously hold any elective
18 office within Town government. The Town Treasurer shall:

19 (A) be open to the public at hours adopted by the Selectboard;

20 (B) be paid an hourly wage;

21 (C) be responsible for collection of current taxes;

1 (D) perform duties as specified in the accounting and financial
2 policies adopted by the Selectboard and required by State law; and

3 (E) make monthly reports to the Selectboard of the financial activities
4 of the Town. These reports shall include:

5 (i) a listing of all expenditures during the preceding month;

6 (ii) a listing of all revenue received during the preceding month,
7 including the source of these revenues;

8 (iii) an accounting of all reserve funds of the Town; and

9 (iv) a statement showing the balance in the general, highway, and
10 all special funds at the end of the preceding month.

11 (2) A Town Clerk who shall not simultaneously hold any elective office
12 within Town government. The Town Clerk shall:

13 (A) be open to the public at hours adopted by the Selectboard;

14 (B) be paid an hourly wage; and

15 (C) perform those duties adopted by the Selectboard and required by
16 State law.

17 (3) A Road Commissioner who will perform those duties adopted by the
18 Selectboard and shall be paid an hourly wage.

19 (4) An Assistant Road Commissioner who shall be paid an hourly wage.

20 (5) Any other positions deemed necessary by the Selectboard.

1 (b) The Selectboard shall adopt, and revise from time to time, a general
2 statement of the qualifications necessary to perform the duties and
3 responsibilities of each of these appointed Town officers and a job description
4 of those offices. These appointed officers shall exercise all the powers and
5 duties necessary to carry out the provisions of this chapter as well as those
6 provided by State law generally.

7 (c) These appointed officers shall be employees of the Town, subject to all
8 personnel and employment rules, regulations, and policies of the Town and
9 shall serve at the pleasure of the Selectboard. An officer appointed under this
10 section shall be eligible to apply for reappointment at the expiration of his or
11 her term of office, but failure by the Selectboard to make such reappointment
12 shall not be construed as discharge from employment.

13 (d) A person appointed to the position of Town Treasurer, Town Clerk,
14 Road Commissioner, or Assistant Road Commissioner need not be a resident
15 or voter of the Town of Weybridge.

16 Subchapter 4. Separability

17 § 104. Separability

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

1 Sec. 3. TRANSITIONAL PROVISIONS

2 On July 15, 2015, the terms of the elected Town Treasurer and elected
3 Town Clerk in office on that date shall expire. Thereafter, a Town Clerk and a
4 Town Treasurer shall be appointed by the Selectboard as provided in Sec. 2 of
5 this act, 24 App. V.S.A. chapter 155E, § 103.

6 Sec. 4. EFFECTIVE DATE

7 This act shall take effect on passage.