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H.504

Introduced by Representatives Greshin of Warren and Grad of Moretown

Referred to Committee on

Date:

Subject: Municipal government; municipal charters; Town of Waitsfield;  
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 Waitsfield.

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.

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

2 CHAPTER 155A. TOWN OF WAITSFIELD

3 § 1. CORPORATE EXISTENCE RETAINED

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

7 § 2. GENERAL LAW APPLICATION

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

12 § 3. POWERS OF THE TOWN

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

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

1     § 4. ELECTED OFFICERS

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

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

7     § 5. APPOINTED OFFICERS

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

11           (1) Town Clerk.

12           (2) Town Treasurer.

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

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

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

20           (d) The appointed Town Clerk and Town Treasurer shall be subject to the  
21    Town personnel policies and may be removed pursuant thereto. All other

1 appointed officers may be removed as provided by law or, in the absence of an  
2 express provision addressing removal, by the Selectboard at any time.

3 § 6. SEVERABILITY

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

8 Sec. 3. TRANSITIONAL PROVISIONS

9 Notwithstanding the provisions of Sec. 2 of this act, 24 App. V.S.A.  
10 chapter 155A, § 5 (appointed officers) that provides that the office of Town  
11 Clerk and Town Treasurer shall be appointed by the Selectboard, an elected  
12 Town Clerk or Town Treasurer in office immediately prior to the effective date  
13 of that section may continue to hold that office for the remainder of his or her  
14 term and until a successor is appointed. At the end of the elected Town Clerk  
15 and Town Treasurer's term of office or, in the case of a vacancy in his or her  
16 office, the provisions of Sec. 2 of this act, 24 App. V.S.A. chapter 155A, § 5,  
17 shall apply.

18 Sec. 4. EFFECTIVE DATE

19 This act shall take effect on passage.