

H.552

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

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 Ferrisburgh as set forth in this act. The voters approved the charter on May 11, 2017.

Sec. 2. 24 App. V.S.A. chapter 119 is added to read:

CHAPTER 119. TOWN OF FERRISBURGH

§ 1. CORPORATE EXISTENCE RETAINED

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

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

§ 2. GENERAL PROVISIONS

(a) Except when changed, enlarged, or modified by the provisions of this charter, all provisions of the statutes of the State of Vermont relating to municipalities shall apply to the Town of Ferrisburgh.

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

(c) Unless otherwise provided in this charter:

(1) the particular powers in this charter shall not be exclusive or restrict the scope of powers that the Town would otherwise have under State statutes or rules; and

(2) this charter shall not limit powers conferred by general or special enactment of State statutes or rules, including those conferred upon the Selectboard or other Town officers.

§ 3. APPOINTED OFFICERS

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

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

(A) responsible for collection of current taxes; and

(B) paid an hourly wage; and

(C) open to the public at hours adopted by the Selectboard.

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

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

(B) paid an hourly wage.

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

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

(d) A person appointed to the position of Town Treasurer or Town Clerk need not be a resident or voter of the Town of Ferrisburgh.

§ 4. SEVERABILITY

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

Sec. 3. TRANSITIONAL PROVISION

An elected Town Treasurer or Town Clerk in office immediately prior to the effective date of this act may continue to hold that office until July 1, 2018.

On that date, the terms of the elected Town Treasurer and Town Clerk shall expire and a Town Treasurer and Town Clerk shall be appointed by the Selectboard as provided in Sec. 2 of this act in the charter of the Town of Ferrisburgh (in 24 App. V.S.A. chapter 119, § 3).

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.