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H.952

Introduced by Representatives Donovan of Burlington, Cina of Burlington,
Colburn of Burlington, Hooper of Burlington, Krowinski of
Burlington, McCormack of Burlington, Ode of Burlington,
Rachelson of Burlington, and Sullivan of Burlington

Referred to Committee on

Date:

Subject: Municipal government; municipal charters; City of Burlington;
amendments

Statement of purpose of bill as introduced: This bill proposes to approve
amendments to the charter of the City of Burlington to:

- (1) authorize the assessment of a tax on the grand list for the City's
Housing Trust Fund; and
- (2) establish timelines for petitions, warnings, and ballot availability for
certain City elections.

An act relating to ~~approval of amendments to the charter of the City of
Burlington~~ *approval of amendments to the charters of the City of Burlington
and the City of Barre*

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

2 ~~Sec. 1. CHARTER AMENDMENT APPROVAL~~

3 ~~The General Assembly approves the amendments to the charter of the City~~
4 ~~of Burlington as set forth in this act. The voters approved proposals of~~
5 ~~amendment on March 3, 2020.~~

6 Sec. 2. 24 App. V.S.A. chapter 3 is amended to read:

7 CHAPTER 3. CITY OF BURLINGTON

8 * * *

9 § 3. ELECTION OF MAYOR AND CITY COUNCILORS

10 (a) Election of Mayor. On the first Tuesday in March 2003 and triennially
11 thereafter, the legal voters of the City shall, from among the legal voters
12 thereof, elect a Mayor. Notwithstanding any provision of this charter or the
13 general statutes, no person shall be eligible to have his or her name printed on
14 the ballot as a candidate for the Office of Mayor who has not submitted a
15 nominating petition signed by at least 150 registered voters of the City ~~within~~
16 ~~the time limits specified in 17 V.S.A. chapter 55, as the same may be amended~~
17 ~~from time to time. Nominations of the municipal officers shall be by petition~~
18 ~~as specified in 17 V.S.A. chapter 55, excepting 17 V.S.A. § 2681(a)(1)(A).~~
19 ~~Instead, the petition shall be filed with the municipal clerk together with~~
20 ~~endorsement, if any, of any party or parties in accordance with the provisions~~

1 ~~of this title not later than 5:00 p.m. on the ninth Monday preceding the day of~~
2 ~~the election, which shall be the filing deadline.~~

3 * * *

4 § 6. REQUIREMENTS GENERALLY

5 * * *

6 (b) Upon request of the City Council by resolution or upon petition signed
7 by five percent of the legal voters, filed with the Chief Administrative Officer
8 ~~no not later than the deadline established in 17 V.S.A. chapter 55 as the same~~
9 ~~may be amended from time to time 60 days prior to the election,~~ the Mayor
10 shall insert in the warning for the annual City meeting any special article for
11 any legal purpose beyond the jurisdiction of the City Council, ~~said~~ the purpose
12 to be set forth in ~~said~~ the article as stated in ~~such~~ the resolution or petition, and
13 the Chief Administrative Officer shall prepare suitable ballots in sufficient
14 quantities for the vote upon ~~such~~ the article; provided, however, that any
15 petition for the insertion of any article calling for the resubmission,
16 reconsideration, or ~~recession~~ rescission of any question previously submitted to
17 the legal voters of ~~said~~ the City shall be filed not later than the deadline
18 established for requesting reconsideration or ~~recession~~ rescission of a prior vote
19 as specified in 17 V.S.A. § 2661 as the same may be amended from time to
20 time; and provided further, that no question previously submitted to the legal
21 ~~voters of said~~ the City shall be more than once resubmitted or presented for

1 ~~reconsideration or rescission, except upon request of the City Council~~
2 by resolution. Each page of a petition filed under this section shall bear the
3 full text of the petition, each signature to such the petition shall be witnessed,
4 each signer of such petition shall set after his or her signature his or her legal
5 address within the City, and any part of such the petition not conforming to
6 these requirements shall be invalid.

7 * * *

8 § 22. BALLOTS

9 For all City or ward or City district elections, and also for the election of
10 justices of the peace in said City, the Chief Administrative Officer shall
11 prepare all official ballots, consistent with the requirements of any regulation
12 adopted under section 5 of this chapter, and otherwise in the same manner and
13 subject to all the provisions of the laws of this State providing for and
14 regulating the preparation and distribution of official ballots in towns and
15 cities with the exception that ballots will be prepared at least 45 days before
16 the local election; provided, however, that said Chief Administrative Officer
17 shall cause to be printed for every ward or City district in said City not less
18 than 60 ballots for every 50 names or fractional part thereof on the voting list
19 prepared and posted in such ward or City district for any such election; and
20 further provided that said Chief Administrative Officer shall deliver to the
21 ~~inspectors of election in each ward on the day of such election and before the~~

1 ~~hour for opening the polls in said ward, such number of blocks of ballots~~
2 containing 100 each as shall nearest represent two-thirds of the whole number
3 required to be printed for such ward or City district, and shall retain the
4 balance of the ballots for each ward or City district so prepared.

5 * * *

6 § 102f. ANNUAL ASSESSMENT FOR HOUSING TRUST FUND USE

7 AUTHORIZED

8 The City Council shall annually assess upon the property grand list of the
9 City to assist in meeting the appropriation made for distributions and uses of
10 the Housing Trust Fund as set forth in Article 18-404 of the Code of
11 Ordinances a tax that will, in the judgment of the City Council, be sufficient to
12 assist in meeting the appropriation, but the rate shall not exceed one cent upon
13 the dollar of the property grand list, except when a larger rate shall be
14 authorized by the legal voters of the City. The tax shall not be included within
15 the limitations of the amount of tax for City purposes prescribed in section 99
16 of this chapter.

17 Sec. 3. EFFECTIVE DATE

18 ~~This act shall take effect on passage.~~

** * * City of Burlington * * **

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendments to the charter of the City of Burlington as set forth in this act. The voters approved proposals of amendment on March 3, 2020.

Sec. 2. 24 App. V.S.A. chapter 3 is amended to read:

CHAPTER 3. CITY OF BURLINGTON

** * **

§ 3. ELECTION OF MAYOR AND CITY COUNCILORS

(a) Election of Mayor. On the first Tuesday in March 2003 and triennially thereafter, the legal voters of the City shall, from among the legal voters thereof, elect a Mayor. Notwithstanding any provision of this charter or the general statutes, no person shall be eligible to have his or her name printed on the ballot as a candidate for the Office of Mayor who has not submitted a nominating petition signed by at least 150 registered voters of the City within the time limits specified in 17 V.S.A. chapter 55, as the same may be amended from time to time. For all special elections, nominations of the municipal officers shall be by petition as specified in 17 V.S.A. chapter 55, excepting 17 V.S.A. § 268l(a)(l)(A). Instead, the petition shall be filed with the municipal clerk, together with the endorsement, if any, of any party or parties in accordance with the provisions of this title, not later than 5:00 p.m. on the

ninth Monday preceding the day of the election, which shall be the filing deadline.

* * *

§ 6. REQUIREMENTS GENERALLY

* * *

(b) Upon request of the City Council by resolution or upon petition signed by five percent of the legal voters, filed with the Chief Administrative Officer ~~no later than the deadline established in 17 V.S.A. chapter 55 as the same may be amended from time to time~~, the Mayor shall insert in the warning for the annual City meeting any special article for any legal purpose beyond the jurisdiction of the City Council, ~~said~~ the purpose to be set forth in said article as stated in such resolution or petition and the Chief Administrative Officer shall prepare suitable ballots in sufficient quantities for the vote upon ~~such~~ the article; For the City annual meeting in March of each year, the resolution or petition must be filed with the Chief Administrative Officer not later than the deadline established in 17 V.S.A. chapter 55 as the same may be amended from time to time, and for any special elections, the resolution or petition must be filed with the Chief Administrative Officer not later than 60 days prior to the election; provided, however, that any petition for the insertion of any article calling for the resubmission, reconsideration, or rescission of any question previously submitted to the legal voters of ~~said~~ the City shall be filed not later

than the deadline established for requesting reconsideration or rescision of a prior vote as specified in 17 V.S.A. § 2661 as the same may be amended from time to time; and provided further, that no question previously submitted to the legal voters of ~~said~~ the City shall be more than once resubmitted or presented for reconsideration or rescision except upon request of the City Council by resolution. Each page of a petition filed under this section shall bear the full text of the petition, each signature to ~~such~~ the petition shall be witnessed, each signer of such petition shall set after his or her signature his or her legal address within the City, and any part of ~~such~~ the petition not conforming to these requirements shall be invalid.

* * *

§ 22. *BALLOTS*

For all City or ward or City district elections, and also for the election of justices of the peace in ~~said~~ the City, the Chief Administrative Officer shall prepare all official ballots, consistent with the requirements of any regulation adopted under section 5 of this chapter, and otherwise in the same manner and subject to all the provisions of the laws of this State providing for and regulating the preparation and distribution of official ballots in towns and cities; provided, however, that ~~said~~ the Chief Administrative Officer shall cause to be printed for every ward or City district in ~~said~~ the City not less than 60 ballots for every 50 names or fractional part thereof on the voting list prepared

and posted in ~~such~~ the ward or City district for any such election; and further provided that ~~said~~ the Chief Administrative Officer shall deliver to the inspectors of election in each ward on the day of ~~such~~ the election and before the hour for opening the polls in said ward, ~~such~~ the number of blocks of ballots containing 100 each as shall nearest represent two thirds of the whole number required to be printed for ~~such~~ the ward or City district, and shall retain the balance of the ballots for each ward or City district so prepared. For all special elections, the Chief Administrative Officer shall prepare all official ballots at least 45 days prior to the election.

* * *

§ 102f. ANNUAL ASSESSMENT FOR HOUSING TRUST FUND USE

AUTHORIZED

The City Council shall annually assess upon the property grand list of the City to assist in meeting the appropriation made for distributions and uses of the Housing Trust Fund as set forth in Article 18-404 of the Code of Ordinances a tax that will, in the judgment of the City Council, be sufficient to assist in meeting the appropriation, but the rate shall not exceed one cent upon the dollar of the property grand list, except when a larger rate shall be authorized by the legal voters of the City. The tax shall not be included within the limitations of the amount of tax for City purposes prescribed in section 99 of this chapter.

* * *

* * * *City of Barre* * * *

Sec. 3. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendments to the charter of the City of Barre. Voters approved the proposals of amendment on March 3, 2020.

Sec. 4. 24 App. V.S.A. chapter 1 is amended to read:

CHAPTER 1. CITY OF BARRE

* * *

§ 311. BUSINESS OR CONTRACTS BETWEEN CITY AND CITY

OFFICIALS OR EMPLOYEES

No City official or employee shall be ~~directly or indirectly~~ interested in any contract with ~~said~~ the City for ~~an amount in excess of \$500.00~~, ~~or~~ furnish any material, or perform any labor; except in the discharge of ~~his or her~~ the official's or employee's official duties for which said City officer shall receive a sum in excess of \$500.00, unless such contract shall have been awarded upon bids advertised for by publications [which] must have appeared six days previous to the opening of such bids or as allowed for in the Procurement Policy or Conflict of Interest Policy as adopted by the Council.

* * *

Sec. 5. REPEALS

(a) 24 App. V.S.A. chapter 1, § 415 (City Grand Juror) is repealed on November 1, 2020.

(b) 24 App. V.S.A. chapter 1, Article XII (Housing Board of Review and governance of security deposits) is repealed on November 1, 2020.

** * * Effective Date * * **

Sec. 6. EFFECTIVE DATE

This act shall take effect on passage.