

17 VSA § 2631. Municipal charters

(a) Unless otherwise provided by law, when the charter of a municipality provides for procedures other than those established by law, the provisions of that charter shall prevail.

(b) Except as provided in subsection (a) of this section, all provisions of law relating to a municipality shall apply to such a municipality with a charter.

17 VSA 2645. Charters; adoption, repeal, or amendment; procedure

(some towns, within their own charters, have different provisions than those laid out below i.e Springfield)

Two ways to propose a charter/amendment/repeal to a charter-

- 1. selectboard proposal,**
- 2. or voter petition (signed by 5 percent of registered voters)**

For both, official copy of the charter/amendment/repeal must be filed with the town clerk at least 10 days prior to first public hearings.

All public hearings required 30-40 day warning period and publication in a newspaper at least 5 days prior to each hearing

The selectboard must hold at least 2 public hearings, and the first public hearing must be at least 30 days prior to the vote

If proposed by the selectboard, they may revise the proposal, but no revisions can be made less than 20 days prior to the vote. If there are changes, those changes must be posted in the same place as the warnings for the public hearing.

If by petition, the selectboard cannot revise the proposed language. The second public hearing must occur no later than 10 days after the first public hearing.

Once the hearing requirements are met, the town votes by Australian ballot (votes are at annual meeting or at a special town meeting). Copies of the proposal must be posted in each ballot booth.

Within 10 days after the vote, the town clerk must certify to the SOS the vote and affirm the following:

If the proposal was made by the selectboard, the minutes of meetings that detail the origins and intent of each separate proposal

If by petition, the clerk must include the body of the petition and evidence of the required number of petitions

A copy of the official certified copy of the charter that was initially filed with the Clerk (at least 10 days prior to the first hearing)

Copies of the warnings and notices for each public hearing (including newspaper posting)

Minutes of those hearings

Copies of the warnings and published notices for the vote (including newspaper posting)

A copy of the ballot and the results of the vote

Once SOS confirms that all documents have been filed, the SOS delivers copies to the Attorney General, Clerk of the House, Secretary of the Senate, and to the two General Assembly committees with municipal jurisdiction.

(VSARA staff used to process these but it has recently been moved to the Elections Division)

The legislature may amend the proposed changes.

Must pass both the House and Senate and be signed by the governor to become effective.