1	H.227
2	Introduced by Representatives Colston of Winooski and Small of Winooski
3	Referred to Committee on
4	Date:
5	Subject: Municipal government; municipal charters; City of Winooski;
6	amendments
7	Statement of purpose of bill as introduced: This bill proposes to approve
8	amendments to the charter of the City of Winooski to:
9	(1) authorize noncitizens to vote in City elections;
10	(2) align petition signature requirements with State law;
11	(3) amend miscellaneous administrative provisions of the City charter;
12	and
13	(4) allow the City to adopt any charter provision approved for any other
14	municipality, without seeking approval from the General Assembly.
15 16	An act relating to approval of amendments to the charter of the City of Winooski
10	11 HOOKI

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 amendment to the charter of the City
4	of Winooski as set forth in this act. Voters approved the proposal of
5	amendment on November 3, 2020.
6	Sec. 2. 24 App. V.S.A. chapter 19 is amended to read:
7	CHAPTER 19. CITY OF WINOOSKI
8	* * *
9	§ 105. POWER OVER WATER RESOURCES
10	(a) No eitizen person, association of eitizens persons, domestic corporation
11	corporate entity, or municipality, or any combination thereof, may develop,
12	conserve, or use in whole or in part the water resources of the Winooski River
13	as it flows through the City of Winooski for a water power project located in
14	whole or in part in the City of Winooski without obtaining the approval of the
15	City Council of the City of Winooski in addition to any other necessary State
16	or federal agency approvals.
17	* * *
18	§ 201. CITY MEETINGS
19	The annual City meeting shall occur on the first Tuesday in March, and
20	shall be warned in the manner provided by general law. Special City meetings

shall be called and warned as provided by general law. All elections, voter

for State and federal elections.

1	registration and qualifications, absentee voting, and the conduct of such City
2	meetings shall be controlled by general law section 202 of this charter. All
3	matters shall be considered by Australian ballot.
4	§ 202. QUALIFIED VOTERS
5	(a) Voter registration, qualification, absentee voting, and conduct of
6	elections at all annual and special meetings shall be as provided by general
7	law. The qualifications of voters in State and federal elections shall be as
8	provided by general law. The qualifications of voters in the City meetings
9	shall be the same as those prescribed by law for voters in town meetings and
10	all municipal elections shall be as set forth in subsection (b) of this section.
11	(b) Notwithstanding 17 V.S.A. § 2121(a)(1), any person, including persons
12	who are non-U.S. citizens, may register to vote in any City meeting or
13	municipal election who, on election day:
14	(1) is a legal resident of the City;
15	(2) has taken the Voter's Oath; and
16	(3) is 18 years of age or older.
17	(c) The City Clerk shall maintain a voter checklist for City meetings and
18	municipal elections, in accordance with subsection (b) of this section, and shall
19	keep the City checklist separate and apart from the voter checklist maintained

1	(d) The voter checklists maintained by the City Clerk for municipal, State,
2	and federal elections shall be subject to the protections given to the Statewide
3	voter checklists pursuant to 17 V.S.A. § 2154.
4	***
5	§ 205. NOMINATIONS IN GENERAL
6	Nominations for the office of Mayor and Councilor shall be made by
7	petitions which shall be filed with the City Clerk not less than 30 days nor
8	more than 40 days before an annual City election or a special City election
9	called for that purpose. The petition shall state the name of the candidate, the
10	candidate's residence, and the office sought, and shall be signed by at least 50
11	legal voters of the City qualified to vote at the time the petition is filed
12	petition, prepared and filed in accordance with the provisions of 17 V.S.A.
13	§§ 2681 and 2681a. The petitions shall contain no party designations. A
14	person shall not sign more than one petition for each individual office to be
15	filled. The City Clerk shall cause the names of the persons so nominated to be
16	printed on a ballot in alphabetical arrangement according to surname, and
17	sample ballots shall be posted in at least three public places at least ten days
18	before election.
19	* * *
20	§ 304. GENERAL POWERS AND DUTIES

* * *

City Manager:

1	(b) Additional powers. In addition to powers otherwise conferred upon it
2	by law, the City, by the action of the Council or, if specifically required by law
3	or this charter, by the action of its voters, has the following powers and rights,
4	including:
5	* * *
6	(7) To provide for citizen resident participation in appropriate
7	departments.
8	* * *
9	§ 305. PROHIBITIONS; CONFLICT OF INTEREST
10	(a) Holding other office. Except where authorized by law, no councilor
11	shall hold any other City office or City employment during the term of election
12	to the Council. Notwithstanding any charter provision to the contrary, a paid or
13	unpaid volunteer member of the Fire Department, other than an officer or
14	member of the Department appointed directly by the City Manager, may serve
15	as a member of the City Council.
16	* * *
17	§ 506. CITY OFFICERS; APPOINTMENT OF
18	* * *
19	(c) Officers. In accordance with the provisions of this section, the City
20	Manager shall appoint the following, who shall hold office at the will of the

1	* * *
2	(10) an Emergency Management Coordinator; and
3	(11) a Human Resources Director; and
4	(11)(12) other officers required by law.
5	* * *
6	§ 602. CITIZEN RESIDENT ENGAGEMENT
7	* * *
8	(d) All unpaid appointments of eitizens residents to the boards, committees,
9	commissions, and agencies shall be for a term certain. Citizens Residents once
10	appointed to a term may only be removed for cause or after unanimous vote by
11	the City Council. If ad hoc committees are created, the appointment will cease
12	upon completion of the Committee's task.
13	§ 603. PERSONNEL SYSTEM
14	* * *
15	(b) Personnel Director. There shall be a Personnel Director who shall
16	administer the personnel system of the City. The Personnel Director shall be
17	the City Manager. The Personnel Director shall be responsible for collective
18	bargaining and administration of negotiated contracts subject to approval by
19	the City Council. [Repealed.]
20	(c) [Repealed.]

1	(d) Personnel policies. The Personnel Director City Manager shall prepare
2	personnel policies. The personnel rules shall be proposed to the Council, and
3	the Council may adopt them with or without amendment. These rules shall
4	provide for:
5	* * *
6	§ 717. TAX CLASSIFICATION
7	(a) Except for the property of utilities subject to regulation by the Vermont
8	Public Utility Commission, all personal and real property set out in the grand
9	list that is not used as residential property, farmland, and vacant land zoned
10	"recreation, conservation, and open space (RCO)" public recreation,
11	conservation, or open space lands shall be classified as nonresidential property
12	and shall be assessed at taxed by applying the tax rate on 120 percent of fair
13	market the assessed value of the property; and further provided that inventorie
14	shall no longer be set out in the grand list of the City as taxable personal estate
15	Properties upon which in-lieu-of-tax payments are made shall be likewise
16	classified and assessed for the purposes of such payments.
17	* * *
18	§ 903. OATH OF OFFICE
19	All elective officials of the City shall, before assuming office, take,

subscribe, and file with the City Clerk the following oath:

20

1	"I solemnly swear or affirm, under penalty of law, that I will
2	faithfully execute the Office of of the City of Winooski to the best
3	of my judgment and abilities, according to law, so help me God or I so affirm."
4	* * *
5	§ 907. AMENDMENT OF THE CHARTER
6	(a) This act charter may be altered, amended, or repealed as follows:
7	(1) by the General Assembly whenever the public good shall require;
8	(2) by the General Assembly upon proposal by the City in compliance
9	with the provisions of 17 V.S.A. § 2645; or
10	(3) by the City Council, upon approval by a majority of City voters.
11	(b) Any charter amendments approved by the City Council under
12	subdivision (a)(3) of this section shall conform to a charter provision
13	authorized by the General Assembly for another municipality in the State. The
14	amendment made by the City Council and approved by the voters shall be
15	effective only upon written notice of the amendment given to the Secretary of
16	State.
17	(c) A copy of all acts in alteration, amendment, or repeal shall be kept in
18	the office of the City Clerk of the City of Winooski, and the copy shall be

certified by the Secretary of State as provided in section 905 of this charter.

* * *

- 1 Sec. 3. EFFECTIVE DATE
- 2 This act shall take effect on passage.