

1 H.444

2 Introduced by Representatives Walz of Barre City and Anthony of Barre City

3 Referred to Committee on

4 Date:

5 Subject: Municipal government; municipal charters; City of Barre;
6 amendments

7 Statement of purpose of bill as introduced: This bill proposes to approve
8 amendments to the charter of the City of Barre to:

9 (1) enumerate the flags that the City may fly;

10 (2) authorize the City to adopt an ordinance that establishes a speed
11 limit of less than 25 miles per hour on City streets; and

12 (3) eliminate certain references to the office of First Constable.

13 An act relating to approval of amendments to the charter of the City of
14 Barre

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

16 ~~Sec. 1. CHARTER AMENDMENT APPROVAL~~

17 ~~The General Assembly approves the amendments to the charter of the City~~
18 ~~of Barre as set forth in this act. The voters approved the proposals of~~
19 ~~amendment on March 2, 2021.~~

1 ~~Sec. 2-24 App. V.S.A., chapter 1 is amended to read:~~

2 CHAPTER 1. CITY OF BARRE

3 * * *

4 § 104. GENERAL CORPORATE POWERS

5 * * *

6 (d) The City of Barre shall fly only the City, State, United States, and
7 POW/MIA flags.

8 § 105. ORDINANCES - SUBJECT MATTER

9 The general grant of ordinance promulgating authority in section 104 shall
10 include the authority:

11 * * *

12 (g) To adopt and enforce ordinances relating to the mediation of landlord
13 tenant issues by the Housing Board of Review. Notwithstanding any contrary
14 provision of general law, to adopt and enforce ordinances establishing a speed
15 limit of less than 25 miles per hour on specified City streets, or sections
16 thereof, within City boundaries as may be required for the safety and general
17 welfare of the City.

18 * * *

19 § 111. BONDING OF CITY OFFICIALS

20 The Mayor, councilors, members of the Police Department, City Manager,
21 ~~First Constable Finance Director, Superintendent of Public Works, Tax~~

1 ~~Collector, and Clerk and Treasurer shall annually be bonded by the City for the~~
2 faithful discharge of their respective duties, as provided by State statute, and
3 the expense of said bonds to be paid by the City.

4 * * *

5 § 205. OFFICERS ELECTED

6 (a)(1) The legal voters shall elect biennially a Mayor, ~~a First Constable,~~
7 and one person to serve as Clerk and Treasurer.

8 * * *

9 Subchapter 4. City Officials

10 * * *

11 ARTICLE 8. CONSTABLE [Repealed.]

12 * * *

13 § 418. DUTIES

14 ~~The City Constable shall have the same powers and be under the same~~
15 ~~duties and liabilities as are prescribed by State statutes for constables of towns.~~

16 [Repealed.]

17 Sec. 3. EFFECTIVE DATE

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

~~Sec. 1. CHARTER AMENDMENT APPROVAL~~

~~The General Assembly approves the amendments to the charter of the City of Barre as set forth in this act. The voters approved the proposals of amendment on March 2, 2021.~~

~~Sec. 2-24 App. V.S.A. chapter I is amended to read:~~

~~CHAPTER 1. CITY OF BARRE~~

~~* * *~~

~~§ 105. ORDINANCES - SUBJECT MATTER~~

~~The general grant of ordinance promulgating authority in section 104 shall include the authority:~~

~~* * *~~

~~(g) To adopt and enforce ordinances relating to the mediation of landlord tenant issues by the Housing Board of Review Notwithstanding any contrary provision of 23 V.S.A. § 1007, to adopt and enforce ordinances establishing a speed limit of less than 25 miles per hour on specified City streets, or sections of City streets, within City boundaries as may be required for the safety and general welfare of the City.~~

~~* * *~~

~~§ 111. BONDING OF CITY OFFICIALS~~

~~The Mayor, councilors, members of the Police Department, City Manager, First Constable Finance Director, Superintendent of Public Works, Tax Collector, and Clerk and Treasurer shall annually be bonded by the City for~~

~~the faithful discharge of their respective duties, as provided by State statute,
and the expense of said bonds to be paid by the City.~~

~~***~~

~~§ 205. OFFICERS ELECTED~~

~~(a)(1) The legal voters shall elect biennially a Mayor, a First Constable,
and one person to serve as Clerk and Treasurer.~~

~~***~~

~~Subchapter 4. City Officials~~

~~***~~

~~ARTICLE 8. CONSTABLE [Repealed.]~~

~~***~~

~~§ 418. DUTIES~~

~~The City Constable shall have the same powers and be under the same
duties and liabilities as are prescribed by State statutes for constables of
terms. [Repealed.]~~

~~Sec. 2. 24 App. V.S.A. chapter 1 is amended to read:~~

~~CHAPTER 1. CITY OF BARRE~~

~~***~~

~~§ 104. GENERAL CORPORATE POWERS~~

~~***~~

~~(a) The City of Barre shall fly only the City, State, United States, and~~

~~POW/MIA flags~~

~~§ 105. ORDINANCES - SUBJECT MATTER~~

~~(a) The general grant of ordinance promulgating authority in section 104 shall include the authority:~~

~~* * *~~

~~(7) To adopt and enforce ordinances relating to the mediation of landlord tenant issues by the Housing Board of Review Notwithstanding any contrary provision of 23 V.S.A. § 1007, to adopt and enforce ordinances establishing a speed limit of less than 25 miles per hour on specified City streets, or sections thereof, within City boundaries as may be required for the safety and general welfare of the City.~~

~~* * *~~

~~§ 111. BONDING OF CITY OFFICIALS~~

~~The Mayor, councilors, members of the Police Department, City Manager, First Constable Finance Director, Superintendent of Public Works, Tax Collector, and Clerk and Treasurer shall annually be bonded by the City for the faithful discharge of their respective duties, as provided by State statute, and the expense of said bonds to be paid by the City.~~

~~* * *~~

~~§ 205. OFFICERS ELECTED~~

~~(a)(1) The legal voters shall elect biennially a Mayor, a First Constable,~~

~~and one person to serve as Clerk and Treasurer.~~

~~***~~

~~Subchapter 4. City Officials~~

~~***~~

~~ARTICLE 8. CONSTABLE [Repealed.]~~

~~***~~

~~§ 418. DUTIES~~

~~The City Constable shall have the same powers and be under the same duties and liabilities as are prescribed by State statutes for constables of towns. [Repealed.]~~

~~***~~

~~Sec. 3. EFFECTIVE DATE~~

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

~~Sec. 1. CHARTER AMENDMENT APPROVAL~~

~~The General Assembly approves the amendments to the charter of the City of Barre as set forth in this act. The voters approved the proposals of amendment on March 2, 2021 and March 1, 2022.~~

~~Sec. 2. 24 App. V.S.A. chapter 1 is amended to read:~~

~~CHAPTER 1. CITY OF BARRE~~

~~***~~

~~§ 104. GENERAL CORPORATE POWERS~~

* * *

(b) The City may purchase real property, or interest in real property, within or without its corporate limits, for the public benefit. The City may acquire real property by gift, devise, lease, easement, or condemnation and may sell, lease, mortgage, hold, convey by easement, manage and control such property as its interest may require. Any acquisition or conveyance of property through the means listed in this section shall require approval of the council and shall also be subject to notice as required by 24 V.S.A. § 1061 or any successor provision.

* * *

(d) The City of Barre shall fly only the City, State, United States, and POW/MIA flags.

§ 105. ORDINANCES - SUBJECT MATTER

The general grant of ordinance promulgating authority in section 104 of this charter shall include the authority:

* * *

(g) To adopt and enforce ordinances relating to the mediation of landlord tenant issues by the Housing Board of Review Notwithstanding any contrary provision of general law, to adopt and enforce ordinances establishing a speed limit of less than 25 miles per hour on specified City streets, or sections

thereof, within City boundaries as may be required for the safety and general welfare of the City.

* * *

§ 111. BONDING OF CITY OFFICIALS

The Mayor, councilors, members of the Police Department, City Manager, ~~First Constable~~ Finance Director, Superintendent of Public Works, Tax Collector, and Clerk and Treasurer shall annually be bonded by the City for the faithful discharge of their respective duties, as provided by State statute, and the expense of said bonds to be paid by the City.

* * *

§ 205. OFFICERS ELECTED

(a)(1) The legal voters shall elect biennially a Mayor, ~~a First Constable,~~ and one person to serve as Clerk and Treasurer.

* * *

§ 307. POWERS OF CITY; POLICY MATTERS; APPOINTMENT OF
CERTAIN OFFICERS

All powers of the City and the determination of all matters of policy shall be vested in the City Council except as otherwise provided by this charter or by general law. The City Council shall annually appoint a City Attorney, ~~a City Grand Juror,~~ a Library Liaison, and may provide for any Planning Board, Zoning Board of Adjustment, Recreation Board, or Personnel Board, and may

create commissions or other bodies with advisory powers and may appoint personnel to serve on said boards or commissions.

* * *

Subchapter 4. City Officials

* * *

§ 407. APPOINTMENTS

* * *

(b) There shall be appointed by the City Manager after the annual City election in the manner as hereinafter provided a Superintendent of Streets, a Superintendent of Waterworks, a Recreation Director, a City Engineer, a Building Inspector, an Inspector of Electric Wiring, ~~an Inspector of Plumbing,~~ a Tree Warden, and three members of the Board of Health (see section 512 of this charter; Board of Health). All officers shall hold their offices respectively for one year or until their successors shall be appointed and qualified. The City Manager may also appoint such other subordinate officers as may be elected or appointed in towns. Members of the various boards shall be appointed in the same manner, who shall hold office as otherwise herein provided or until their successor shall be appointed and qualified.

* * *

§ 409. CAPITAL IMPROVEMENT PLAN

(a) Preparation and submission. The Manager, after consultation with department heads, shall submit a proposed five-year capital improvement plan to the council at least three months prior to the annual meeting.

(b) Contents. The capital expenditure plan shall include:

(1) a clear narrative summary of needs;

(2) a list of all capital expenditures to be proposed for the next five years with appropriate supporting data;

(3) actual cost estimates, proposed methods of financing, and necessary time schedules for each improvement; and

(4) estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

(c) Revision and update. The capital expenditure plan shall be revised and extended each year to reflect progress or projects still pending.

* * *

ARTICLE 8. CONSTABLE [Repealed.]

* * *

§ 418. DUTIES

~~The City Constable shall have the same powers and be under the same duties and liabilities as are prescribed by State statutes for constables of towns.~~ *[Repealed.]*

* * *

§ 501. CREATION AND ORGANIZATION

For the purpose of coordinating and integrating the inspection services and allied services of the City, and to provide proper and effective administration of building, electrical, ~~plumbing~~, fire prevention, housing, and zoning laws of the City and State within the City, the City Council shall, by ordinance, create a department to be designated the Department of Buildings and Housing, and prescribe its powers, duties, and functions. Within the Department shall be:

* * *

(2) the Inspector of Electrical Wiring; and

(3) the ~~Plumbing Inspector~~; [Repealed.]

* * *

§ 605. LOCAL SALES, ROOMS, MEALS, AND ALCOHOLIC

BEVERAGES OPTION TAXES

Local option taxes are authorized under this section for the purpose of affording the City an alternative method of raising municipal revenues.

Accordingly:

(1) The City Council may assess sales, rooms, meals, and alcohol taxes of one percent.

* * *

(3) Revenues received through a tax imposed under this section shall be designated solely for street and sidewalk reconstruction, capital equipment, and capital improvement needs under section 406a of this charter.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.