

H.745

An act relating to the approval of the adoption of the charter of the Town of Montgomery

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

Sec. 1. CHARTER ADOPTION APPROVAL

The General Assembly approves the adoption of the charter of the Town of Montgomery as set forth in this act. The voters approved the adoption of the charter on March 1, 2022.

Sec. 2. 24 App. V.S.A. chapter 129B is added to read:

CHAPTER 129B. TOWN OF MONTGOMERY

§ 1. STATEMENT OF PURPOSE

Under the authority granted by the General Assembly of the State of Vermont, this charter establishes certain guidelines with respect to organization and functioning of local Town government in the Town of Montgomery.

§ 2. GENERAL LAW; APPLICATION

Except when changed 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 Montgomery.

§ 3. LOCAL OPTIONS TAX

(a) The Selectboard is authorized to impose a one percent sales tax, a one percent meals and alcoholic beverages tax, and a one percent rooms tax upon

the sales within the Town that are subject to the State of Vermont tax on sales, meals, alcoholic beverages, and rooms.

(b) A tax imposed under the authority of this section may be rescinded and shall be collected and administered pursuant to 24 V.S.A. § 138, provided that the Town shall:

(1) receive on a quarterly basis not less than 70 percent of the tax collected, less the per-return fee; and

(2) pay not more than 70 percent of the per-return fee.

(c) The tax to be paid to the Town shall be set aside in the Sewer Reserve Fund to assist in the repayment of debt obligations related to the construction of a Municipal Wastewater System in Montgomery Center and Village.

(d) The taxes authorized by this section shall expire 90 days after the date that the Town has fully repaid the debt obligations related to the construction of the Municipal Wastewater System in Montgomery Center and Village.

§ 4. SEPARABILITY

If any provision of this charter is held invalid, the other provisions of the charter shall not be affected by that holding. If the application of the charter or any of its provisions to any person or circumstances is held invalid, the application of this charter and its provisions to other persons or circumstances shall not be affected by that holding.

§ 5. AMENDMENT

The amendment of this charter shall be as provided by law.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.