

**From:** Tucker Anderson <[TAnderson@leg.state.vt.us](mailto:TAnderson@leg.state.vt.us)>  
**Sent:** Tuesday, January 25, 2022 10:15:18 AM  
**To:** Peter Anthony <[PAntony@leg.state.vt.us](mailto:PAntony@leg.state.vt.us)>  
**Subject:** RE: Springfield proposal in charter.

Rep. Anthony,

For the petition for permissive referendum, reconsideration, and rescission concerning ordinances—yes, the Springfield proposal is notably more restrictive than general law. Under 24 V.S.A. 1973 provides authority for permissive referendum upon a petition filed by 5% of the voters within 44 days of the adoption of an ordinance. Upon the filing of the petition, the legislative body is required to warn the referendum for an annual or special meeting within 60 days. During the pendency of the referendum, the ordinance does not take effect. In Springfield’s formula, there is not petition right, no referendum, and the ordinance takes effect on passage. (Note: under 24 V.S.A. 1972, an ordinance does not become effective until a minimum of 60 days after the adoption of the ordinance).

For the reconsideration or rescission of an ordinance that is passed by vote at an annual meeting, Springfield is also more restrictive. Under 17 V.S.A. 2661, if a petition requesting reconsideration or rescission is filed within 30 days following the date of that meeting, the legislative body shall provide for a vote by the municipality in accordance with the petition within 60 days.

In addition, the restriction on petition for charter proposals is more restrictive than the general law governing charter amendments or adoptions. 17 V.S.A. 2645 does not limit the number of proposals that the voters may bring in any given time period. So long as the threshold signature requirement is met, the voters may submit the same or a similar proposal at any time. Springfield’s charter proposes to restrict the petitions for a charter change to “one bite at the apple” every three years. If the charter proposal fails, then the voters must wait three years or at the mercy of the legislative body in order to revisit the charter proposal.

Best,  
Tucker

**From:** Peter Anthony <[PAntony@leg.state.vt.us](mailto:PAntony@leg.state.vt.us)>  
**Sent:** Monday, January 24, 2022 8:36 PM  
**To:** Tucker Anderson <[TAnderson@leg.state.vt.us](mailto:TAnderson@leg.state.vt.us)>  
**Subject:** Springfield proposal in charter.

I had been uneasy with the restricted window for proposing addtl. amendments relative to general laws.

And the limited opportunity to exercise a motion to reconsider.

Are these two aspects noticeably more restrictive than general law? And not common..?

Peter a.