

1 H.474

2 Introduced by Representatives Mulvaney-Stanak of Burlington, Bluemle of
3 Burlington, Cina of Burlington, Headrick of Burlington, Hooper
4 of Burlington, Logan of Burlington, Ode of Burlington,
5 Rachelson of Burlington, and Stone of Burlington

6 Referred to Committee on

7 Date:

8 Subject: Municipal government; municipal charters; City of Burlington;
9 amendments

10 Statement of purpose of bill as introduced: This bill proposes to approve
11 amendments to the charter of the City of Burlington to authorize the City
12 Council to adopt an ordinance prohibiting the eviction of residential tenants
13 without just cause.

14 An act relating to approval of amendments to the charter of the City of
15 Burlington

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

17 Sec. 1. CHARTER AMENDMENT APPROVAL

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

1 Sec. 2. 24 App. V.S.A. chapter 3 is amended to read:

2 CHAPTER 3. CITY OF BURLINGTON

3 * * *

4 § 46. APPROVAL OR VETO OF ORDINANCES BY MAYOR;

5 RECONSIDERATION; ITEM VETO ON APPROPRIATIONS

6 If the Mayor shall approve any ordinance, or bylaw, or any resolution or
7 vote of the City Council in respect to the business above referred to, the Mayor
8 shall sign the same. If the Mayor does not approve the same, the Mayor shall
9 return it, with his or her objections in writing, to the City Council at the next
10 meeting thereof after it shall have been presented to the Mayor, provided that
11 the Mayor shall have not less than two weeks to consider such ordinance,
12 bylaw, resolution, or vote, as aforesaid. The City Council shall thereupon
13 proceed to reconsider such ordinance, bylaw, resolution, or vote, and if, upon
14 such reconsideration, two-thirds of the whole number of City councilors shall
15 vote in favor of the same, it shall be valid and take effect, notwithstanding the
16 objection of the Mayor. In the event that any ordinance, bylaw, resolution, or
17 vote of the City Council shall contain more than one appropriation, or establish
18 more than one salary, the Mayor shall have the power to veto with respect to
19 each such appropriation or salary, and no item of appropriation or salary so
20 vetoed shall be effective unless adopted by the City Council upon

1 reconsideration by two-thirds vote of the whole number as hereinabove
2 provided.

3 * * *

4 § 48. ENUMERATED

5 The City Council shall have power:

6 * * *

7 (67)(A) To provide by ordinance protections for residential tenants, as
8 defined in 9 V.S.A. chapter 137, from eviction without “just cause,” where just
9 cause shall include:

10 (i) a tenant’s material breach of a written rental agreement;

11 (ii) a tenant’s violation of State statutes regulating tenant
12 obligations in residential rental agreements;

13 (iii) nonpayment of rent; and

14 (iv) a tenant’s failure to accept written, reasonable, good faith
15 renewal terms.

16 (B) The ordinance shall exclude from “just cause” the expiration of a
17 rental agreement as the sole grounds for termination of tenancy. In addition to
18 the exemptions in 9 V.S.A. chapter 137, the ordinance shall exempt from this
19 provision, subject to mitigation provisions, sublets and in-unit rentals as well
20 as the following properties, but not limited to:

21 (i) owner-occupied duplexes and triplexes;

1 (ii) those being withdrawn from the rental market, including
2 properties to be occupied by the owner or an immediate family member as a
3 primary residence; and

4 (iii) those in need of substantial renovations that preclude
5 occupancy.

6 (C) The ordinance shall include provisions that:

7 (i) mitigate potential negative impacts on tenants and property
8 owners, including requirements of adequate notice and reasonable relocation
9 expenses;

10 (ii) provide for a reasonable probationary period after initial
11 occupancy; and

12 (iii) limit unreasonable rent increases to prevent de facto evictions
13 or nonrenewals, although this shall not be construed to limit rents beyond the
14 purpose of preventing individual evictions.

15 (D) The ordinance shall define what is “reasonable” and “adequate
16 notice” in defining “just cause” and shall require that landlords provide notice
17 of just cause and other legal requirements as part of the rental agreement.

18 * * *

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on passage.