1	H.518
2 3	An act relating to the approval of amendments to the charter of the Town of Essex
4	It is hereby enacted by the General Assembly of the State of Vermont:
5	Sec. 1. CHARTER AMENDMENT APPROVAL
6	The General Assembly approves the amendments to the charter of the Town
7	of Essex as set forth in this act. The voters approved the proposals of
8	amendment on March 7, 2023.
9	Sec. 2. 24 App. V.S.A. chapter 117 is amended to read:
10	CHAPTER 117. TOWN OF ESSEX
11	* * *
12	§ 107. LICENSE FEES
13	In addition to powers otherwise conferred upon the Town by law and this
14	charter, the Town is authorized to adopt and enforce ordinances for the purpose
15	of regulating, licensing, and fixing reasonable and necessary fees for the
16	following:
17	(1) places of public resort, accommodation, assemblage, or amusement,
18	whether indoor or outdoor;
19	(2) places dispensing food and drink to the public, such as restaurants,
20	bars, or inns;
21	(3) theaters;

1	(4) displays of fireworks;
2	(5) public dances and musical performances;
3	(6) itinerant vendors;
4	(7) the exclusive occupancy of any specified portion of a public street or
5	right-of-way;
6	(8) the keeping of dogs or other pets; and
7	(9) other activities that the Town has the power to regulate or license by
8	virtue of general law or this charter.
9	* * *
10	§ 210. RECALL OF SELECTBOARD MEMBERS
11	(a) A petition signed by 15 percent of the registered voters of the
12	municipality, based upon the total number of registered voters at the last
13	preceding municipal election, demanding the recall of the Selectboard member
14	or members cited in the petition, shall be filed with the Town Clerk.
15	(b) Within 60 days after receiving a valid petition, the Selectboard shall
16	call a special meeting or, if annual meeting is within 60 days, include a
17	question on the annual Town meeting ballot to vote on whether the elected
18	officer shall be removed. The vote shall be held by Australian ballot.
19	(c) The Selectboard member shall be removed only if at least as many
20	registered voters of the Town vote as voted in the election wherein the officer
21	was elected or at least one-third of the registered voters of the Town vote,

1	whichever is greater, and a majority of that number vote for removal. The
2	Selectboard member or members shall be removed from office immediately,
3	and the Selectboard shall then name a successor in accordance with the
4	replacement provisions of this charter.
5	(d) A recall petition shall not be brought against an individual more than
6	once within 12 months.
7	* * *
8	Subchapter 3. Town Meeting Amendment of Charter Ordinances
9	* * *
10	Subchapter 4. Planning Town Manager
11	* * *
12	Subchapter 5. Department of Real Estate Appraisal Personnel
13	* * *
14	Subchapter 6. Town Manager Meeting; Amendment of Charter
15	* * *
16	§ 701. FISCAL YEAR
17	The fiscal year of the Town shall begin on the first day of July and end on
18	the last day of June of each calendar year. The fiscal year shall constitute the
19	budget and accounting year as used in this charter. In the event of a
20	consolidation between the Essex Town School District and the Village of

VT LEG #374047 v.1

1	Essex Junction Graded School District, the consolidated entity shall adopt the
2	same fiscal year as the Town.
3	* * *
4	Subchapter 9. Personnel Planning
5	* * *
6	Subchapter 10. Amendment of Charter Department of Real Estate Appraisal
7	* * *
8	Subchapter 11. Severability Amendment of Charter
9	* * *
10	Subchapter 12. Severability
11	* * *
12	Sec. 3. REDESIGNATIONS
13	In 24 App. V.S.A. chapter 117, §§ 106 (introduction), 107 (Effective date),
14	108 (filing), 109 (annual Town report), 110 (reservation of powers to the
15	Town), 203 (organization), 204 (meetings), 205 (record of proceedings), 207
16	(jurisdiction over other officers or employees), 208 (compensation of
17	Selectboard), 209 (powers and duties), 301 (application of general law), 302
18	(time of holding), 303 (budget), 401 (Board established), 501 (creation of
19	Department), 502 (appraisal of property), 503 (appraisal of business personal
20	property), 504 (duties of Department), 505 (purpose), 601 (appointment of
21	Manager), 602 (officials appointed by Manager), 703 (Town Meeting warning

1	and budget), 901 (appointment and removal), 902 (personnel rules and
2	regulations), 903 (prohibitions), 1001 (laws governing), and 1101
3	(severability) are redesignated to be §§ 301, 302, 303, 602, 105, 204, 205, 206,
4	209, 203, 207, 601, 604, 703, 901, 1001, 1003, 1004, 1005, 1002, 401, 402,
5	603, 501, 502, 503, 1101, and 1201 respectively.
6	Sec. 4. 24 App. V.S.A. chapter 117, § 105 is redesignated and amended to
7	read:
8	§ 105 106. ORDINANCES—METHOD OF ADOPTION AND
9	ENFORCEMENT
10	(a) The Selectboard may provide penalties for the breach of any ordinance
11	authorized by general law or this charter, may prosecute any person violating
12	the same through the Town Grand Juror or police officers who for such
13	purposes shall be informing officers, and may maintain actions to restrain
14	actual or threatened violations of the same; the establishment of any fine or
15	penalty shall be by ordinance.
16	(b) Ordinance-making authority granted to the Town by this charter and
17	general law shall be exercised pursuant to the provisions of sections 106
18	through 109 subchapter 3 of this charter.

1	Sec. 5. 24 App. V.S.A. chapter 117, § 206 is redesignated and amended to
2	read:
3	§ <del>206</del> <u>208</u> . APPOINTMENTS BY SELECTBOARD
4	(a) The Selectboard shall appoint the members of the following permanent
5	Commissions and positions:
6	* * *
7	(4) Town Manager; and
8	(5) Development Review Board.
9	* * *
10	Sec. 6. TRANSITIONAL PROVISION; ZONING BOARD OF
11	ADJUSTMENT AND DEVELOPMENT REVIEW BOARD
12	On or before January 1, 2025, the Zoning Board of Adjustment in the Town
13	of Essex shall be replaced by the Development Review Board appointed by the
14	Town Selectboard pursuant to 24 App. V.S.A. chapter 117, § 208.
15	Sec. 7. REPEAL
16	24 App V.S.A. chapter 117, § 208(a)(1) (appointments by Selectboard;
17	Zoning Board of Adjustment) is repealed on January 1, 2025.
18	Sec. 8. EFFECTIVE DATE
19	This act shall take effect on passage.