

1 H.512

2 Introduced by Representatives Poirier of Barre City and Taylor of Barre City

3 Referred to Committee on

4 Date:

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

6 amendment

7 Statement of purpose of bill as introduced: This bill proposes to approve an

8 amendment to the charter of the City of Barre regarding the City's general

9 provisions, city meetings and elections of officers, and payment of taxes.

10 An act relating to approval of amendments to the charter of the City of  
11 Barre

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

13 Sec. 1. CHARTER AMENDMENT APPROVAL

14 The General Assembly approves the amendments to the charter of the City  
15 of Barre as set forth in this act. Proposals of amendment were approved by the  
16 voters on May 8, 2012.

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

18 CHAPTER 1. CITY OF BARRE

19 Subchapter 1. ~~Powers of The City~~ Incorporation and General Provisions

20 \* \* \*

1     § 110. FISCAL YEAR

2             The fiscal year of the City and the City School District shall begin on the  
3     first day of July and end on the last day of June of each calendar year. The  
4     fiscal year shall constitute the budget and accounting year as used in this  
5     charter.

6     § 111. BONDING OF CITY OFFICIALS

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

12    § 112. AMENDMENT OF CHARTER

13             This charter may be amended in the manner provided for by the laws of the  
14    State of Vermont for amendment of municipal charters.

15                             Subchapter 2. Elections and City Meetings

16   \* \* \*

17    § 204. POLLING PLACES

18             All annual and special elections and meetings shall be held at a central  
19    polling place in the ~~city~~ City to be designated by the ~~council~~ Council and  
20    which location is to be set forth in the warning. The conduct of said elections

1 and meetings shall conform where applicable to requirements as set forth in  
2 ~~Chapter 55, Subchapter 2 of Title 17, V.S.A. 17 V.S.A. §§ 2640-2667.~~

3 § 205. OFFICERS ELECTED

4 (a) The legal voters shall elect biennially a mayor, ~~a city clerk and~~  
5 ~~treasurer, and~~ a first constable, and one person to serve as clerk and treasurer.

6 Annually, the legal voters of each ward shall elect from among the legal voters  
7 of their respective wards, one ~~alderman~~ councilor for a term of two (2) years.

8 Annually, the legal voters shall elect three school commissioners to serve for a  
9 term of three years.

10 (b) The legal voters shall elect annually Spaulding Union High School  
11 District School Board members in the manner, number, and term limit as is  
12 specified in the Barre City/Barre Town Union High School Agreement, dated  
13 November 30, 1986, or any such successor document.

14 § 206. VACANCIES

15 (a) In case of vacancy of any elected municipal city officer, except ~~an~~  
16 ~~alderman~~ a councilor or school commissioner, occasioned by death, removal  
17 from the ~~city~~ City, resignation, or inability to serve, such vacancy, unless  
18 herein otherwise provided, shall be filled by appointment by the city council  
19 City Council until the next annual election. In such case, nomination may be  
20 made by any member for the ~~council~~ Council.

1 (b) In case of a vacancy of any ~~alderman~~ councilor, occasioned by death,  
2 removal from the ward, resignation, or inability to serve, such vacancy, unless  
3 herein otherwise provided, shall be filled by election at a caucus of the legal  
4 voters of the ward in which the vacancy occurs, duly warned, until the next  
5 annual election. In such case, nomination may be made by any legal voter  
6 from the ward in which the vacancy occurs.

7 (c) In case of a vacancy of any school commissioner, occasioned by death,  
8 removal from the City, resignation, or inability to serve, such vacancy, unless  
9 herein otherwise provided, shall be filled by appointment by the remaining  
10 members of the School Board until the next annual election. In such case,  
11 nomination may be made by any member of the School Board.

12 § 207. VOTING ON REQUEST OF THE CITY MANAGER

13 \* \* \*

14 (b) If, at the annual March meeting, the voters disapprove the request of the  
15 ~~city manager, the mayor~~ City Manager, the Mayor, or in his or her absence or  
16 disability, the ~~city clerk~~ City Clerk shall warn a general meeting of the legal  
17 voters to consider the article disapproved by the voters, and to authorize a  
18 specific sum of money therefore. The meeting shall be in accordance with  
19 ~~chapter 55 of Title 17 of the Vermont Statutes Annotated~~ 17 V.S.A.  
20 §§ 2630-2689 and shall be held at the same location as the previous meeting  
21 with the polls open for the same hours as the previous meeting. If the voters

1 continue to disapprove any portion of the request, similar meetings shall be  
2 held in the same manner.

3 (c) When the legal voters have authorized a specific sum for the request of  
4 the ~~city manager and/or the request of the school commissioners~~ City Manager,  
5 the ~~city council~~ City Council shall set the tax rate necessary to raise the  
6 specific sum(s) so voted.

7 ~~(d) Voting by the legal voters under this section shall be by paper ballot.~~

8 \* \* \*

9 Subchapter 3. City Council

10 § 301. GOVERNING BODY

11 The ~~city~~ City shall be governed by an elected council and by an appointed  
12 city manager and by such other officers and employees as may be duly  
13 appointed pursuant to this charter, city ordinances or general laws of the State  
14 of Vermont.

15 (1) The ~~city council~~ City Council shall consist of the ~~mayor~~ Mayor and  
16 two (2) ~~aldermen~~ councilors for each ward who shall serve for a term of two  
17 (2) years.

18 \* \* \*

19 (4) All city employees, to include full-time and part-time, are prohibited  
20 from holding the office of ~~alderman~~ councilor or mayor.

21 \* \* \*

1 § 303. SPECIAL MEETINGS; QUORUM

2 Special meetings of the ~~city council~~ City Council may be called at any time  
3 by the ~~mayor~~ Mayor. They may also be called by the ~~clerk~~ Clerk on a petition  
4 signed by a majority of the ~~city council~~ City Council and filed with the ~~clerk~~  
5 Clerk. Notice of special meetings shall be served on the ~~mayor~~ Mayor and  
6 ~~aldermen~~ councilors by the ~~clerk~~ Clerk delivering to each member a copy of  
7 the call, or leaving it at the place of the member's residence. A majority of the  
8 ~~city council~~ City Council shall constitute a quorum for the transaction of  
9 business, but a smaller number may adjourn from time to time and may compel  
10 the attendance of absent members in such manner as may be prescribed by  
11 ordinance.

12 \* \* \*

13 § 315. COMPENSATION OF CITY OFFICIALS

14 Compensation of ~~mayor~~ Mayor, ~~alderman~~ councilors, and other appointees  
15 and city officers:

16 (a) The ~~mayor~~ Mayor and ~~aldermen~~ councilors shall receive  
17 compensation in an amount as may be voted by the voters of the ~~city~~ City at a  
18 meeting duly warned for said purpose.

19 \* \* \*

1 Subchapter 4. City Officials

2 \* \* \*

3 § 407. APPOINTMENTS

4 (a) Any provision of general law conferring the appointing power or other  
5 power upon the ~~mayor~~ Mayor, the ~~mayor~~ Mayor and ~~board of aldermen~~ Board  
6 ~~of Councilors~~ City Council, the ~~selectmen~~ ~~selectboard~~ City Council, or other  
7 executive heads of a municipality; shall be construed as meaning the ~~city~~  
8 ~~manager~~ City Manager and the appointments or power exercised by the ~~city~~  
9 ~~manager~~ City Manager, in accordance with such provision, shall be given the  
10 same force and effect as if executed by the official named therein, except as  
11 herein otherwise provided.

12 \* \* \*

13 Subchapter 6. Taxation

14 § 601. PAYMENT OF TAXES

15 (a) Taxes on real and personal property shall be paid in four (4) equal  
16 payments, with one-fourth of the annual tax bill for each taxpayer due and  
17 payable on August 15, November 15, February 15, and May 15 of each year to  
18 the ~~city treasurer~~ City Treasurer, unless otherwise changed by the ~~city council~~  
19 City Council. ~~At the close of the fiscal year any unexpended funds of the city~~  
20 ~~budget and school budget must be used in the subsequent budget to cut the tax~~  
21 ~~rate.~~

1       (b) At the close of the fiscal year, any unexpended funds remaining from  
2       the city budget may be retained if approved by vote of the City Council, as an  
3       undesignated fund balance for future use. Any funds retained pursuant to this  
4       provision shall be limited to an amount not greater than five percent of the city  
5       budget. Any amount remaining in excess of five percent in the city budget  
6       must be used in the subsequent budget to cut the tax rate.

7   \* \* \*

8   Subchapter 7. General Provisions

9       § 701. FISCAL YEAR

10       ~~(a) The fiscal year of the city and the city school district shall begin on the~~  
11       ~~first day of July and end on the last day of June of each calendar year. The~~  
12       ~~fiscal year shall constitute the budget and accounting year as used in this~~  
13       ~~charter. [Repealed.]~~

14       § 702. BONDING OF CITY OFFICIALS

15       ~~The mayor, councilors, members of the police department, city manager,~~  
16       ~~first constable, superintendent of public works, tax collector, and clerk and~~  
17       ~~treasurer shall annually be bonded by the city for the faithful discharge of their~~  
18       ~~respective duties, as provided by state statute, and the expense of said bonds to~~  
19       ~~be paid by the city. [Repealed.]~~



1       § 703. ~~AMENDMENT OF CHARTER~~

2           ~~This charter may be amended in the manner provided for by the laws of the~~  
3       ~~State of Vermont for amendment of municipal charters. [Repealed.]~~

4       Sec. 3. EFFECTIVE DATE

5           This act shall take effect on passage.