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H.645

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Introduced by Representatives Hooper of Montpelier and Kitzmiller of

3

Montpelier

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Referred to Committee on

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Date:

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Subject: Municipal government; municipal merger; Berlin Fire District No. 1

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merger; City of Montpelier

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Statement of purpose: This bill proposes to approve the plan of merger of

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Berlin Fire District No. 1 into the City of Montpelier.

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An act relating to the merger of Berlin Fire District No. 1 into the City of

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Montpelier

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

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Sec. 1. APPROVAL OF MERGER

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Notwithstanding the provisions of chapter 49 of Title 24 or the provisions

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of section 2645 of Title 17, the general assembly approves the plan of merger

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of Berlin Fire District No. 1 into the City of Montpelier and the amendment to

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the City of Montpelier charter as set forth in this act. The merger of Berlin

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Fire District No. 1 into the City of Montpelier was approved by the voters of

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the city and the district on March 5, 2002.

1 Sec. 2. PLAN OF MERGER

2 (a) The City of Montpelier shall acquire all assets, bank accounts, debt,
3 franchises, easements, receivables, physical assets, and all other financial
4 assets and liabilities of Berlin Fire District No. 1. The city may acquire all
5 permits and licenses of Berlin Fire District No. 1 subject to any conditions on
6 the transfer of the permit or license by the board, department, or agency that
7 issued the permit or license.

8 (b) Berlin Fire District No. 1 shall provide the City of Montpelier all water
9 test reports, usage history, surveys and plans, engineering reviews, repair logs,
10 inspection reports, billing records, agreements, deeds, and as-built drawings.

11 (c) The city water rate shall be applied equally throughout the service area.
12 Connections to the water system shall be controlled by regulations of the City
13 of Montpelier. The city manager shall have control and supervision of the
14 service area in the same manner as provided in sections 1208 and 1209 of
15 chapter 3 of Title 24 App.

16 Sec. 3. 24 App. V.S.A. chapter 5, subchapter 5, § 515 is added to read:

17 § 515. MONTPELIER WATER VOTING DISTRICT NO. 1

18 (a) The area that was Berlin Fire District No. 1 is redesignated as the
19 Montpelier Water Voting District No. 1. The residents of the Montpelier
20 Water Voting District No. 1 shall be residents of the City of Montpelier for the
21 purpose of voting at any annual or special meeting of the city on an article or

1 appropriation that regards water services, water rates, or bonding for water
2 services.

3 (b) The City of Montpelier shall:

4 (1) Maintain a checklist of voters that reside in this voting district.

5 (2) Warn members of the voting district for any annual or special
6 meeting where articles referenced in subsection (a) of this section are to be
7 voted upon.

8 (3) Prepare ballots with the articles described in subsection (a) of this
9 section for members of the district, and allow members of the district to vote at
10 any annual or special meeting of the city where articles described in subsection
11 (a) of this section are to be voted upon.

12 (4) Comply with all other provisions of this subchapter when conducting
13 an election as provided in this section.

14 Sec. 4. MERGER

15 The charter of Berlin Fire District No. 1 is repealed, and the assets and
16 liabilities of the fire district are merged into the City of Montpelier in a manner
17 consistent with this act.

18 Sec. 5. EFFECTIVE DATE

19 This act shall take effect upon passage.