

1 S.57

2 Introduced by Senators White and Shumlin

3 Referred to Committee on

4 Date:

5 Subject: Municipal government; waterworks; ordinances; water capacity;  
6 allocation

7 Statement of purpose: This bill proposes to authorize municipalities to  
8 regulate the allocation of water capacity.

9 An act relating to municipal regulation of water capacity

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

11 Sec. 1. 24 V.S.A. § 3315 is amended to read:

12 § 3315. ORDINANCES

13 ~~Such~~ A municipal corporation shall have the power to make, establish, alter,  
14 amend, or repeal ordinances, regulations, and bylaws relating to the matters  
15 contained in this chapter and not inconsistent with law, including the authority  
16 to:

17 (1) require existing customers to remain connected to ~~such~~ the  
18 municipal system, and to impose penalties for the breach thereof, and enforce  
19 ~~the same~~ those penalties; and

1           (2) allocate capacity pursuant to one of the following under subdivision  
2 (A) of this subdivision (2), either in the form as adopted or as later amended:

3           (A)(1) An ordinance adopted under sections 1972 and 1973 of this  
4 title which may authorize the municipality to include in a specified allocation  
5 phasing provisions and other conditions intended to implement the provisions  
6 of a municipal plan adopted under section 4385 of this title or bylaws adopted  
7 under sections 4403 and 4404 of this title;

8           (2) Bylaws adopted under sections 4403 and 4404 of this title; or

9           (3) Interim bylaws adopted under section 4410 of this title.

10           (B) The municipal ordinance, bylaw, or interim bylaw may establish  
11 time limits for capacity permits and may require that the reserve capacity shall  
12 revert to the municipality upon the failure of the recipient to renew a capacity  
13 permit, to initiate construction, or to complete construction.