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H.554

Introduced by Representatives Morgan of Milton and Leavitt of Grand Isle

Referred to Committee on

Date:

Subject: Municipal government; municipal charters; Town of South Hero

Statement of purpose of bill as introduced: This bill proposes to approve the adoption of the charter of the Town of South Hero. This bill also proposes to authorize the Town to adopt a local option tax and appoint a Town Auditor and Town Administrator.

An act relating to approval of the adoption of the charter of the Town of South Hero

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

Sec. 1. CHARTER ADOPTION APPROVAL

The General Assembly approves the adoption of the charter of the Town of South Hero as set forth in this act. The voters approved the charter proposal on August 1, 2023.

Sec. 2. 24 App. V.S.A. chapter 148 is added to read:

CHAPTER 148. TOWN OF SOUTH HERO

§ 1. CORPORATE EXISTENCE RETAINED

1 (a) Pursuant to the authority granted by the General Assembly, there is
2 hereby enacted a charter to govern the organization and operation of local
3 government in the Town of South Hero.

4 (b) The inhabitants of the Town of South Hero, within the geographical
5 limits as now established, shall continue to be a municipal corporation by the
6 name of the Town of South Hero.

7 § 2. ELECTED OFFICERS

8 (a) Except as otherwise provided by this charter, the elected officers of the
9 Town of South Hero shall be those required for towns by the State law, and
10 they shall be elected by Australian ballot.

11 (b) The officers shall exercise all powers and perform all duties necessary
12 or required to carry out the provisions of this charter as well as those provided
13 by the State law generally.

14 § 3. APPOINTED OFFICERS

15 (a) In addition to all other offices that may be filled by appointment by the
16 Selectboard pursuant to State law or this charter, the Selectboard shall appoint
17 the following Town officers, who shall serve for such terms as the Selectboard
18 may establish in its act of appointment or until the office otherwise becomes
19 vacant:

20 (1) a Delinquent Tax Collector; and

21 (2) three Town listers.

1 (b) The Selectboard shall adopt and revise from time to time a general
2 statement of the qualifications and job descriptions necessary to perform the
3 duties and responsibilities of each of the appointed Town offices. The
4 Selectboard shall appoint the candidate who, in its judgment, best meets the
5 qualifications for each office, giving due consideration to individuals who
6 have expressed a commitment to serving the best interests of the Town.
7 Appointed officers shall exercise all the powers and duties necessary to carry
8 out the provisions of this charter as well as those provided by State law
9 generally.

10 (c) The Selectboard may adopt a job description for the position of Town
11 Administrator and may appoint a Town Administrator, who shall not
12 simultaneously hold an elected office within the Town.

13 § 4. AUDITOR

14 The Selectboard shall annually appoint a Town Auditor, who shall perform
15 all the duties of Town Auditors as required by State statute and those
16 additional duties specified by the Selectboard. The Town Auditor need not be
17 a resident or voter of South Hero and shall serve at the pleasure of the
18 Selectboard. Not less than every three years, the Selectboard shall contract
19 with a public accountant, licensed by the State, to perform a financial audit of
20 all funds of the Town.

1 §5. SEVERABILITY

2 If any provision of this charter is held invalid, the other provisions of the
3 charter shall not be affected thereby.

4 § 6. ORDINANCES

5 The Town of South Hero may adopt, amend, repeal, and enforce any rule,
6 regulation, bylaw, or ordinance to carry into execution all the powers granted
7 to the Town of South Hero.

8 § 7. LOCAL OPTION TAX

9 (a) The Selectboard is authorized to impose a one percent local option tax
10 on any or all of the following: rooms, meals, or alcoholic beverages.

11 (b) Any local option tax imposed under this section shall be collected and
12 administered, and may be rescinded, as provided by the general laws of the
13 State.

14 (c) The Town's share of the revenues received through the imposition of a
15 tax imposed by this section shall be used for property maintenance and
16 projects within the Town of South Hero.

17 Sec. 3. EFFECTIVE DATE

18 This act shall take effect on passage.