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

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

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

§ 4. AUDITOR

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

Town of South Hero

Title 24 Appendix: Municipal Charters

1. **Corporate existence retained**
   a. Pursuant to the authority granted by the General Assembly, there is hereby enacted a charter to govern the organization and operation of local government in the Town of South Hero.
   b. The inhabitants of the Town of South Hero, within the geographical limits as now established, shall continue to be a municipal corporation by the name of the Town of South Hero.
2. **General Law: application**
   a. The Town of South Hero shall have all powers granted to towns and municipal corporations by the Constitution and laws of this State and this chapter, together with all the implied powers necessary to carry inti execution all the powers therein granted.
   b. Except when changed, enlarged, or modified by the provisions of this charter, all provisions of the statutes of the State applying to towns and municipal corporations shall apply to the Town.
   c. In this charter, any mention of a particular power shall not be construed to restrict the scope of the powers that the Town would have if the particular power were not mentioned, unless this charter otherwise provides.
   d. Nothing in this charter shall be construed to limit in any way the powers and functions conferred on the Town, the Selectboard, or its elected or appointed officers by general or special enactment of State statutes or rules in force or effect or hereafter enacted, and the powers and functions conferred by this charter shall be cumulative and in addition to the provisions of the general or special enactment unless this charter otherwise provides.
3. **Elected Officers**
   a. Except as otherwise provided by this charter, the elected officers of the Town of South Hero shall be those required for towns by the State law, and they shall be elected by Australian ballot.
   b. The officers shall exercise all powers an perform all duties necessary or required to carry out the provisions of this charter as well as those provided by the State law generally.
4. **Appointed Officers**
   a. In addition to all other offices that may be filled by appointment by the Selectboard pursuant to State Law, or this charter, the Selectboard shall appoint the following Town officers, who shall serve for such terms as the Selectboard may establish in its act of appointment or until the office otherwise becomes vacant.
      1. A Delinquent Tax Collector
      2. Three Town listers.
   b. The Selectboard shall adopt, and revise from time to time, a general statement of the qualifications and job descriptions necessary to perform the duties and responsibilities of each of the appointed Town offices. The Selectboard shall appoint the candidate who, in its judgment, best meets the qualifications for each office, giving due consideration to individuals who have expressed a commitment to serving the best interest of the Town.