

Agenda Summary July 30, 2025

Agenda Item No. B-2 Alternative Revenue Sources

Summary: During the Selectboard's goal setting session you requested time set aside to discuss alternative revenue sources. Vermont is not a home rule state, but rather it is a Dillon's Rule state. All authority to raise revenue comes from the Vermont General Assembly. The Vermont General Assembly reserves most revenue authority for the state government. The only taxes available to municipalities are the property tax and 1% on local option taxes. With local option taxes the Town is able to retain .75 of the 1%. The Vermont League of Cities & Towns plans to push in the next State legislative session from them to increase the ability for municipalities to retain .80 of 1% if the local option taxes collected.

There are two ways to obtain greater revenue through taxes. One is through general State law that provides taxing authority to municipalities. The other method is through a municipal charter change providing authority to a singular municipality that may differ from general state statutes. This is a link to the charter amendment statutes:

<https://legislature.vermont.gov/statutes/section/17/055/02645>

It is important to understand that the Vermont General Assembly can unilaterally amend a municipal charter at any time, but generally charter amendments occur when a municipality votes to amend it and subsequently the Vermont General Assembly approves the amendment. The only Vermont municipalities staff are aware that have tax authority through their municipal charter not available to all municipalities is Burlington and Rutland City (See Attached). Both administer and collect their own local meals, entertainment, lodging, or alcohol taxes, but also have a local option sales and use tax administered by the State. Stowe doesn't have the same level of staffing as Burlington or Rutland City, so ideally if a tax is adopted it would be collected by the State and remitted to the municipality.

Town Plan Impact: N/A

Fiscal Impact: Each penny on the property tax rate currently yields \$537,540. At 75% retention over a full fiscal year, each percentage point on the local sales tax is estimated to yield \$1,370,000, and each percentage point on local rooms, meals, and alcohol tax is estimated to yield \$1,700,000. The breakdown is approximately as follows:

Rooms - \$850,000
Meals - \$625,000
Alcohol - \$225,000

Each additional .05% of local option taxes the Town is able to retain is estimated to yield \$200,000 +/-.

The Town currently receives local option sales tax revenue from the sale of ski lift tickets, but staff are not able to isolate what portion is attributable to this activity as the state does not publish or share revenue totals for individual businesses. Therefore, any additional revenue that may be generated from a ski-lift tax is not clear.

Recommendation: Move to support VLCT's efforts to obtain legislative authority to retain .80 of 1% of local option taxes collected.

Discuss and advise on anything further the Selectboard may choose to further pursue or desire for staff to research.

The Vermont Statutes Online

The Statutes below include the actions of the 2024 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 17 : Elections

Chapter 055 : Local Elections

Subchapter 002 : TOWN MEETINGS AND LOCAL ELECTIONS IN GENERAL

(Cite as: 17 V.S.A. § 2645)

§ 2645. Charters; adoption, repeal, or amendment; procedure

(a) A municipality may propose to the General Assembly to adopt, repeal, or amend its charter by majority vote of the legal voters of the municipality present and voting at any annual or special meeting warned for that purpose in accordance with the following procedure:

(1) A proposal to adopt, repeal, or amend a municipal charter (charter proposal) may be made by the legislative body of the municipality or by petition of five percent of the voters of the municipality.

(2) An official copy of the charter proposal shall be filed as a public record in the office of the clerk of the municipality at least 10 days before the first public hearing. The clerk shall certify the date on which he or she received the official copy, and the dated copies thereof shall be made available to members of the public upon request.

(3)(A) The legislative body of the municipality shall hold at least two public hearings prior to the meeting to vote on the charter proposal.

(B) The first public hearing shall be held in accordance with subdivision (a)(2) of this section and at least 30 days before the vote.

(4)(A) If the charter proposal is made by the legislative body, the legislative body may revise the proposal as a result of suggestions and recommendations made at a public hearing, but in no event shall such revisions be made less than 20 days before the date of the meeting to vote on the charter proposal.

(B) If revisions are made, the legislative body shall post a notice of these revisions in the same places as the warning for the meeting not less than 20 days before the date of the meeting and shall attach such revisions to the official copy kept on file for public inspection in the office of the clerk of the municipality.

(5)(A) If the charter proposal is made by petition, the second public hearing shall be held no later than 10 days after the first public hearing. The legislative body shall not have the authority to revise a charter proposal made by petition.

(B) After the warning and hearing requirements of this section are satisfied, the petitioned charter proposal shall be submitted to the voters at the next annual meeting, primary, or general election in the form in which it was filed, except that the legislative body may make technical corrections.

(6)(A) Notice of each public hearing and of the annual or special meeting shall be given in accordance with section 2641 of this chapter.

(B)(i) Each notice shall specify the charter sections to be adopted, repealed, or amended, setting out those sections in the amended form, with deleted matter struck through and new matter underlined.

(ii) If the legislative body of the municipality determines that the charter proposal is too long or unwieldy to set out in amended form, the notice shall include a concise summary of the charter proposal and shall state that an official copy of the charter proposal is on file for public inspection in the office of the clerk of the municipality and that copies thereof shall be made available to members of the public upon request.

(7)(A) Voting on a charter proposal shall be by Australian ballot.

(B)(i) The ballot shall show each charter section to be adopted, repealed, or amended in the amended form, with deleted matter struck through and new matter underlined, and shall permit the voter to vote on each separate proposal contained within the charter proposal.

(ii) If the legislative body determines that the charter proposal is too long or unwieldy to be shown in the amended form, voters shall be permitted to vote upon each separate proposal in its entirety in the form of a yes or no proposition.

(C) An official copy of the charter proposal shall be posted conspicuously in each ballot booth for inspection by the voters during the balloting.

(b)(1) The clerk of the municipality, under the direction of the legislative body, shall announce and post the results of the vote immediately after the vote is counted.

(2) The clerk, within 10 days after the day of the meeting, shall certify to the Secretary of State each separate proposal contained within the charter proposal, showing the facts as to its origin and the procedure followed, which shall include:

(A)(i) If the charter proposal was made by the legislative body, the minutes recorded by the legislative body that detail the origins and intent of each separate proposal;

(ii) If the charter proposal was made by voter petition, the body of the petition and evidence of the required number of petition signatures;

(B) A copy of the official certified copy of the charter proposal filed with the clerk of the municipality pursuant to subdivision (a)(2) of this section;

(C) Copies of the warnings and published notices for each of the public hearings held pursuant to subdivision (a)(3) of this section;

(D) Minutes recorded by the legislative body that detail each of the public hearings held pursuant to subdivision (a)(3) of this section;

(E) Copies of warnings and published notices for the meeting to vote on the charter proposal; and

(F) A copy of the ballot and the results of the vote or votes on the charter proposal.

(c) After confirming that the clerk of the municipality has certified each of the documents listed in subdivision (b)(2) of this section, the Secretary of State shall file the certificate and deliver copies of it to the Attorney General, the Clerk of the House, the Secretary of the Senate, and the chairs of the committees concerned with municipal charters of both houses of the General Assembly.

(d) The charter proposal shall become effective upon affirmative enactment of the proposal, either as proposed or as amended by the General Assembly. (Added 1977, No. 269 (Adj. Sess.), § 1; amended 1979, No. 200 (Adj. Sess.), § 100; 1981, No. 239 (Adj. Sess.), § 22, eff. May 4, 1982; 1983, No. 161 (Adj. Sess.); 1987, No. 63; 2017, No. M-7, § 2A, eff. May 22, 2017.)

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Title 24 Appendix : Municipal Charters

Chapter 003 : City of Burlington

Subchapter 003 : CITY COUNCIL WITH MAYOR PRESIDING AND CITY COUNCIL

(Cite as: 24 App. V.S.A. ch. 3, § 48)

§ 48. Enumerated

The City Council shall have power:

(1) To establish and regulate a market and to regulate, license, tax, or prohibit the selling or peddling of meat, fish, or other provisions on foot or from vehicles about the City, except that the City Council shall not have power to license, tax, or prohibit farmers selling the produce of their own farm.

(2) To restrain and prohibit all descriptions of gaming, to order the destruction of all instruments and devices used for that purpose, and to license or tax any such devices or instruments the usage of which is now, or may hereafter be, permissible under the laws of the State and to license or tax any mechanical or electrical amusement devices or the places wherein the same may be located.

(3) To regulate, license, tax, or prohibit the exhibition of common showmen, circuses, menageries, carnivals, and shows of every kind, and all plays, athletic contests, exhibitions, or entertainments for money, including the power to tax admissions to the same except such as may be conducted by educational or nonprofit institutions or organizations or wholly for charitable purposes; to provide a system of examination, approval, and regulation of motion picture films, reels, or stereopticon views or slides and of banners, posters, and other like advertising matter used in connection therewith; to create and establish a Board of Censors to administer such system within the limits of said City and to define and prescribe their duties and powers and to regulate, restrict, or prevent attendance of minors at exhibitions of films, reels, or stereopticon views.

(4) To regulate, license, tax, or prohibit itinerant vendors, peddlers, street musicians, transient auctioneers, and itinerant photographers, provided the City Council shall not have the power to license, tax, or prohibit farmers selling the produce of their own farm.

(5) To prevent riots, noises, disturbances, or disorderly assemblages.

(6) To abate and remove nuisances; to regulate or prohibit the storage and accumulation on premises within the City of garbage, ashes, rubbish, refuse, and waste materials; to tax or license for revenue and regulate or prohibit the collection and removal of such materials from such premises and the disposal of the same by private persons or agencies; to compel and regulate the removal and disposal of such materials by owners, tenants, and occupants of such premises; to require and provide for the collection, removal, and disposal of such materials by the City at its expense by contract with some private individual or agency or by some City officer, officers, or department either existing, or hereafter created and established by the City Council for that purpose; to establish, in case the collection, removal, and disposal of such materials is done at the expense of the City, service rates to be paid to the City by the owners, tenants, or occupants of premises from which said materials are collected and removed for services rendered by the City in collecting, removing, and disposing of such materials, to compensate the City for the cost and expense of those services. All service rates against owners or others shall be collected and enforced under such regulations and ordinances as the City Council shall prescribe.

(7) [Repealed.]

(8) To compel the owner or occupant of any unwholesome, noisome, or offensive house or place to remove or cleanse the same from time to time, so far as may be necessary for the health or comfort of the inhabitants of said City.

(9) To direct the location and management of all slaughterhouses, markets, steam mills, blacksmith shops, sewers, and all private drains and to compel the construction of drains within the limits of the City, under such inspection regulations as the City Council may adopt.

(10) To regulate the use in blasting, the manufacture, and the keeping of gunpowder and all other combustible and dangerous materials.

(11) To regulate the making of alterations and repairs of stovepipes, furnaces, fireplaces, and other things from which damage by fire may be apprehended and also to regulate the use of buildings in crowded localities for hazardous purposes; to provide for the preservation of buildings from fires by precautionary measures and inspections.

(12) To establish and regulate a Fire Department and fire alarm system, and fire companies, except as herein otherwise provided.

(13) To regulate the size, height, material, and manner of erecting and constructing new buildings and repairing of buildings already constructed in said City or in certain prescribed localities therein and to regulate the use of streets for building purposes.

(14) To prescribe the duties and powers of inspectors of buildings and fire wardens and to provide penalties for any refusal or neglect to comply with the orders of said inspectors and fire wardens made by virtue of any resolution or ordinance passed by said City Council.

(15) [Repealed.]

(16) To prevent encumbering the streets, sidewalks, and public alleys with firewood, lumber, carriages, boxes, or other things.

(17) To provide for the care, preservation, and improvement of public grounds, except as herein otherwise provided.

(18) To restrain and punish vagrants.

(19) To make regulations respecting paupers, except as herein otherwise provided.

(20) To restrain or regulate the keeping and running at large of poultry, cattle, horses, swine, sheep, goats, and dogs. And in addition to the tax now imposed by the laws of this State upon the owner or keeper of dogs, to impose upon or require of the owner or keeper of any dog or dogs such additional tax or license fee for the keeping thereof, and prescribe such penalties in default thereof, as may be deemed necessary. And all monies received hereunder shall be paid into the City Treasury and belong to said City.

(21) To provide a supply of water for the protection of the City against fire and for the distribution and sale of water for private and public purposes to persons and corporations both within and without the City, and to regulate the use of the same; to establish and maintain reservoirs, aqueducts, water pipes, hydrants, or any other apparatus necessary for such purposes, upon, in, and through the lands of individuals and corporations both within and without the City, on making compensation therefor; but the City Council, in providing such supply of water and establishing and maintaining reservoirs, aqueducts, water pipes, hydrants, and other apparatus, as hereinbefore provided, for the distribution and sale of water outside of the City, shall not incur any expense for the same that cannot be paid from the current net earnings of the Water Resources Department above the necessary operating expenses, and the necessary cost of maintaining, improving, and adding to the property and equipment of that Department within the City, unless authorized by the legal voters so to do, and to raise the necessary funds to pay for the same.

(22) To regulate and determine the time or place of bathing in any of the public waters within said City, or adjacent thereto, and to prevent the same.

(23) To compel all persons to remove from the sidewalks and gutters in front of the premises owned or occupied by them all snow, ice, dirt, and garbage, and to keep such sidewalks and gutters clean, and to compel the owners or occupants of any land or premises in the City to cut and remove from the streets and sidewalks in front of such land or premises all grass, brush, thistles, and weeds growing or being thereon, under such regulations as may be prescribed therefor, except as herein otherwise provided.

(24) To regulate and license innkeepers, keepers of saloons, victualing houses, billiard saloons, billiard tables, bowling alleys, places of amusement, and auctioneers, or to tax the same, under such regulations as shall be prescribed therefor; and all monies paid for such licenses or taxes shall belong to the City and be paid into the City Treasury.

(25) To regulate or restrain the use of rockets, squibs, firecrackers, or other fireworks in the streets or commons, and to prevent the practicing therein of any amusements having a tendency to injure or annoy persons passing therein or to endanger the security of property.

(26) To regulate gauging; the place and manner of selling and weighing hay, packing, inspecting, and branding meats and produce; and of selling, measuring, and weighing wood, lime, coal, and petroleum products; and to appoint suitable persons to superintend and conduct the same.

(27) To regulate and license porters and cartmen who receive or discharge their loads within the City; to regulate and license the owners and drivers of taxicabs, jitneys, and motor vehicles for hire, receiving, or discharging passengers, with or without baggage, within the City, whether or not such vehicles are engaged in carrying passengers entirely within the City; to prescribe the duties and privileges of such owners and drivers; to fix and regulate rates of fare, including maximum and minimum rate or rates, for any such transportation of passengers within the City; to license and regulate all such vehicles; to rescind any and all licenses granted hereunder, and to prohibit the operation of such vehicles upon the streets of the City when either the owners or the drivers thereof have not complied with all the provisions of ordinances duly enacted hereunder; provided, however, that no license shall be granted hereunder unless the applicant has first complied with all the requirements of the laws of the State of Vermont relative to the registration and operation of motor vehicles to enable the applicant to use the license for which he or she applies; and to limit and restrict the use of its streets and highways by such motor vehicles in such manner as will promote the safety and general welfare of the public.

(28) To prescribe the powers and duties of watchmen and police officers of said City.

(29) To regulate, establish, and alter the grade of streets and the grade and width of sidewalks, and the construction thereof, and prescribe the material to be used therein.

(30) To provide for lighting of the City.

(31) To provide for removing and trimming shade, fruit, and ornamental trees in the public streets and parks whenever the public good or convenience requires the same to be done, except as herein otherwise provided.

(32) To prohibit and punish willful injuries to shade, ornamental, and fruit trees standing on public or private lands.

(33) To prevent and punish trespasses or willful injuries to or upon public buildings, squares, commons, cemeteries, fountains, statues, or other property.

(34) To establish and maintain a public library.

(35) To regulate the time and manner in which examinations of public documents, land records, and other public records shall be made.

(36) To establish, manage, and control public cemeteries, parks, commons, or any other public place in said City, and to regulate the use of the same by the public, except as herein otherwise provided.

(37) To permit, regulate, license, tax, or prohibit, except as herein otherwise provided, the suspending, putting up, or continuance of any sign or awning in or over any street, lane, alley, common, or other public place in said City; and whenever the public good may require, to order and direct that any such sign or awning heretofore erected or suspended as aforesaid shall be changed, taken down, or removed; and to order and direct the removal of any sign or awning upon which any license fee or tax levied under the provisions hereof shall not have been paid.

(38)(A) To provide for assessing owners of land and buildings thereon abutting any street, alley, or lane in said City such sum as said land and buildings shall be benefited by raising or lowering the surface of said street or highway and also to award such damages to such owners as they shall suffer in consequence of raising or lowering the surface of said street or highway as aforesaid.

(B) The same proceedings shall be had in respect to said award of damages and assessment as are herein provided in case the owners of lands are dissatisfied with the award of damages or amount of assessment in laying out or altering streets or highways and said assessment shall be a lien in the nature of a tax on the lands and buildings so assessed, and may be collected or enforced in the same manner herein provided for assessments made in laying out, altering, or resurveying any street or highway in said City.

(39) To provide for indexing any part or all of the records of deeds and of any or all public records of said City of Burlington, and like records of the former Town of Burlington, by the "card index," so-called, or any other like system. Such "card index" or other like system may be employed in addition to or in lieu of the manner of indexing now required by the laws of this State.

(40)(A) To fix, demand, impose, and enforce such terms, conditions, and regulations for the use or occupation of any street or highway in said City by any street railroad, traction, telegraph, telephone, electric, gas, electric lighting, electric power, or other company or any person enjoying the privileges, or exercising the functions of any such company aforesaid, as shall be just and reasonable, including any sum or sums of money to be paid to said City for the use of any street or highway by any or all of said companies for the purpose of laying, maintaining, and operating any street railway therein, or for the purpose of therein erecting and maintaining any poles, wires, or any other apparatus in or under the surface of said street and to prohibit the use of such street by any such company or person until such terms have been complied with.

(B) In case any such company or person cannot agree with said City upon such terms, said company or person may apply by petition to the county court within and for the County of Chittenden, and said court shall thereupon, after hearing all parties interested

therein, fix such terms as shall be just and reasonable and make all necessary orders for carrying its decision therein into effect.

(C) Provided, however, that no special franchise shall be granted by said City Council for a longer term than 30 years, and further provided that at the expiration of any franchise, or at any time thereafter, the City shall have the right to acquire the title to and take over the property employed or used in the business for which such franchise was granted, upon the payment to the owner of the same of the fair value of the physical properties at that time employed or used in such business, and that in case the City is unable to agree with the owners as to the value of such physical properties, then said property may be condemned and taken for public use, and the value thereof ascertained and awarded as compensation therefor to the owner of the same in the manner, as near as may be, provided in the general laws of the State for the determination of the damages to be awarded persons aggrieved or damaged by the construction or operation of a street railway, and further provided that the grant of every such special franchise shall contain provisions embodying the foregoing conditions and limitations. Provided, notwithstanding the foregoing, the City Council shall not have authority to increase the level of any franchise fee enacted pursuant hereto without first receiving approval by a majority of the voters present and voting at an annual or special City meeting duly warned for this purpose.

(41) To prescribe the duties of the Inspector of Electrical Wiring Apparatus and the installation and maintenance thereof, to regulate and require licenses for all persons engaged in the business or trade of selling electrical apparatus and supplies and in the business or trade of installing and repairing electrical wiring and apparatus but not including telephone or telegraph wires or apparatus, and to regulate and require licenses for all persons engaged in the business or trade of plumbing or house drainage within the limits of said City and to fix and impose the terms, conditions, and fees for all such licenses.

(42) To purchase, construct, and maintain a public wharf.

(43) [Reserved.]

(44) To acquire voting machines, so-called, and prescribe the use thereof in any or all elections held within said City.

(45) To order any streets or part of a street sprinkled, sprayed, or treated with water, tarvia, or any other materials when in its judgment the public good requires.

(46) To enact and enforce rules for its government and for the government of the City Council. Notwithstanding 1 V.S.A. § 172, the City Council may enact rules providing that, as long as a quorum exists, a valid majority for taking action may be a concurrence of a majority of those present and voting.

(47) To appropriate money in excess of the amount required by law to be raised for highways, which a town may now vote to raise at its annual meeting or at a special meeting duly warned for that purpose, according to the provisions of the laws of the State relating to

highways, and to assess upon the grand list of the City a tax sufficient to raise the amount of money so appropriated.

(48) To regulate the exposing for sale in the City and conveying through the streets of the City of foodstuffs intended for human consumption to prevent contamination thereof.

(49) To fix, impose, and establish the terms, conditions, and regulations under which any person or persons may exclusively occupy specified portion of any public street, lane, alley, or other thoroughfare used for public travel, for the storage or sale of oil or other merchandise, or for any other private purpose not affected with a public interest, to fix and collect a fee for such occupancy, and to prohibit use or occupancy of such specified portion for any other purpose.

(50) To acquire and hold by lease, purchase, or gift and to maintain within the limits of said City, or within the limits of an adjoining town, a public aviation field and municipal airport and to properly equip the same for use; to regulate the use of said field and its equipment and to charge, receive, demand, and collect from time to time reasonable compensation for use thereof and to manage and control such field and its equipment, appoint proper officers to have charge of the same and to define their duties; to provide for the establishment and maintenance of an airport police force to provide security and law enforcement within the limits of the airport premises and to lease to private parties for aviation purposes such part of said field and buildings as in the judgment of the City Council is not for the time being required by the City for the purposes of a public aviation field or municipal airport and for such time as in the judgment of said Council the same is not so required.

(51) To acquire and hold by lease, purchase, or gift, and to maintain and operate within or without the limits of said City, a stone quarry, a sand and gravel pit, and an asphalt plant, and all lands and interests in lands, required for such purposes, and to properly equip the same for use, and to engage the City in the business of selling stone from such quarry, sand and gravel from such pit, and asphalt from such plant, to persons and corporations both within and without said City and for public or private purposes, said City being hereby authorized to maintain and operate such stone quarry, sand and gravel pit, and asphalt plant for such purposes.

(52) To regulate and license junk dealers.

(53) To receive and hold grants, gifts, or bequests of money or other property, in trust, the income or interest of which is to be used for the care, improvement, embellishment, and repairs of its burial grounds, or of private lots within any such burial ground.

(54) To receive and hold grants, gifts, or bequests in money or other property, in trust, for any governmental purpose, under the charter, and manage and use the same, its income, or interest, in accordance with the terms and conditions of the trust.

(55) To provide for, create, establish, maintain, and regulate an insurance sinking or reserve fund to be used for the purpose of compensating the City for any and all losses and damages to City property by reason of fire, tornado, wind, flood, or other casualty and for the purpose of paying to City employees, their dependents, executors, administrators, and heirs, any and all compensation that may become their due from the City under the provisions of the laws of the State relating to workers' compensation.

(56) To control and regulate the use of any present or future harbor on Lake Champlain in said City and to make and put into force and effect by proper ordinances all reasonable rules and regulations not in conflict with the jurisdiction of the federal government, governing the use of the waters of Lake Champlain within the City limits and the use of any public pier, wharf, or dock within said City; the mooring and anchorage of vessels within said harbors and at piers, docks, or wharfs within the City; trespasses and nuisances upon public and privately owned wharfs, docks, and piers; and all other proper and reasonable rules and regulations in the premises, tending to promote the public safety, health, morals, convenience, utility, and the public welfare, and to fix, determine, collect, and enforce reasonable charges for the use of any public wharf, pier, or dock owned by the City, and to prescribe and enforce penalties for violation of any and all of such rules and regulations.

(57) To enter into any agreement on behalf of the City with the United States, or any department, subdivision, or agency thereof, to accept grants, loans, and assistance from the United States, or any department, subdivision, or agency thereof, to make public improvements within the City, or upon property of the City outside its corporate limits, and to make appropriations consistent with the provisions of this charter to accomplish such purpose.

(58)(A) To acquire and hold by lease, purchase, gift, condemnation under the provisions of 24 V.S.A. §§ 2805 through 2812, inclusive of the Vermont Statutes Annotated, as amended, or otherwise, and to maintain and operate within the limits of Chittenden County, a municipal parking lot or lots, a municipal parking garage or garages, and any other municipal parking structure(s), and to alter, improve, extend, add to, construct, and reconstruct such lots or garages, subject, however, to the provisions hereinafter contained in this subdivision (58). In exercising the foregoing power, and notwithstanding the preceding sentence, the City Council shall not, except pursuant to subdivision (50) of this section and section 276 of this charter, have authority to acquire any property outside the limits of the City of Burlington through the use of the power of eminent domain or condemnation. The City Council shall not be exempt from the responsibility for securing all applicable permits from any community within Chittenden County outside the limits of Burlington in which it desires to construct a parking lot or garage. Any parking lot or garage constructed by the City outside the corporate limits of Burlington shall be subject to the ad valorem property tax of the community in which it is located.

(B) The Board of Public Works Commissioners shall have general control, management, and supervision of all municipal parking lots and garages. The Board shall have power to make regulations with respect to the use of all such municipal parking lots and garages, including reasonable terms, conditions, and charges, and shall also have the power to regulate the parking, operation, and speed of vehicles and pedestrian and vehicular traffic on the public highways of the City, including such ways, streets, alleys, lanes, or other places as may be open to the public, to erect, maintain, and operate equipment and systems for the regulation of parking of vehicles; to govern and control the erection of guideposts, street signs, and street safety devices on the highways; and to prescribe regulations and penalties for violation of the same in respect to all of the matters and to remove and impound as a public nuisance, at the expense of the owner, any vehicle found parking on a public highway or in a municipal parking lot or garage in violation of any City ordinance or any regulation hereunder, and to prescribe the terms and conditions upon which the owner may redeem such vehicle from the pound, which regulations, when published in the manner provided in section 49 of this charter for the publication of ordinances, shall have the force and effect of ordinances of the City, and violations of which shall be subject to the penalties provided in section 50 of this charter. All ordinances of the City, and all regulations of the Board of Parking Commissioners, in effect prior to July 1, 1959, shall remain in full force and effect notwithstanding that the subject matter thereof shall be within the jurisdiction of the Board of Public Works Commissioners, unless and until such Board shall, by regulation duly adopted and published, alter, amend, or repeal the same.

(C) The Board shall also from time to time recommend to the City Council the acquisition or construction of municipal parking lots or garages, and the City Council shall not authorize such acquisition or construction without such recommendation, nor shall the City Council dispose of or lease to others for operation any municipal parking lot or garage without the recommendation of the Board.

(D) All receipts from the operation or lease of municipal parking lots and garages shall be kept by the City Treasurer in a separate fund, to be known as the Parking Facilities Fund and shall be used for the purpose of paying any and all expenses related to operating, maintaining, acquiring, constructing, or expanding the lots and garages, including any payments on any obligation incurred for construction or repair of those lots or garages. Any amounts unused at the end of a fiscal year shall be carried over to the next fiscal year. All revenues generated from on-street parking equipment and systems shall be used by the City Council for traffic regulation and control, including acquisition or maintenance of parking facilities; proper repair or construction of streets, sidewalks, and bridges; traffic or parking demand management facilities, planning, or services; traffic calming measures; and other transportation-related activities. In addition, the City Council may vote to place any such revenues in the Parking Facilities Fund, at its discretion.

(E) If it shall reasonably appear to the Board of Public Works Commissioners at any time that the receipts from the existing municipal parking lots or garages are in excess of the amounts required for the purposes enumerated in subdivision (D) of this subdivision (58), and that the acquisition of further lots or garages is not required, they shall cause rates and charges for the use of the lots and garages, or some of them, to be reduced.

(F) If the Board of Public Works Commissioners, pursuant to the provisions of subdivision (C) of this subdivision (58), has recommended the acquisition or construction of a new parking lot or garage, the City Council may from time to time pledge, assign, or otherwise hypothecate the net revenues from the lots or garages, after the payment of operating expenses, and may mortgage any part or all of the lots or garages, including personal property located therein, to secure the payment of the cost of purchasing, acquiring, leasing, altering, improving, extending, adding to, constructing, or reconstructing the lots or garages, but the City Council shall not pledge the credit of the City for any of the purposes except in accordance with the provisions of section 62 of this charter.

(59) To fix and establish, and to provide for the collection of, sewer rents and sewage disposal charges, and to alter and amend the same, pursuant to the provisions of the general laws of the State relating thereto. In addition, the City Council shall also have the power to fix and establish by ordinance, and to alter and amend from time to time thereafter, reasonable fees to be paid for new or amended uses of lands or buildings that shall require a new or additional allocation of a portion of the City's wastewater collection system capacity, and/or wastewater treatment facilities capacity, such fees to include capacity charges, connection fees, impact fees, or similar charges related to the sewer system.

(60) To exercise any powers now or hereafter granted to municipalities under the laws of the State, and not inconsistent with the provisions of this charter; provided, however, that in the event so granted to municipalities, excepting only those powers relating to the amount of taxes that may be assessed upon the grand list, are more extensive than the powers herein contained, the powers so granted shall control.

(61) To provide by ordinance minimum requirements and standards for the subdivision of lands within the corporate limits of the City, including standards and requirements for streets, services, and utilities in such subdivisions; to prescribe penalties for the violation of such standards or requirements; to prohibit such subdivisions and to prohibit the recording or filing of plans for such subdivisions as do not comply with such standards or requirements; and to designate appropriate City officials to pass upon such compliance; provided, however, that no ordinance shall be adopted hereunder until after public hearing thereon. The term "subdivision" as used herein shall mean the division of a tract or parcel of land into two or more lots for the purpose, whether immediate or future, of sale or building development, excluding development for agriculture purposes, and shall include resubdivision.

(62) To provide by ordinance a procedure for waiver of process and prosecution by an individual, firm, or corporation notified or accused of a violation of a City of Burlington ordinance by payment to the City of an amount fixed by ordinance, in lieu of such process and prosecution.

(63)(A) To establish and maintain a unified Department of Public Works, the superintendent of which will be designated Public Works Director, said Department to be managed and controlled by the Mayor and City Council. The City Council may by resolution delegate any of its powers relating to the Public Works Department to the Board of Public Works Commissioners.

(B) The Board of Public Works Commissioners shall consist of seven legal voters of the City of Burlington, who shall be appointed by the City Council to serve for the term of three years, and until their successors are appointed and qualified, except as herein otherwise provided.

(C) The City Council with Mayor presiding shall appoint to the Public Works Commission seven legal voters of the City of Burlington. On the first Monday in June, 1988, and every three years thereafter, the City Council with Mayor presiding shall appoint three commissioners to serve a term of three years. On the first Monday in June 1989, and every three years thereafter, the City Council with Mayor presiding shall appoint two commissioners to serve a term of three years. On the first Monday in June 1990, and every three years thereafter, the City Council with Mayor presiding shall appoint two commissioners to serve a term of three years.

(D) The Public Works Director shall have the special and immediate care and practical supervision of the Public Works Department, its personnel, and its facilities and equipment, subject to the authority of the Mayor as Chief Executive Officer and the orders and ordinances of the City Council.

(E) Unless otherwise determined by resolution of the City Council, the Public Works Department shall, in addition to the Director, consist of a Streets Division, Water Division, Waste/Solid Waste Division, Traffic Division, Finance Division, Equipment Maintenance Division/Engineering Division, and Construction Division, each of which shall include a Manager who shall be hired as a City employee by the Director and shall serve subject to the direction of the Director.

(64)(A) Where there is no written rental agreement and notwithstanding 9 V.S.A. § 4467(c), to prohibit, by ordinance, a landlord from terminating a tenancy of rental housing within the City for no cause unless the landlord provides to the tenant written notice of at least 90 days when the tenancy has been less than two years and of at least 120 days when the tenancy has been two years or more.

(B) Unless inconsistent with a written rental agreement or otherwise provided by law, and notwithstanding the provisions of 9 V.S.A. § 4456(d), to require, by ordinance, tenants who wish to terminate a residential tenancy to give actual notice to the landlord at least two rental periods prior to the termination date specified in the notice.

(65) To prohibit increases in rent for rental housing within the City without advance written notice of at least 90 days.

(66) To regulate thermal energy systems in residential and commercial buildings, including assessing carbon impact or alternative compliance payments, for the purpose of reducing greenhouse gas emissions throughout the City. No assessment of carbon impact or alternative compliance payment shall be imposed unless previously authorized by a majority of the legal voters of the City voting on the question at an annual or special City meeting duly warned for that purpose. (Amended 1999, No. M-7, § 4, eff. May 19, 1999; 2003, No. M-14 (Adj. Sess.), § 1a; 2011, No. M-4, § 2, eff. April 4, 2011; 2017, No. M-7, § 2, eff. May 22, 2017; 2019, No. M-6, § 2, eff. May 23, 2019; 2021, No. M-9 (Adj. Sess.), § 2, eff. April 20, 2022; 2021, No. M-19 (Adj. Sess.), § 2, eff. June 7, 2022.)

The Vermont Statutes Online

The Statutes below include the actions of the 2024 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 24 Appendix : Municipal Charters

Chapter 009 : City of Rutland

Subchapter 003 : POWERS OF MUNICIPALITY

(Cite as: 24 App. V.S.A. ch. 9, § 3.01)

§ 3.1. Powers of the City of Rutland

The powers of the City of Rutland under this charter shall be construed liberally in favor of the City and, except as expressly limited herein specific mention of particular powers in this charter shall not be construed as limiting in any way the general powers as stated herein. The City of Rutland may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with the State of Vermont or any subdivision or agency thereof, or provided it is so authorized under the general laws of the State of Vermont or by a special act, with the United States of America or any subdivision or agency thereof. The City of Rutland has the power to receive by gift, grant, devise, bequest, purchase, or condemnation any real or personal property, and to hold in fee, hold in trust, lease, or convey any such real or personal property within or without the limits of the City of Rutland as the purpose of the corporation may require; to borrow on the credit of the City in the mode and subject to the restrictions hereinafter provided; to contract, to sue, prosecute, and defend; to have, make use, and alter at pleasure a City seal; to have and to exercise all other rights, powers, privileges, and immunities conferred upon towns of the State of Vermont by law or necessary to carry out its corporate functions and duties. In the exercise of any of the powers granted to the City of Rutland by this charter, the City may enact ordinances, rules, and regulations and prescribe penalties for the violation of any such ordinances, rules, and regulations; provided, however, that no such penalties shall exceed imprisonment for one year or a fine of \$500.00, or both. Without in any way limiting the powers hereinafter granted, the City of Rutland shall have the power:

(1) to enact and enforce rules for its government;

(2) to enter into any agreement on behalf of the City with the United States of America, or any department, subdivision, or agency thereof, to accept grants, loans, and assistance from the United States of America or any department, subdivision, or agency

thereof to make public improvements within the City or upon property of the City outside its corporate limits and to make appropriations consistent with the provisions of this charter to accomplish such purpose; provided, however, no such agreement shall be entered into unless authorized under the general laws of the State of Vermont or by a special act;

(3) to accept and administer gifts, grants, and bequests in trust or otherwise for public purposes;

(4) to regulate the time and manner in which examinations of public documents, land records, and other records shall be made;

(5) to acquire voting machines, so-called, and prescribe the use thereof in any or all elections held within said City;

(6) to establish and create a fund or funds available as a pension to such employees of the City of Rutland as the City Council may hereafter from time to time designate; to create and authorize such boards or officers as may be necessary to administer, control, and make expenditures from such fund or funds; to appropriate funds from which such pension and the expenses incidental to the administration thereof may be paid; to designate by ordinance a retirement age for City employees beyond which age such employees may be removed from office and permanently retired; to establish the conditions and regulations under which such City employees may or shall be removed from office and retired; to designate and establish the sums that may be paid to such City employees as pensions and conditions of payment thereof; and to make, amend, or repeal such ordinances as may be convenient or necessary to create, manage, and operate a retirement plan and pension fund for City employees;

(7) to establish a reserve or fund to compensate the City for any and all losses and damages to City property by reason of fire or other casualty and to pay to City employees or those entitled any and all compensation that may become their due under the workman's compensation laws of the State of Vermont;

(8) to establish and regulate a Police Commission and Police Department;

(9) to prevent and prohibit riots, disturbances, and disorderly assemblages;

(10) to prohibit vagrancy;

(11) to regulate and control the use of streets and public places for pedestrian and vehicular traffic and the parking of vehicles of every kind and description;

(12) to remove and impound at the expense of the owner any vehicle found parked in a public place in violation of any City ordinance and prescribe the terms and conditions upon which the owner may redeem such vehicle;

(13) to install and operate coin operated parking meters for the regulation and control of parking of vehicles;

(14) to establish and regulate a Fire Department;

(15) to regulate and prohibit conditions and activities from which damage by fire or explosion may be apprehended;

(16) to establish and regulate a Department of Public Works;

(17) to provide a supply of water for the protection of the City against fire and for the use of the inhabitants of said City, and for other purposes; to establish, increase, maintain, and repair reservoirs, aqueducts, water pipes, pipelines, and other necessary apparatus for and in connection with its water supply; and from time to time to increase and add to its water supply; to preserve, protect, maintain, and operate the same; and in the exercise of such powers the said City of Rutland may purchase, and take, within or without its corporate limits, lands, springs, streams, and water rights of individuals and corporations, and divert water from natural channels into its water supply, on making compensation therefore. But the City shall not take, otherwise than by gift or purchase, waters or a spring of water, which the owner or lessee or other persons having a vested right or interest therein, or in the use thereof, may reasonably require for domestic use or watering stock; no money other than funds received on account of the water works will be appropriated without a vote to that effect by the legal voters of the City;

(18) to establish, maintain, alter, and enlarge such sanitary sewers, storm drains, combined sewers, sewage disposal systems, and sewage disposal plants both within and without the City as the public health, safety, or convenience may require and to take private lands and rights, both within and without the City necessary to accomplish such purposes on making compensation for the same;

(19) to establish a municipal system for the collection, removal, and disposal of garbage and other waste material and to make proper charges for such service;

(20) to accept, establish, maintain, alter, and enlarge such highways as the public safety or convenience may require and to take private land and rights necessary to accomplish such purpose on making compensation for the same;

(21) to construct, alter, and repair sidewalks and curbing and to assess abutting property owners for one-half of the cost of such improvements;

(22) to require all persons to remove from the sidewalks and gutters in front of the premises owned or occupied by them all snow, ice, dirt, and rubbish, and to keep such sidewalks and gutters clean; and to require the owners or occupants of any land or premises in the City to cut and remove from the same and from the street or sidewalk in front of such land or premises all grass, brush, and weeds growing or being thereon under such regulations as shall be prescribed therefore;

(23) to fix, impose, and enforce such terms, conditions, and regulations for the use and occupancy of any highway or other public lands in the City for the transmission of material, energy, or information by any public service or utility corporation or by any persons enjoying the privileges or exercising the functions of said corporations;

(24) to construct and maintain an electric generating and distribution system;

(25) to provide for the lighting of streets and public places;

(26) to regulate the size, height, material, and manner of erection and construction of new buildings, and the repairing, alteration, or removal of buildings already constructed in said City, or in certain prescribed localities therein; and to regulate the use of streets for such purposes;

(27) to establish and regulate a Department of Buildings and to prescribe the powers and duties of the Building Inspector;

(28) to regulate by ordinance minimum health and safety standards relative to housing;

(29) to adopt and enforce codes and regulations relative to the installation and maintenance of electric wiring, plumbing, heating, and fire protection and to license and regulate artisans engaged in the installation and maintenance of such facilities;

(30) to establish and regulate a Planning Department;

(31) to establish and operate a Recreation Department and to acquire and provide land and structures for recreational purposes;

(32) to provide for and regulate the care, preservation, improvement, and use of public property;

(33) to establish and operate a Welfare Department;

(34) to retain a City Physician;

(35) to appoint a Milk Inspector and to regulate the production of milk, cream, or milk products for distribution within the City and the sale and distribution of such products within the City and to license persons engaged in these activities;

(36) to establish and operate a Department of Civil Defense and to make ordinances and regulations for the protection of the City in the event of a public emergency;

(37) to establish an Airport Department and to operate a municipal airport within or without the City;

(38) to appropriate a sum for the support and maintenance of the Rutland Free Library Association, Inc., provided that the inhabitants of the City shall at all reasonable and proper times have the free use of said library;

(39) to establish and regulate a market and to prohibit or regulate the selling of provisions and merchandise of any kind on public lands;

(40) to regulate, license, tax, or prohibit vendors, peddlers, solicitors, beggars, and transient auctioneers, except when licensed by State or federal authorities;

(41) to license and regulate the processing and sale of meat;

(42) to regulate, license, tax, or prohibit entertainments of every kind exhibited for money, including circuses, fairs, plays, motion pictures, exhibitions, and mechanical and amusement devices including coin machines;

(43) to regulate the location and manner of operation of all slaughter houses, filling stations, fuel storage depots, public garages, manufacturing establishments, junk yards, vehicle repair shops, welding shops, and other commercial activities or establishments that cause smoke, fumes, soot, dust, or noxious substances to be cast upon the public ways;

(44) to license and regulate hotels, motels, and other lodging places, restaurants, and other victualing establishments and to tax the same for revenue purposes;

(45) to license and regulate public dance halls, bowling alleys, skating rinks, and other places of amusement and to tax the same for revenue purposes;

(46) to license and regulate truckmen, taxicabs, busses, and the owners or drivers of automobiles and motor trucks furnishing transportation for hire and to regulate their fees and prescribe their duties;

(47) to permit, regulate, license, tax, or prohibit the suspending, erection, or maintenance of any sign, awning, marquee, or display in or over any street or public place or visible therefrom and whenever the public good may require to order that any such sign, awning, marquee, or display be removed;

(48) to fix, impose, and establish terms, conditions, and regulations under which persons may use or occupy public land for private purposes;

(49) to regulate the manner of subdivision and development of real estate;

(50) to abate, enjoin, and remove nuisances;

(51) to regulate or prohibit gaming of all descriptions and to order and affect the destruction of all instruments and devices used for that purpose;

(52) to prohibit and punish for prostitution;

(53) to compel the owner or occupant of any unwholesome, noisome, or offensive house or place to remedy such condition so far as may be necessary for the health, safety, or comfort of the inhabitants of the City;

(54) to require the removal from private property of trees that due to their damaged or diseased condition represent a hazard to persons or property;

(55) to prohibit and punish for cruelty and inhumane treatment to animals;

(56) to prohibit the obstruction or the encumbering of streets, sidewalks, or other public places;

(57) to prohibit or regulate the keeping or running at large of animals within the City;

(58) to license and tax the owning or keeping of any animals in addition to any license fee or tax imposed by the State of Vermont;

(59) to prohibit and punish for trespasses or willful damage to public or private property;

(60) to prohibit or regulate the use of firearms or potentially dangerous weapons and to regulate the sale and transportation of the same within the City;

(61) to prohibit or regulate the preparation and use of rockets, missiles, and fireworks of all kinds within the City;

(62) to adopt a zoning ordinance to permit, prohibit, restrict, regulate, and determine land use or development, including the following:

(A) specific use of land, water courses, and other bodies of water;

(B) dimensions, location, erection, construction, repair, maintenance, alteration, razing, removal, and use of structures;

(C) areas and dimensions of land and bodies of water to be occupied by uses and structures, as well as areas, courts, yards, and other open spaces and distances to be left unoccupied by uses and structures;

(D) density of population and intensity of use;

(63) to establish and regulate a Department of Community Development;

(64) to establish, maintain, and fund a Redevelopment Authority;

(65) to establish and regulate campaign contributions and expenditures for local elections held within the City; provided that the provisions of Title 24 relating to the procedures for adopting ordinances and permissive referendums shall apply to ordinances adopted, amended, or repealed under this subdivision. (Amended 1997, No. M-17 (Adj. Sess.), § 4.)