

Proposed Charter Changes

§ 101. Merger of the Village and Town of Richford

Effective as of midnight at the end of December 31, 1998, the Village of Richford, as constituted by 1878 Acts and Resolves No. 202, as amended, shall merge with and into the Town of Richford, within its present geographic limits, as a single municipal corporation under the name of the Town of Richford, and the Village of Richford shall, except as hereinafter specifically provided, cease to exist as a political entity or body corporate and its charter shall be abolished. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 102. Assets transferred and liabilities assumed

(a) Upon the effective merger date, all assets of whatever kind, nature, and description, including lands; easements; rights and interests in lands; buildings and other improvements; vehicles, equipment, and other personal property; funds; grants; assessed but uncollected taxes and charges, including water and sewer rents and charges, together with the lien rights and enforcement powers of the Village of Richford therefore; monies; rights, claims, actions, and contracts; rights of action in legal or administrative proceedings; insurance policies; and documents and records owned, claimed, or held by the Village of Richford shall become vested in and become assets owned by the Town of Richford without any further act, deed, or instrument being necessary.

(b) Any and all property held in trust by the trustees of the Village of Richford or any officer thereof shall become vested in the Selectboard of the Town of Richford and its successors, or in the respective officer of said Town and his or her successor, as the case may be, and shall continue to be held in trust for the same uses as before the merger, all without any further act, deed, or instrument being necessary.

(c) Upon the effective merger date, the Town of Richford shall assume and be obligated to pay or otherwise perform each and every lawful obligation, debt, claim, bonded indebtedness, and other liability of the Village of Richford without any further act, deed, or instrument being necessary.

(d) Prior to the effective merger date, the officers of the Village of Richford shall settle, so far as possible, the financial affairs of the Village of Richford and, on said date, turn over to the proper officers of the Town of Richford all records, books, documents, and property of the Village of Richford. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 103. Finances

On the effective merger date:

(1) the funds and other assets of the Village of Richford for its General Fund, along with its corresponding liabilities, shall become those of the Town of Richford for its General Fund;

~~(2) the funds and other assets of the Village of Richford for its Highway Account, along with its corresponding liabilities, shall become those of the Town of Richford for its Highway Account;~~

~~(3) the funds and other assets of the Village of Richford for its Water Department, along with its corresponding liabilities, shall become those of the Town of Richford for its Water Department;~~

~~(4) the funds and other assets of the Village of Richford for its Sewer Department, along with its corresponding liabilities, shall become those of the Town of Richford for its Sewer Department;~~
and

~~(5) all of the other funds, assets, and liabilities of the Village of Richford, except as herein specifically provided shall become those of the Town of Richford as part of its General Fund and of its general assets and liabilities. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)~~

§ 104. Water and sewer rates

~~(a) All water and sewer rates of the Village of Richford in effect at the time of merger shall continue in effect until changed by the water commissioners or sewer commissioners of the Town of Richford. The Selectboard shall be the water and sewer commissioners. All costs of the Water and Sewer Departments shall be assessed against the properties served by said Departments.~~

~~(b) Annual water and/or sewer rates shall be set at a rate sufficient to cover annual expenditures, temporary indebtedness, and the amortizing of bonded indebtedness and interest. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)~~

§ 105. Police protection

~~(a) Police protection in the former Village area shall be considered a special services district for those residing therein, provided that boundaries may be altered as provided in section 208 of the charter. Voters residing in the special services district may determine by a majority vote of those present and voting at a duly warned meeting the extent of services desired. The Selectboard shall assess a tax based on the grand list of the area served for each owner's share of the listed value of his or her property to cover the costs for the entire area.~~

~~(b) If and when the Town desires police protection for the entire Town, the special services district will cease to exist for this purpose and the entire cost of police protection will become part of the General Fund budget expense of the Town. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)~~

§ 106. Trash collection

~~Trash collection in the former Village area shall be considered as a special services district for those residing therein. The Selectboard shall, in its sole discretion, determine whether to provide such service and whether to leave or enter into a contract for such service and whether to provide such service. Voters residing in the special services district may, by a majority vote of those~~

~~present and voting at a duly warned meeting, authorize the Selectboard to enter into a contract for such service. The Selectboard shall set a rate for such service sufficient to cover the expense of the contract and shall collect such rate from those property owners so served. The rates for service shall be collected in the same manner as taxes and shall constitute a lien on the property. In the case of delinquencies, service may be halted, and delinquencies may be collected in the same manner as delinquent taxes. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)~~

~~§ 107. Existing ordinances~~

~~(a) The Village zoning and flood hazard regulations, as amended, are hereby incorporated into the zoning ordinance of the Town of Richford for the purpose of defining a Village district within said Town ordinance and establishing area, density, use, building, and like requirements.~~

~~(b) Whenever a power is granted by any such rule, ordinance, regulation, or bylaw to an officer of the Village of Richford, such power is conferred upon the appropriate officer of the Town of Richford. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)~~

~~§ 108. Election of Selectboard~~

~~(a) Members of the Selectboard in office at the date of the adoption of the merger shall continue in office until the end of their respective terms.~~

~~(b) The four Village trustees whose terms do not expire in 1998 shall remain on the new Board until the election at Town meeting in 1999, at which time the Board shall revert to the statutory limit. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)~~

Subchapter 2: General Provisions

§ 201. Applicability of general law

(a) All provisions of the Constitution and general laws of the State of Vermont relating to towns and their officers shall apply in the Town of Richford.

(b) The Town of Richford shall have all the powers now or hereafter conferred upon towns and villages by the Constitution and general laws of the State of Vermont. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 202. Officers

(a) The officers of the Town of Richford shall be those provided by law for towns except as otherwise provided by this charter. Such officers shall have all the powers and duties necessary to carry out the provisions of this charter as well as those provided by law.

(b) All elected officials, except as provided by law or as specifically provided in this charter, shall be chosen at large from the legally qualified voters of the Town and shall hold office for the term specified and until their successors are elected and qualified.

(c) When an elected or appointed officer resigns, makes another town his or her residence, dies, or becomes incapacitated, that office shall become vacant and the Selectboard shall appoint an eligible person to fill the vacancy until the next annual meeting. The person elected at the annual meeting shall serve until his or her predecessor's term expires. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 203. Tax collection

The Town Treasurer shall collect property taxes and penalty and interest charges. The Town shall not elect other collectors of current or delinquent taxes. The Town Treasurer shall deposit all taxes, penalties, and interest charges in the Town accounts for the benefit of the Town of Richford. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 204. ~~Town and School District officers~~

~~The Clerk, Treasurer, and auditors of the Town of Richford shall perform those duties imposed upon the Clerk, Treasurer, and auditors of the Town of Richford School District by the general laws of the State of Vermont and this charter. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)~~

§ 205. Appointed officers, commissions, and committees

(a) The Selectboard may appoint any officers required by the Town's personnel regulations, this charter, or the general laws of the State of Vermont.

(b) The Selectboard may appoint commissions or committees as needed, and delegate incidental powers necessary for the proper functioning thereof, as established by law. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 206. Town meeting

(a) Provisions of the laws of the State of Vermont relating to voter qualification, warnings, methods of voting, the duties of the Town officers at Town meetings and elections, and all other particulars relating to preparation for, conduct, and management of Town meetings and elections shall, so far as they may be applicable, govern all municipal elections and all annual and special Town ~~and School District~~ meetings, except as otherwise specifically provided in this charter.

(b) All articles pertaining to the election of officers and monetary issues relating to expenditures warned for annual or special Town ~~or School District~~ meetings shall be voted by Australian ballot, except as otherwise specifically provided in this charter. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 207. Ordinances

Any rule, ordinance, regulation, or bylaw of the Town of Richford may apply to a limited area and not to the whole Town, notwithstanding that the rule, ordinance, regulation, or bylaw might also have been applied to another area or areas within the Town. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 208. Special districts

(a) The Selectboard may designate areas apart from the rest of the Town as a special service district and may provide that said area of the voters therein shall be provided with special services not common to all the voters of the Town, provided that the majority of the voters residing in the respective designated area and present and voting at the Town meeting on the subject shall have approved such resolution.

(b) Such area shall be reasonable geographically, taking into account the areas and persons actually benefited, the type and types of services to be provided, and the fact that the efficiency of providing multiple services in a single special service district might outweigh the fact that the areas and voters benefiting from the respective services might not coincide exactly.

(c) All costs required to support a given special service shall be paid for by the taxpayers receiving said service in such manner as the Selectboard may determine. ~~If the costs are to be paid by a tax on the grand list in the special service district involved, such tax~~ Said costs shall be paid and collected in the same manner as other taxes and such ~~costs~~ tax assessed on any part of the grand list shall be a lien thereon. All funds of any special services shall be kept in a special fund, no part of which may be used for any other purpose.

(d) The warning for each annual or special Town meeting may contain appropriate articles under which the legal voters residing in any special service district may separately vote. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

Subchapter 3: Water and Sewer Departments

§ 301. Existing Water and Sewer Departments

(a) The municipal water system taken over from the former Village of Richford and any additions thereto shall be maintained separate from all other departments of the Town, and all rents and revenue therefrom not necessary for current expenditures therefore shall be placed in a special fund, no part of which may be used for any other purpose.

(b) The municipal sewage system, not including the separate storm drain pipe lines, taken over from the former Village of Richford and all extensions thereto shall be maintained separate from all other departments of the Town, and all rents and revenues therefrom not necessary for current

expenditures therefore shall be placed in a special fund, no part of which may be used for any other purpose.

(c) All costs required to support the municipal Water and Sewer Departments shall be assessed against the properties receiving said service, at a rate to be determined by the Selectboard. Any unpaid assessment shall be a lien as provided in Title 24 of the Vermont Statutes Annotated. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 302. Voting procedures for water and sewer; capital improvements and extensions

(a) Voting for capital improvements for water or sewer service within the areas served by the water and sewer systems shall continue to be by the voters using these services in the same manner established in section 208 of this charter.

(b) However, if water or sewer lines are extended into areas that were not served at the time of the merger and if bonding or temporary costs are to be assumed by the Town, all legal Town voters shall be eligible to vote on the project.

(c) In all cases where bonding is required, all legal voters of the Town may vote on the bond issue, but in the area served by the former Village water and sewer systems, capital expenditures or projects requiring bonding shall first be approved by a majority vote of the water or sewer users, as the case may be, present and voting at a meeting called for that purpose. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

Subchapter 4: Municipal Services

§ 401. Fire prevention

For the prevention and control of fires, the Town of Richford may function with a volunteer fire department. Annually, the Selectboard shall appoint a fire chief, 1st Assistant chief, and 2nd Assistant chief, based on recommendations from the Firefighters' Association, three fire wardens. These appointments shall be made at the annual Selectboard reorganizational meeting in March, within 30 days of the day the Selectboard receives the Association's recommendations. Annually, the fire wardens shall choose the Chief and other officers of the volunteer fire department. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 402. Ambulance service

(a) ~~(a) The Town of Richford Selectboard may provide either contract for or establish an ambulance service for the Town, at the discretion of the Selectboard.~~

(b) ~~If so provided, If established, the Richford Ambulance Service which shall be owned and operated by the Town of Richford under the supervision of the Selectboard, with the~~

~~advice of an Ambulance Committee appointed by and serving at the pleasure of the Selectboard.~~

(c) ~~(b)~~-If established, tThe Richford Ambulance Service shall operate in accordance with the Richford Ambulance Service bylaws, policies, and procedures. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 403. Arvin A. Brown Public Library

The Town of Richford shall provide suitable rooms in a Town property for the Arvin A. Brown Public Library and shall keep the rooms furnished and heated without expense to the Arvin A. Brown Library Trustees, as set forth in the deed of March 13, 1914 recorded in Book 23, Page 65 of the Richford Land Records. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

Subchapter 5: Miscellaneous Provisions

§ 501. Severability

If any provision of this charter shall, for any reason, be held invalid, such invalidity shall not affect the remaining provisions that can be given effect without the invalid provision. To this end, the provisions of this charter are severable. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 502. Continuance in office

Except as specifically provided by this charter, if at the time this charter takes full effect a Town officer holds any office or position, he or she shall continue in such office or position until the taking effect of some specific provision(s) under this charter directing that he or she vacate the office or position. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 503. Municipal laws

(a) All Town ordinances, resolutions, bylaws, orders, policies, and regulations that are in force at the time this charter becomes fully effective shall remain in full force and effect excepting only those ordinances, resolutions, orders, policies, and regulations that are inconsistent with this charter.

(b) The adoption of this charter shall not effect any ordinance, resolution, or bylaw lawfully enacted, adopted, ordained, or established by the Town of Richford or the former Village of Richford that is not inconsistent with the provisions of this charter, but the same shall remain in full force and effect until repealed, altered, or amended. The Selectboard, by resolution duly adopted, shall incorporate and adopt as Town ordinances all ordinances and bylaws of the former

Village of Richford that have not in substance heretofore been adopted by the Town. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 504. Reference to statute

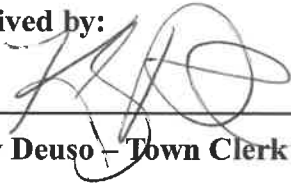
If any matter mentioned in this charter is said to be controlled by a specific statute, the reference to such statute shall include the statute as amended or renumbered, or any statute substituted therefore and having a similar subject matter. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

§ 505. Amendment of charter

This charter may be amended as set forth by the general laws of the State of Vermont. (Added 1997, No. M-11 (Adj. Sess.), § 2, eff. Jan. 1, 1999.)

An official copy of the proposed charter changes has been submitted to the Town Clerk on 12/30/2024 for public review 30 days before the first public hearing which is to be held on January 30, 2025 at 6:00pm.

Received by:



Kiley Deuso – Town Clerk

Date:

12/30/24