

CHAPTER I. INCORPORATION AND GENERAL PROVISIONS (Amend of 5-8-12)**Sec. 101. Corporate existence retained.**

The boundaries of the City of Barre shall be those as set forth and described in No. 221. of the Acts of 1945 and any amendments thereafter enacted. The City of Barre shall continue to be a municipal corporation.

Sec. 102. General law application.

Except when changed, enlarged or modified by the provisions of this charter, or by any legal regulation or ordinance of the City of Barre, all provisions of the statutes of this state relating to municipalities shall apply to the City of Barre.

Sec. 103. Wards established.

There shall be three (3) wards for the City of Barre and the boundaries of the wards shall be fixed from time to time by the Board of Civil Authority subject to the approval of the City Council. The boundaries shall be fixed so as to provide equal or near equal distribution of population among the three (3) wards in accordance with the most recent federal census.(Amend. of 3/2/82, 4/21/93, 4/19/19)

Sec. 104. General Corporate powers.

(a) The city shall have all the powers granted to towns and municipal corporations by the constitution and laws of this state together with all the implied powers necessary to carry into execution all the powers granted; it may enact ordinances not inconsistent with the constitution and laws of the State of Vermont or with this charter, and impose penalties for violation of those ordinances as allowed in 24 V.S.A. § 1974a, in addition to the costs of prosecution. (Amend. of 3/5/96, 4/19/19)

(b) The City may purchase real property, or interest in real property, within or without its corporate limits for the public benefit. The City may acquire real property by gift, devise, lease, easement, or condemnation and may sell, lease, mortgage, hold, convey by easement, manage and control such property as its interest may require. Any acquiring or conveying of property through the means listed in this section shall require approval of the council and shall also be subject to notice as required by 24 V.S.A. § 1061 or any successor provision. (Amend. of 9/13/88, Amend. of 11/2/05, 4/19/19, 3/1/22)

(c) In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular powers were not mentioned.

(d) The City of Barre shall fly only the City, State, United States, and POW/MIA flags. (Amend. Of 3/2/21)

Sec. 105. Ordinances – Subject Matter.

The general grant of ordinance promulgating authority in Section 104 shall include, but shall not be limited to, the authority:

(a) To adopt and enforce ordinances relating to making and installation of local improvements including curbs, sidewalks, storm drains, sewers and water lines; requiring the installation of curbs, sidewalks, storm drains, sewer and water lines, in a manner specified by the city as a condition precedent to the issuance of a building permit; apportioning part or all of the expenses of such improvements against property owners benefited thereby; providing for the collection of such assessments and penalties for nonpayment;

(b) To adopt and enforce ordinances establishing billboards, but such ordinances shall not permit the violation of the laws of this state or any city zoning ordinance or regulation;

(c) To adopt and enforce police ordinances regulating and prohibiting the use of firearms devices, air rifles and having a capacity to inflict personal injury, and the parking, operation and speed of motor vehicles upon city and state aid streets and highways;

(d) To adopt and enforce ordinances relating to regulation, licensing or prohibition of the storage and accumulation of garbage, ashes, rubbish, refuse and waste materials, regulation of the removal and disposal of such materials; licensing for revenue and regulation or prohibition of the collection, removal, and disposal of such materials by persons; city department now existing or created for that purpose; establishment of service rates to be paid the city for such service.

(e) To adopt and enforce ordinances relating to the operation, parking, soliciting, delivery or fares in the taxi business within the city.

(f) To adopt and enforce ordinances for the purpose of regulating and licensing the following activities, or other activities, which the City has the power to regulate or license, by virtue of the law of this State or of this Charter, and to fix reasonable and necessary fees therefore; places of public resort, or public amusement whether indoor or outdoor; places dispensing food and drink to the public, such as restaurants, bars, or inns; and public dances. (Sec.105 (f) added 3/4/97).

(g) Notwithstanding any contrary provision of general law, to adopt and enforce ordinances establishing a speed limit of less than 25 miles per hour on specified City streets, or sections thereof, within City boundaries as may be required for the safety and general welfare of the City. (Sec. 105 (g) added 4/19/19)(Amend. of 3/2/21)

The specification of powers herein shall not be deemed to limit the general grant of ordinances promulgating authority conferred by Section 104, or the ordinances adopted by the city prior to enactment of this act.

Sec. 106. Ordinances; Enforcement; adoption. (Amend. of 4/19/19)

(a) The council may provide penalties for the breach of any ordinance authorized by general law or this charter; may prosecute any person violating the same through the city attorney, grand juror or police officers who for such purposes shall be informing officers; and may maintain actions to restrain actual or threatened violations of the same. The establishment of any fine or penalty shall be by ordinance.

(b) Ordinance-making authority granted to the City by this charter and general law shall be exercised pursuant to the provisions of Section 107 and 108 of this charter.

Sec. 107. Ordinances; Adoption Process. (Amend. of 4/19/19)

(a) Every ordinance shall be introduced in writing. The enacting clause of all ordinances shall be "The council of the city of Barre hereby ordains...". If the council passes the proposed ordinance upon first reading, it shall cause it to be published in the form passed in a newspaper of general circulation in the city, or in such other manner of publication as acceptable in State law, at least once, together with a notice of the time and place when and where there will be a public hearing to consider the same for final passage. The first such publication shall be at least three (3) days prior to the date of the public hearing. (Amend. of 4/19/19)

(b) After the public hearing, the council may finally pass the ordinance with or without amendment. If the council amends the proposed ordinance, then it shall cause the amended ordinance to be published at least once together with a notice of the time and place of the public hearing, at which such amended ordinance will be further considered and which publication shall be at least three (3) days prior to the public hearing. Once the ordinance is adopted by the council the city clerk shall cause the ordinance as adopted to be published in a newspaper of general circulation within the city, or such other manner of publication as acceptable in State law, and said ordinance shall take effect fourteen (14) days after the date of the publication. (Amend. of 4/19/19)

Sec. 108. Filing of ordinances.

The city clerk shall keep in the clerk's office a book of ordinances which shall contain each ordinance finally passed by the council together with a complete index of the ordinances according to the subject matter.

Sec. 109. Reservation of powers to the city.

Nothing in this charter shall be so construed as in any way to limit the powers and functions conferred upon the City of Barre and the council by general or special enactments 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 such general or special enactments.

Sec. 110. Fiscal year.

The fiscal year of the City and the City School District shall begin the first day of July and end on the last day of June of each calendar year. The fiscal year shall constitute the budget and accounting year as used in this charter. (Amend of 5-8-12)

Sec. 111. Bonding of city officials.

The Mayor, councilors, members of the Police Department, City Manager, Finance Director, Superintendent of Public Works, Tax Collector and Clerk and Treasurer shall annually be bonded to the City for the faithful discharge of their respective duties, as provided by state statute and the expense of said bonds to be paid by the City. (Amend of 3-1-83)(Amend of 5-8-12)(Amend. of 3/2/21)

Sec. 112. Amendment of charter.

This charter may be amended in the manner provided for by the laws of the State of Vermont for the amendment of municipal charters. (Amend of 5-8-12)