

Selectboard Meeting Packet

June 4, 2026

- Model Ethics policy
- Dog Ordinance Changes
- Key box ordinance
- Grant Policy
- Example (Newfane) litter ordinance
- Quick guide ordinance adoption (for reference)

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**[INSERT NAME OF MUNICIPALITY]
CODE OF ETHICS INVESTIGATION AND ENFORCEMENT ORDINANCE**

SECTION 1. AUTHORITY.

This ordinance is adopted by the [inset name of legislative body] ("Legislative Body") of [insert name of municipality] ("Municipality") under authority of 24 V.S.A. § 1997.

SECTION 2. PURPOSE.

The purpose of this ordinance is to enact procedures for the investigation of complaints that allege a municipal officer has violated Vermont's Municipal Code of Ethics and the enforcement in instances of substantiated complaints, including methods of enforcement and available remedies.

SECTION 3. DEFINITIONS.

- A. "Conflict of interest" means a direct or indirect interest of a municipal officer or such an interest, known to the officer, of a member of the officer's immediate family or household, or of a business associate, in the outcome of a particular matter pending before the officer or the officer's public body, or that is in conflict with the proper discharge of the officer's duties. "Conflict of interest" does not include any interest that is not greater than that of other individuals generally affected by the outcome of a matter.
- B. "Designated Complaint Recipient" means the municipal officer or body designated to receive complaints alleging violations of the Municipal Code of Ethics.
- C. "Evidence" means testimony, documents, and tangible objects, commonly relied upon by reasonable prudent people in the conduct of their affairs, to prove or disprove the existence of an alleged fact.
- D. "Findings of Fact" means a statement of the factual bases on which the Designated Complaint Recipient made their conclusions.
- E. "Municipal Code of Ethics" means the municipal ethics framework in Vermont established by Act 171 (H.875) of 2024.
- F. "Municipal Ethics Complaint" means a complaint against a "Municipal Officer" or "Officer" alleging a violation of the Municipal Code of Ethics.
- G. "Municipal Officer" or "Officer" means:

1. any member of a legislative body of a municipality;
2. any member of a quasi-judicial body of a municipality; or
3. any individual who holds the position of, or exercises the function of, any of the following positions in or on behalf of any municipality:
 - a. advisory budget committee member;
 - b. auditor;
 - c. building inspector;
 - d. cemetery commissioner;
 - e. chief administrative officer;
 - f. clerk;
 - g. collector of delinquent taxes;
 - h. department heads;
 - i. first constable;
 - j. lister or assessor;
 - k. mayor;
 - l. moderator;
 - m. planning commission member;
 - n. road commissioner;
 - o. town or city manager;
 - p. treasurer;
 - q. village or town trustee;
 - r. trustee of public funds; or
 - s. water commissioner.

H. "Public body" means any board, council, or commission of the Municipality, any board, council, or commission of any agency, authority, or instrumentality of the Municipality, or any committee or subcommittee of any of the foregoing boards, councils, or commissions.

SECTION 4. COMPLAINTS.

- A. Any member of the general public may make a Municipal Ethics Complaint including any person elected, appointed, or employed by the Municipality.
- B. All Municipal Ethics Complaints must be directed to the Designated Complaint Recipient.
- C. Municipal Ethics Complaints against the Designated Complaint Recipient must be directed to *[insert "Municipal Manager," "Municipal Administrator," or "Chair of the Legislative Body" as applicable]*.
- D. No person will be adversely affected in either their volunteer or employment status with the Municipality as a result of bringing a Municipal Ethics Complaint.

SECTION 5. INVESTIGATION PROCEDURES.

- A. Upon receipt of a Municipal Ethics Complaint, the Designated Complaint Recipient will conduct an initial assessment to determine if the Complaint is credible and alleges a valid

cause of action within the jurisdiction of the Municipal Code of Ethics that warrants investigating.

- B. If, in the judgment of the Designated Complaint Recipient, the Municipal Ethics Complaint does not indicate a credible allegation or fall within the jurisdiction of the Municipal Code of Ethics, the Designated Complaint Recipient will conclude their investigation and refer the Municipal Complaint and a report detailing their findings to the Legislative Body, which will then proceed under Section D(6).
- C. If, in the judgment of the Designated Complaint Recipient, the Municipal Ethics Complaint indicates a credible allegation within the jurisdiction of the Municipal Code of Ethics, the Designated Complaint Recipient will conduct a prompt, thorough, and impartial investigation to corroborate the facts of the Complaint and/or gather additional information if deemed necessary.
- D. An investigation into a Municipal Ethics Complaints includes:
 - 1. **Notification:** notifying the individual accused of the allegations made against them in the Municipal Ethics Complaint and providing them with an opportunity to respond and confront the evidence gathered;
 - 2. **Evidence Gathering:** collecting documentary (e.g., meeting minutes, ordinances, policies, correspondence, contracts, etc.) and oral evidence (e.g. interviewing relevant individuals, witnesses, etc.) pertaining to the allegation(s).
 - 3. **Fact-Finding:** the Designated Complaint Recipient will analyze the evidence gathered to determine whether it is relevant and credible towards establishing the facts of the case.
 - 4. **Analysis:** the Designated Complaint Recipient will review their findings of fact against the Municipal Code of Ethics to determine whether a violation has occurred;
 - 5. **Findings and Recommendations:** the Designated Complaint Recipient must prepare a report detailing their findings of fact and conclusions regarding whether they believe the municipal officer(s) in question has violated the Municipal Code of Ethics and forward it, along with the Municipal Ethics Complaint, to the Legislative Body. If the report determines that a violation has occurred, the report must also include recommendations for appropriate disciplinary action to be taken by the Legislative Body;
 - 6. **Review and Decision: Upon completion of the investigation,** the Designated Complaint Recipient, or the [insert "Municipal Manager," "Municipal Administrator," or "Chair of the Legislative Body" as applicable] in the case of a Municipal Complaint brought against the Designated Complaint Recipient, will refer the Municipal Complaint to the Legislative Body. The Legislative Body will review the Municipal Complaint and the Designated Complaint Recipient's accompanying report and make a final decision. The Legislative Body's decision will be issued in writing, including a statement of the factual bases on which it was made, and send it by certified mail to the complainant and the Municipal Officer against whom the Municipal Ethics Complaint was brought. If a Municipal Complaint is brought against a member of the Legislative Body, that member should not attend or actively participate in the review or decision-making process, as such involvement would itself constitute a conflict of interest.

SECTION 6. ENFORCEMENT. Municipal Officers who are found to have violated the Municipal Code of Ethics may face the following disciplinary action:

A. Enforcement Against Elected Officers. In cases in which the Municipal Officer holds elected office, the Legislative Body may, in its discretion, take any of the following disciplinary actions against such an elected officer as it deems appropriate:

1. The Chair of the Legislative Body may meet informally with the Municipal Officer to discuss the Municipal Code of Ethics violation. This will not take place in situations where the Chair of the Legislative Body and the Municipal Officer together constitute a quorum of a public body.
2. The Legislative Body may meet to discuss the conduct of the Municipal Officer. Executive session may be used for such discussion in accordance with 1 V.S.A. § 313(a)(4). The Municipal Officer may request that this meeting occur in public. If appropriate, the Legislative Body may admonish the offending Municipal Officer in private.
3. The Legislative Body may admonish the offending Municipal Officer at an open meeting and reflect this action in the minutes of the meeting. The Municipal Officer will be given the opportunity to respond to the admonishment.
4. Upon majority vote in an open meeting, the Legislative Body may request (but not order) that the offending Municipal Officer resign from their office.

B. Enforcement Against Appointed Officers. In cases in which the Municipal Officer holds appointed office, the Legislative Body may choose to follow any of the steps articulated in Section 5A. In addition to, or in lieu of any of those steps, the Legislative Body may choose to remove an appointed Municipal Officer from office, subject to state law.

C. Enforcement Against Employees. In cases in which the Municipal Officer is also an employee of the Municipality, the [insert "*Municipal Manager*," "*Municipal Administrator*," or "*Chair of the Legislative Body*" as applicable] may take any disciplinary action regarding the officer's employment, up to and including termination, in accordance with the Municipality's personnel policy. This disciplinary action would only apply to the officer's employment and not their elected office.

SECTION 7. APPEALS.

A decision of the Legislative Body may be reviewable by the Vermont Superior Court pursuant to Rule 75 of the VT Rules of Civil Procedure. An enforcement action taken against an employee may be appealed in accordance with the Municipality's personnel policy.

SECTION 8. OTHER LAWS.

This ordinance is in addition to all other ordinances of the Municipality and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, policies,

or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 9. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding will not invalidate any other part of this ordinance. If any statute referred to in this ordinance is amended, this ordinance will be deemed to refer to such amended statute.

SECTION 10. EFFECTIVE DATE. This ordinance will become effective sixty (60) days after its adoption by the Legislative Body. If a petition is filed under 24 V.S.A. § 1973, that statute will govern the taking effect of this ordinance.

Adopted this ____ day of _____, 20____.

[insert name of legislative body] for the [insert name of municipality].

Adoption History

1. Agenda item at regular [insert name of legislative body] meeting held on _____.
2. Read and approved at regular/special [insert name of legislative body] meeting on _____ and entered in the minutes of that meeting which were approved on _____.
3. Posted in public places on _____.
4. Notice of adoption published in the _____ newspaper on _____ with a notice of the right to petition.
5. Other actions [petitions, etc.].

Suggested Cabot Dog Ordinance Changes: DRAFT 5/2026

Section 8 Release from Impoundment:

- (A) Last sentence: The dog shall be held for five (5) days from mailing of notice unless claimed earlier.
- (B) Second sentence: Notification shall be posted in the Town Clerks office and other usual places for public notice for a five (5) day period.
- (D) First sentence: If the owner of a dog impounded under the provisions of this ordinance refuses to take the remedial action necessary to secure the dog's release within five (5) days following the notice of impoundment.....

AN ORDINANCE TO REQUIRE KEY BOXES

The Selectboard of the Town of Cabot, authorized by VSA Title 24, Section 2291, subsection 14, hereby adopt the following ordinance relating to key boxes.

Section 1: KEY BOX REQUIREMENT

All properties within the Town and/or Village of Cabot having an automatic fire alarm system or sprinkler system shall be equipped with an approved key box. No properties with automatic fire alarm systems or sprinkler systems shall be exempt.

Section 2: KEY BOX TYPE

The key box shall be UL type manufactured by Knox and approved by the Cabot Fire Department. The key box shall be located in a location on the building approved by the Cabot Fire Department. Installation and cost of key box plus shipping will be paid for by the owners of such properties. Keys must be supplied and maintained by owners of such properties.

Section 3: KEY BOX CONTENTS

The box shall contain one or more of the following:

- 1) keys to locked points of egress, whether on the interior or exterior of the building;
- 2) keys to locked equipment rooms;
- 3) keys to locked mechanical rooms;
- 4) keys to locked electrical rooms
- 5) keys to locked elevator/lift controls;
- 6) keys to other areas, at the direction of the Chief of the Cabot Fire Department;
- 7) keys to the main fire alarm panel.

Section 4: TIME FOR COMPLIANCE

All existing building that fall under the category described in Section 1 shall be in compliance within six (6) months from effective date of this ordinance. All newly constructed buildings not yet occupied or buildings under construction shall comply immediately.

Section 5: PENALTIES

Violations of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 VSA section 1974a and section 1977 et.seq. A civil penalty of not more than \$200 may be imposed for a violation of this civil ordinance, and the waiver fee shall be set at \$100. Every thirty days of non-compliance after the issuance of a ticket shall constitute a new violation.

Section 6: REPEALER

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

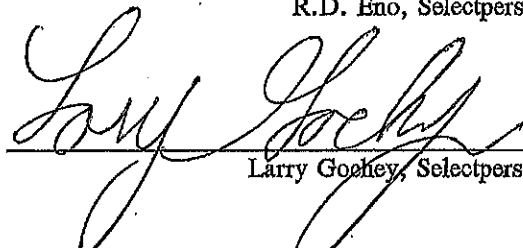
Section 7: EFFECTIVE DATE

This ordinance shall take effect 60 days after adoption by the Selectboard.

Adopted this 14th day of May, 1996



R.D. Eno, Selectperson



Larry Goehey, Selectperson



Glenn Goodrich, Selectperson

Town of Cabot Grant Policy

Purpose: To ensure that all grants are administered according to the requirements of the particular grant program, and to ensure accurate reporting of grant activity to federal, state and granting agencies.

Applies to: All town departments, committees or other organizations applying for municipal grants.

Responsibilities:

1. The department applying for the grant must appear before the Planning Commission with a grant proposal in writing and be prepared to make this proposal to the commission before any grant application is submitted. The proposal must detail the Purpose, Scope, Impact, Administration and Implementation plan. An appropriate time frame must be allowed for the Planning Commission Selectboard to thoroughly research all aspects of the proposed project. The Selectboard Planning Commission will decide if this is a project that is compatible with the town plan and will advise the Planning Commission if needed, will review the economic benefits or negative impacts it might create, etc.. The Selectboard Planning Commission will either approve or deny the application. If the grant proposal is deemed worthy, the planning commission chair will bring it it will be presented before the town Select Board at a regularly scheduled select board meeting for discussion and final approval.** If denied, there should be a process to either appeal or reapply**
2. If approved, the department or organization is responsible for preparing reports of grant activity and submitting all documentation to the Planning Commission Chair, the Selectboard members and the Town Clerk & Treasurer. The Treasurer is responsible for tracking expenditures and reimbursements, for maintaining the financial records for each grant. The Treasurer is responsible for preparing the annual State of Vermont Subrecipient Monitoring Report.
3. A public hearing may be held if deemed necessary.

Internal Control Concerns/Considerations:

1. Planning Commission & Selectboard ensures that the proposed grant funds will not be used to supplant (replace is a better word) State or local funding.
2. Selectboard signs the grant application and acceptance forms.
3. Grants' management, including compliance and reimbursement requests, is the responsibility of the departments with specific reporting requirements to the grantor and the Treasurer.

Conflict of Interest:

No employee, officer or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.

1. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
2. The officers, employees, and agents of the Town may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
3. Violation of this policy will result in disciplinary actions as outlined in the Town's personnel policy.

Procedure:

1. Grant Application & Approval

- A. Town departments or organizations seek approval from the town to apply for grants that will benefit the town. Proposal submitted to the Planning Commission who then presents it to the Selectboard.
- B. Departments will complete and submit the application to the Town, signed by the appropriate Board or their designee.
- C. A copy of the budget used to develop the application will also be submitted.
- D. If awarded, the department will forward a copy of the signed grant agreement information form.

2. Creation of Grant Files & Recordkeeping:

- A. The Treasurer will ~~create a new general ledger account and/or pay codes as needed to~~ record the grant activity separately from regular expenses in the general ledger. The general ledger account description will identify the grant funding name and year.
- B. The Treasurer will maintain a report file for all grant activity from inception to closure.
- C. Grant files will be maintained for a minimum of 10 years after the grant is closed.

3. Grant Expenditures:

- A. All grant purchases must follow both the Town's Purchasing Policy, and procurement standards defined by the grantor (refer to grant agreement). If the grant is funded with federal funds, the purchases must follow the Town's Procurement Policy for Grant Programs.
- B. Hiring of contractors must follow the procurement standards defined by the grantor (refer to the grant agreement). If the grant is funded with federal funds, the hiring must follow the Town's Procurement Policy for Grant Programs.
- C. Except in the case of an emergency, no contractor may begin work until the Town has received a certificate of insurance and a complete W-9 form.

- D. Departments must use the attached reporting forms to document use of employee labor, use of Town equipment and materials.
- E. Departments must use the attached forms to document volunteer labor and donations. Volunteer labor will be accounted for according to their particular grant agreement, but in general a person who is performing their regular and customary work will be allocated at their customary rate; a person doing similar work that is outside their customary field will be allocated at minimum wage.
- F. When competitive bids are sought or advertised, the department will document the bid process and provide copies of all bid documents and bid results to the Treasurer. These records will include rationale for the method of procurement, selection of contract type, contractor selection or rejection and basis for the contract price.
- G. Invoices must be approved by the appropriate department head and must clearly state which grant the expense falls under.
- H. The Treasurer will compare the invoice to the scope of work and budget as defined in the grant agreement.

4. Interim Activity: request for reimbursements and recordkeeping

- A. Departments will prepare the report/request for reimbursement to the grantor by the grant agreement and deliver it to the Treasurer. The Treasurer will submit the reimbursement request with necessary documentation.
- B. The Treasurer will match up the reimbursement ACH deposit (or check received) with the grant request and ensure the proper revenue lines are credited.
- C. If the Treasurer discovers a discrepancy, an error in the general ledger coding, or incomplete paperwork, the department will be alerted to the problem and the Treasurer will work with the department to resolve it.
- D. In turn, if the department discovers an error or discrepancy, they will notify the Treasurer immediately.

5. Year-End Reporting

- A. At the beginning of each fiscal year, the Treasurer will review each open grant and prepare a list of income and expenditures under the grant and send it to the department or grant contact.
- B. The department will confirm the expenditure.
- C. The Treasurer will prepare the annual State of Vermont Subrecipient Monitoring Report after all grant files are reconciled.
- D. If more than \$750,000 of federal funds are to be expended during a year, a Single Audit will be required.¹

6. Final Reports & Close Outs

- A. Departments will notify the Treasurer when all grant requirements have been met at the closure of the grant.
- B. The department will prepare the final request/report for the final reimbursement and submit it to the Treasurer.
- C. The Treasurer will submit the final report and final reimbursement request with required documentation attached.

7. Securing and reporting grant-funded assets.

- A. Departments are responsible for tagging and securing assets purchase with grant funds per grantor agreements
- B. Grant-funded **Town Capital Assets** must be reported on the list of Town Assets in the Town Report.
- C. Capital assets are defined as a single asset over \$5000 in value or a group purchase over \$5000

The Foregoing Policy is hereby adopted by the Selectboard of the **Town of Cabot, Vermont** this _____ day of _____ **202619** and effective as of this date until amended or repealed.

Selectboard Signatures:

Cabot Grant Information Form

Town Department or Organization: _____

Grant Name: _____

CFDA# _____ Federal Grant # _____

State of Vt. Grant # _____

State Agency: _____

Date of Application: _____

Name and Address of Grant Writer: _____

Date of Submission to **Selectboard Planning**
Commission: _____

Approved: Yes, No Date of approval or denial: _____

Date of Submission to Selectboard: _____

~~Approved: Yes No Date of approval or denial: _____~~

Grant Purpose and Description: _____

Attach documentation as necessary

Total Project Cost: _____ Grant Amount: _____

Amount of Matching Funds: _____

Matching funds paid by: Town Organization (circle one) Name: _____

Please answer the following questions

Will town Labor or town equipment be used? Yes No

If yes, please document and give it to Treasurer.

Will equipment be rented or town materials be used? Yes No

If yes, please document and give it to Treasurer.

Will this grant be used to purchase Assets? Yes No

If yes, please document and give it to Treasurer. Procurement procedures specified by the grant agreement must be followed and documented as well as the Town's purchasing and reimbursement policy for grant programs.

Will Contractors be hired for this project? Yes No

If yes, please document and give it to Treasurer. Procurement procedures specified by the grant agreement must be followed and documented as well as the Town's purchasing and reimbursement policy for grant programs. No work may begin until the contractor has provided the Town with a certificate of insurance and W-9.

Will Volunteer Labor be used? Yes No

If yes, please document and give it to Treasurer.

Will Donations be used? Yes No

If yes, please document and give it to Treasurer.

~~Attached are all necessary reporting sheets.~~

ORDINANCE FOR THE CONTROL OF LITTER
TOWN OF NEWFANE, VERMONT

As adopted by the Newfane Board of Selectmen: June 21st, 2001

Effective Date: August 20th, 2001

**TOWN OF NEWFANE
ORDINANCE FOR THE CONTROL OF LITTER
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**TOWN OF NEWFANE
ORDINANCE FOR THE CONTROL OF LITTER**

The Selectmen for the Town of Newfane hereby ordain:

Section 1. AUTHORITY

This ordinance is enacted pursuant to 24 VSA Section 2291(12). It shall constitute a civil ordinance within the meeting of 24 VSA Chapter 59.

Section 2. PURPOSE

It is the purpose of this ordinance to regulate the disposal of solid waste in the Town of Newfane in order to protect the public health, safety, and welfare and to promote the responsible use of resources and protection of the environment.

Section 3. DEFINITIONS

The relevant definitions set forth in 10 VSA Section 6602 are hereby incorporated into this Ordinance.

Section 4. REGULATION OF DISPOSAL OF WASTE MATERIAL

- A. Every person in the Town of Newfane shall be responsible for proper disposal of his/her own solid waste. A person shall not throw, dump, deposit, or cause to be thrown, dumped or deposited: bottles, crockery, cans, plastic, solid waste, junk, paper, garbage, tires, furniture, mattresses, box springs, unregistered and/or uninspected automobiles or parts hereof, refuse of whatever nature, or any noxious thing on lands of others, public or private, or into the waters or public highway. If the throwing, placing or depositing was done from a motor vehicle, except a motorbus, it shall be prima facie evidence that the throwing, placing or depositing was done by the driver of the motor vehicle.
- B. The disposal of waste material, including solid waste and hazardous waste, is prohibited in the Town of Newfane except at a facility approved for such disposal under the provisions of 10 VSA Chapter 159 (Waste Management) or 24 VSA Chapter 61, Subchapter 10 (Junkyards). This provision shall not prohibit the temporary storage of waste material in a container designed to prevent release of such material pending collection of such waste for disposal at an approved facility.
- C. Nothing in A. or B. Above shall apply to normal snow removal operations by the municipality.

Section 5. ENFORCEMENT

- A. *The Traffic and Municipal Ordinance Bureau* - Any person who violates any provision of Section 4 of this ordinance shall be subject to a civil penalty of up to \$500.00 per day for each day that such violation continues. The Town Health Officer, First Constable, or any law enforcement officer may act as an issuing Municipal Officer and issue and pursue before the Traffic and Municipal Ordinance Bureau a municipal complaint for a violation of Section 4 of this ordinance.
- B. *Right to Civil Enforcement* - In addition to the enforcement procedures available before the Traffic and Municipal Ordinance Bureau, the Municipality is authorized to utilize the procedures set forth in 24 VSA Chapter 61, Subchapter 12, (§2297 et seq.) Commence a civil action to obtain injunctive and other appropriate relief, or to pursue any other remedy authorized by law.

Section 6. PENALTIES

- A. *Civil Penalty of Ordinance Violation* - An issuing Municipal Officer is authorized to recover civil penalties in the following amounts, in addition to the cost of clean up, for each violation of this ordinance. The amount and the date for acceptance of the civil penalty shall be affixed to the complaint or notice.

First Offense	\$ 50.00
Second Offense	\$ 100.00
Third Offense	\$ 200.00
Fourth Offense	\$ 350.00
Fifth and Subsequent Offenses	\$ 500.00

- B. *Waiver Fees for Municipal Complaint* - A waiver fee of one-half the civil penalty to which a violator is subject shall be assessed for those who admit or do not contest the ordinance violation. The amount and the date for acceptance of the waiver fee shall be affixed to the complaint or notice.

First Offense	\$ 25.00
Second Offense	\$ 50.00
Third Offense	\$ 100.00
Fourth Offense	\$ 175.00
Fifth and Subsequent Offenses	\$ 250.00

Offenses shall be counted on the basis of any twelve month period.

Section 7. SEVERABILITY

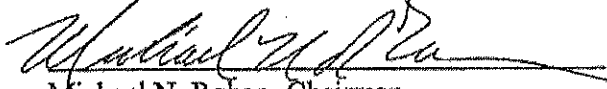
If any portion of this ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected and shall remain in full force and effect. If any statute referred to in this ordinance shall be amended, this ordinance shall be deemed to refer to such amended statute.

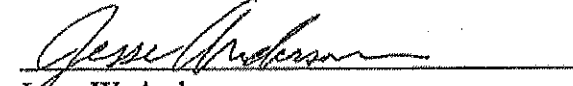
This ordinance shall take effect sixty (60) days following its adoption by the Newfane Board of Selectmen unless a petition requesting voter approval is submitted within forty-five (45) days following adoption as provided in 24 VSA Chapter 1973.

Adopted this 21st day of June, 2001

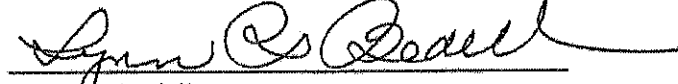
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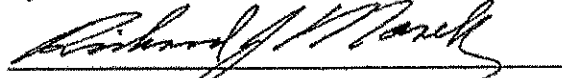
Newfane Board of Selectmen


Michael N. Rohan, Chairman


Jesse W. Anderson

Frederick W. Bacon


Lynn R. Bedell


Richard J. Marek

Received and recorded this _____ day of _____, 2001

Janice C. Litchfield
Town Clerk

VLCT QUICK GUIDE TO: ORDINANCE ADOPTION, AMENDMENT, OR REPEAL

THIS DOCUMENT IS **NOT** APPLICABLE TO ZONING ORDINANCE OR BYLAW ADOPTION. The process for adoption, amendment, or repeal of a zoning ordinance is governed by 24 V.S.A. § 4442.

This Quick Guide is intended to serve as a checklist and administrative record of the adoption, amendment, or repeal of an ordinance and as such its utilization is not required by law. Italicized text should be modified for customized use.

This document reflects current law as of the date of publication. Its use is meant for informational purposes **only**. This document covers the statutorily prescribed process for adopting, amending, or repealing an ordinance and **does not** take the place of legal review and legal advice about the content of the ordinance. Please contact VLCT at (800) 649-7915 with any questions.

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[MUNICIPALITY NAME] CHECKLIST FOR ORDINANCE ADOPTION, AMENDMENT, OR REPEAL

The [ordinance, amendment, repeal] is proposed and approved:

- ☐ Introduction of proposed [ordinance, amendment, repeal] at regular or special selectboard meeting held on [date].
- ☐ Approval of [ordinance, amendment, repeal] by majority of total membership of selectboard on [date].

The selectboard notifies the public of its intent to make the [ordinance, amendment, repeal] effective:

- ☐ [ordinance, amendment, repeal] entered into the selectboard minutes on: [date].
- ☐ Copies of the [ordinance, amendment, repeal] were posted in the following five conspicuous places in town on [date]:

1. _____
2. _____
3. _____

4. _____
5. _____

- ☐ Notice is published in [*name of publication*] newspaper circulating in the town on: [*date*], which is not more than 14 days after adoption by the selectboard.
- ☐ The newspaper notice includes:
- Name of the municipality;
 - Municipal website address (*if the town has a website and it is updated on a regular basis*);
 - Title or subject of the [*ordinance, amendment, repeal*];
 - Full text or concise summary of the [*ordinance, amendment, repeal*];
 - Name, telephone number, and mailing address of a municipal official designated to answer questions and receive comments;
 - Location where the full text of the [*ordinance, amendment, repeal*] may be examined; and
 - Explanation of citizens' right to petition pursuant to 24 V.S.A. § 1973 for a vote on the [*ordinance, amendment, repeal*].

If the town does not receive a voter petition within 44 days of the date the selectboard adopted the [*ordinance, amendment, repeal*]:

- [*ordinance, amendment, repeal*] will become effective on [*date*] which is 60 days after the date of its adoption, or on [*date*] following the expiration of the 60 days as established by the selectboard;
- [*ordinance, amendment, repeal*] recorded in town records on [*date*].

If the town receives a voter petition within 44 days of date the selectboard adopted the [*ordinance, amendment, repeal*], the selectboard must warn (i.e., notice) a (special or annual) town meeting to determine whether voters will disapprove of the [*ordinance, amendment, repeal*].

- ☐ Voter petition received on [*date*].

If the annual town meeting falls within 60 days from receipt of the petition, the selectboard includes an article pertaining to the [*ordinance, amendment, repeal*] in the annual meeting warning and:

- ☐ At least two copies of the ordinance are posted at each polling place during the hours of voting; and
- ☐ Enough copies of the ordinance are made to give to voters at the polls upon request.

If the annual town meeting does not fall within 60 days from receipt of the petition, the selectboard must call a special meeting:

- ☐ On [date], which is within 60 days of the date of receipt of the petition, the selectboard sets the date for (i.e. "calls") a special town meeting.
- ☐ The selectboard gives notice that the special town meeting is to occur on [date] which is not less than 30 nor more than 40 days from the date when the special town meeting is called.
- ☐ The warning for the special town meeting is signed by a majority of the selectboard and includes:
 - Date and time of the meeting;
 - Location of the polling place or places; and
 - Indication of the specific business to be transacted.
- ☐ The warning for the special town meeting is filed with the clerk.
- ☐ Notice of and warning for the special town meeting is given by:
 - Publishing in [name of publication] newspaper (i.e., the town's paper designated for warnings) on [date], which is at least 5 days before the special town meeting.
 - Posting on [date], which is not less than 30 nor more than 40 days before the meeting, at the following locations:
 - Near the clerk's office; and
 - In the following two public places in town:
 - _____;
 - _____.
 - Posting on [date], on the town's website. (MAC recommends posting this website notice simultaneously with public postings, not less than 30 nor more than 40 days before the meeting.)
 - The posted notice includes information on voter registration and early or absentee voting.
- ☐ On the day of the special town meeting and during the hours of voting:
 - At least two copies of the ordinance are posted at each polling place; and
 - Enough copies of the ordinance are made to give to voters at the polls upon request.

If the voters disapprove of the [ordinance, amendment, repeal] at an annual or special town meeting, the [ordinance, amendment, repeal] does not take effect.

If the voters approve of the [ordinance, amendment, repeal] at an annual or special town meeting, the [ordinance, amendment, repeal] takes effect at the conclusion of that meeting (unless otherwise specified).