

The Vermont Statutes Online

Title 24 APPENDIX : Municipal Charters

Chapter 005 : City Of Montpelier

Subchapter 003 : City Council

(Cite as: 24APPENDIX V.S.A. App. § 5-301)

§ 5-301. Powers and duties of City Council

(a) All powers of the City shall be vested in the City Council, except as otherwise provided by law or this chapter, and the Council shall perform all duties and obligations imposed on the City by law.

(b) In addition, the Council shall have general oversight of the affairs and property of the City not committed by law to the care of any particular officer, including the following powers and duties:

(1) Acquire property, real and personal, within or outside its corporate limits for any lawful purpose and by any lawful means, including condemnation, in fee simple, or any lesser interest of estate, by purchase, gift, devise, lease, or other means of transfer. The Council may also sell, lease, mortgage, hold, manage, and control such property as its interest may require, in accordance with State law.

(2) Promote and safeguard the public health, safety, comfort, or general welfare by the adoption, amendment, or repeal of ordinances and regulations, including the following subjects:

(A) Construction of improvements, including curbs, sidewalks, lighting, and storm drains in a manner specified as a condition precedent for, but not limited to, the issuance of a building permit. The City has power to assess part or all of the expenses of such improvements to the property owners benefited thereby in proportion to respective frontage upon highways or respective values of property or by such standard as determined by the Council. The Council has power to provide for violation or nonperformance.

(B) Regulation or prohibition of any condition, activity, enterprise, public nuisance, or matter concerning promotion of public health, safety, and welfare as permitted by the general law of the State.

(C) Licensing of any activity or enterprise as permitted by general law of the State.

(3) Adopt and amend personnel policies for City employees in accordance with general laws of the State, including 24 V.S.A. § 1121 as may be amended from time to time.

(4) Authorize the expenditure of funds raised from taxation, assessments, appropriations, fines, grants applied for and received, and other lawful sources.

(5) Provide for citizen participation as appropriate on boards, commissions, and committees.

(6) Fix, demand, impose, and enforce such items, conditions, and regulations for the excavation of any street or highway by any person as shall be just and reasonably related to the City's reconstruction and maintenance costs, including expenses to be paid to the City for damages resulting from a street excavation or for the purpose of erecting and maintaining poles, wires, or other apparatus in or under the street. The City has the power to prohibit the use of any street by any such person until such conditions have been complied with.

(7) Permit the nonhighway use, occupancy, or reservation of portions of public streets and thoroughfares, provided that such use, occupancy, or reservation is in the public interest and will not impair or interfere with the free and safe flow of vehicular and pedestrian traffic thereon.

(8) Establish fees and benefit charges for City services, permits, licenses, hearings, and uses of City property and establish fees for dog licenses. (Amended 2013, No. M-19 (Adj. Sess.), § 2, eff. May 20, 2014.)