

JERICHO TOWN CHARTER

Article I: Corporate Existence

Section 1. Pursuant to the authority granted by the General assembly of the State of Vermont there is hereby enacted a Charter to govern the organization and operation of local government in the Town of Jericho, Vermont.

Section 2. The inhabitants of the Town of Jericho, within the geographical limits as now established, shall continue to be a municipal corporation by the name of Jericho, Vermont.

Article II: General Provisions

Section 1. General Law Application: Except when changed, enlarged or modified by the provisions of this Charter, all provisions of the statutes of the State of Vermont relating to municipalities, shall apply to the Town of Jericho.

Section 2. Powers of the Town

- A. General: The Town of Jericho shall have all the powers granted to towns and municipal corporations by the constitution and laws of the State of Vermont and this Charter, together with all the implied powers necessary to carry into execution all the powers granted. The Town of Jericho may enact ordinances not inconsistent with the Constitution of the State of Vermont or this Charter, and impose penalties for violation thereof.
- B. Limitations: In this Charter, any mention of a particular power shall not be construed to restrict the scope of the powers which the town would have if the particular power were not mentioned, unless this Charter otherwise provides.
- C. Reservation of Powers to the Town: Nothing in this Charter shall be construed to in any way limit the powers and functions conferred on the Town of Jericho, the Selectboard of the Town or its elected or appointed officers by general or special enactment of state statutes or regulations 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 enactment unless this Charter otherwise provides.
- D. Open Meetings: Meetings of all Town boards and commissions shall be open and held in accordance with the general law of this State relating to public meetings. The records of all official proceedings shall be available for public inspection and copying as provided by the general law of this State.

Article III: Elected Officers

Section 1. Except as otherwise provided by this Charter, the elected officers of the Town of Jericho shall be those required for towns by state law, and they shall be elected by Australian ballot.

Section 2. Such officers shall exercise all powers and perform all duties necessary or required to carry out the provisions of this Charter as well as those provided by state law generally.

Article IV: Additional Selectboard Members

The Town of Jericho may vote by Australian ballot to elect not more than two additional members of the Selectboard, as provided in Title 17 V.S.A. Section 2650, provided, however, that a vote to authorize the election of additional members, or to reduce the number of members to no less than three, shall be called only upon receipt by the Selectboard of a petition signed by not less than fifteen (15) percent of the registered voters of the town.

Article V: Appointed Officers

Section 1. In addition to all other offices which may be filled by appointment by the Selectboard, pursuant to State law or this Charter, the Selectboard shall appoint the following town officers, who shall serve for such terms as the Selectboard may establish in its act of appointment, or until the office otherwise becomes vacant:

- a). A town treasurer who shall not simultaneously hold any elective office within town government;
- b). A delinquent tax collector;
- a). Three town listers.

The Selectboard shall adopt, and revise from time to time, a general statement of the qualifications and job descriptions necessary to perform the duties and responsibilities of each of the appointed town offices. The Selectboard shall appoint the candidate who, in its judgment, best meets the qualifications for each office, giving due consideration to individuals who have expressed a commitment to serving the best interests of the town. Appointed officers shall exercise all the powers and duties necessary to carry out the provisions of this Charter as well as those provided by state law generally.

Section 2. The Selectboard may adopt a job description for the position of town administrator, and may appoint a town administrator, who shall not simultaneously hold an elective office within the town.

Section 3. The Selectboard shall advertise notice of a vacancy in any appointed town office, which shall include posting in the office of the town clerk, and in two or more public places within the town, and publication in a newspaper of general circulation. The notice shall also include a description of the qualifications necessary to be considered for appointment.

Section 4. All appointed officers shall be employees of the Town of Jericho, subject to all personnel and employment rules, regulations and policies of the town. Any appointed official is eligible to apply for reappointment at the expiration of his or her term of office, but failure by the Selectboard to make such reappointment shall not be construed as discharge from employment

Article VI: Removal of Elected Town Officers

Any elected town officer may be removed from office subject to the following conditions and procedures:

1. A written petition, signed by not less than fifteen percent (15%) of the registered voters of the Town, seeking the removal of such town officer or officers, and requesting a vote of the Town at a regular or special meeting called for the purpose, shall be filed with the Selectboard and the Town Clerk.
2. Within 15 days after receipt of said petition, the Selectboard shall warn a special town meeting, or if the annual meeting is to occur within 45 days of the filing of said petition, include an article in the warning for such annual meeting, for the purpose of voting, by Australian Ballot, on whether such officer or officers shall be removed from office.
3. The officer or officers shall be removed from office only if at least as many registered voters of the Town cast votes in the special town meeting or annual meeting as voted in the election wherein the officer subject to the vote of removal was originally elected.
4. Removal shall require a majority of the votes cast at the regular or special town meeting.
5. If an officer is removed according to the foregoing procedure, such officer shall forthwith cease to hold office and such office shall become vacant.
6. Such vacancy shall be filled as provided by law and this Charter.
7. Only one petition for removal may be filed against any given elected officer during any 12-month period of her/his term of office.

Article VII: Conflict of Interest

Section 1. No elected or appointed officer or employee of the town, or member of any town Board or Commission shall be beneficially interested directly or indirectly in any matter requiring the discharge of his or her public office. The purpose of this Article is to prohibit the use of public office for financial or other advantage, whether direct or indirect, by any means or methods.

Section 2. No elected or appointed officer of the town shall be beneficially interested, directly or indirectly, in any contract with the town, regardless of the amount, or furnish any material or perform any labor, except in the discharge of his or her official duties, unless such contract shall have been awarded upon bids advertised for publication. Such publication shall be at least two times in a newspaper having general circulation in the town; the second publications shall be at least seven days prior to the opening of such bids.

Section 3. No officer or employee of the town shall take part in any decision concerning the business of the town in which she/he has a direct or indirect financial interest, greater than any other citizen

or taxpayer in the town aside from her/his salary as an officer or employee. This provision shall not apply in the event of any emergency where immediate action shall be deemed more important to the town than receipt of formal bids.

Section 4. Nothing in this Article shall be construed to require the Town to take bids on contracts generally, under circumstances wherein no officer or employee has a direct or indirect interest in the contract.

Article VIII: Separability

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstances is held invalid, the application of this Charter and its provision to other persons or circumstances shall be affected thereby.

Article IX: Amendment

The amendment of this Charter shall be as provided by Vermont law.

Article X: Effective Date

This Charter shall take effect upon passage by the General Assembly, and all appointed offices that were formerly elected offices (Town Treasurer and Listers) shall thereupon become appointed offices, even if nominating petitions have been filed for election at the year 2006 Annual Town Meeting. However, the unexpired term of any person elected to office at, or prior to, the year 2006 Annual Town Meeting shall nevertheless be completed.