

**SPECIAL MEETING, CITY COUNCIL**  
**FRIDAY, JANUARY 17, 2014**  
**CONTOIS AUDITORIUM, CITY HALL**  
**12:00 P.M.**

1. AGENDA
2. CONSENT AGENDA
  - 2.01. COMMUNICATION: Clerk/Treasurer's Office, re: Notice of Public Hearings Regarding March 4, 2014 Annual City Meeting--Proposed Amendments to the Burlington City Charter  
\*waive the reading, accept the communication and place it on file
3. PUBLIC HEARING: March 4, 2014 Annual City Meeting—Proposed Charter Change Re Ban on Firearms In Any Establishment With A Liquor License  
\*no action required
4. PUBLIC HEARING: March 4, 2014 Annual City Meeting—Proposed Charter Change Re Safe Storage Of Firearms  
\*no action required
5. PUBLIC HEARING: March 4, 2014 Annual City Meeting—Proposed Charter Change Re Police Confiscation/Seizure Of Weapons During Domestic Abuse Incident  
\*no action required
6. PUBLIC HEARING: March 4, 2014 Annual City Meeting—Proposed Charter Change Re Ward Boundaries  
\*no action required
7. ADJOURNMENT

***This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made.***

## NOTICE OF PUBLIC HEARING

Pursuant to the requirements of 17 V.S.A. Sec. 2645, public hearings concerning proposed amendments to the Burlington City Charter will be held on Friday, January 17, 2014 at 12:00 noon and Monday, January 27, 2014 at 7:00 p.m. in Contois Auditorium, City Hall, Burlington, Vermont.

The Burlington City Council has voted to place the following four proposals to amend Sections of the Burlington City Charter on the ballot of the Annual City Meeting to be held March 4, 2014. Pursuant to 17 V.S.A. Sec. 2645(a)(6), the City Council has further determined that the proposed charter amendments are too long or unwieldy to set out in amended form and has determined that the printed ballot shall utilize the following short form questions. An official copy of the full proposed charter amendments is on file for public inspection in the office of the City Clerk, and copies shall be made available to members of the public upon request.

The first proposal is as follows:

“Shall the Burlington City Charter be amended to add Article 99. General Weapons Requirements Sec. 510 entitled “Ban on Firearms in Any Establishment with a First Class Liquor License,” which provides that no person may carry or possess a firearm in any location under the ownership or control of an establishment licensed to serve alcohol on its premises and which provides for specific exemptions from the prohibition and for penalties, including forfeiture of the firearm, for a violation?”

The second proposal is as follows:

“Shall the Burlington City Charter be amended to add Article 99. General Weapons Requirements Sec. 509 entitled “Safe Storage of Firearms,” which provides that no person shall store a firearm outside of his or her immediate possession or control without having locked the firearm in a safe storage depository or with a gun locking device and which provides for penalties, including forfeiture of the firearm, for a violation?”

The third proposal is as follows:

“Shall the Burlington City Charter be amended to add Article 99. General Weapons Requirements Sec. 511 entitled “Police Confiscation/Seizure of Weapons During Domestic Abuse Incident,” which provides that a police officer may confiscate a weapon in the immediate control or possession of an alleged abuser if the officer has probable cause to believe that domestic abuse has occurred and which provides penalties, including forfeiture of the weapon, for failure to submit to confiscation?”

The fourth proposal is as follows:

“Shall various sections of the City Charter, Acts of 1949, No. 298, as amended, related to city elections be further amended as follows:

1. To provide for the city to be divided into four city electoral districts and eight city electoral wards as depicted on the map on file in the chief administrator’s office, effective as of the annual meeting on March 3, 2015, and for all city elections thereafter;

2. To provide for the city council to be comprised of twelve (12) members with each of the four city districts and eight wards represented by one city councilor, with district councilors elected to two year terms beginning with the election on March 3, 2015, and with ward councilors elected for a three year term on March 3, 2015 and a two year term at the annual meeting on March 6, 2018, and two year terms thereafter;
3. To provide for the school board to be comprised of twelve (12) members with each of the four city districts and eight wards represented by one school commissioner, with district commissioners elected to two year terms beginning with the election on March 3, 2015, and with ward commissioners elected for a three year term on March 3, 2015 and a two year term at the annual meeting on March 6, 2018, and two year terms thereafter;
4. To provide for the ward election officers for each of the eight wards to be elected at the annual meeting on March 3, 2015, with three inspectors of election whose election is phased in so that each is elected for a staggered three year term ultimately, and that for the 2015 annual meeting only the ward officers of the seven wards elected prior to the 2015 annual city meeting shall serve as the election officers for those wards and the ward officers for Ward 8 shall be appointed for the 2015 election by the Board of Civil Authority; and
5. To provide for the addition of one member to the Board for the Registration of Voters so that the board is comprised of ten (10) members?"

An official copy of the proposed Charter amendments is on file for public inspection in the Office of the City Clerk, and copies will also be made available to members of the public upon request.

1  
2 **Resolution Relating to**

**RESOLUTION** <sup>9.0</sup>

Sponsor(s): Councilors Siegel,  
Ayres, Blais; Charter Change Com.

Introduced: 11/18/13

Referred to: \_\_\_\_\_

Action: amended; adopted

Date: 11/18/13

Signed by Mayor: 11/21/13

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6 MARCH 4, 2014 ANNUAL CITY MEETING--PROPOSED  
7 CHARTER CHANGE RE BAN ON FIREARMS IN ANY  
8 ESTABLISHMENT WITH A LIQUOR LICENSE  
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12 **CITY OF BURLINGTON**

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14 In the year Two Thousand Thirteen .....

15 Resolved by the City Council of the City of Burlington, as follows:

16  
17 That the following question be placed on the ballot of the Annual City Meeting to be held on  
18 March 4, 2014:

19 "Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended be further  
20 amended to add Article 99. General Weapons Requirements Sec. 510 entitled "Ban on Firearms in  
21 Any Establishment with a First Class Liquor License" thereto to read as follows:

22 Sec. 510. Ban on Firearms in Any Establishment with a First Class Liquor License.

- 23 (a) This act expressly supersedes 24 V.S.A. §§ 2291(8) & 2295 and authorizes the City of  
24 Burlington to regulate the possession and carrying of firearms in the manner indicated below.
- 25 (b) Ban. Within the City of Burlington, no person may carry or possess a firearm, as defined by  
26 Section 4016(a)(3) of Chapter 13 of the Vermont Statutes Annotated, in any building or on  
27 any real property or parking area under the ownership or control of an establishment licensed  
28 to serve alcohol on its premises.
- 29 (c) Exceptions. This provision shall not apply to
- 30 (1) any federal, state, or local law enforcement officer acting within the scope of that officer's  
31 official duties;
- 32 (2) any member of the armed forces of the United States or the Vermont National Guard  
33 acting within the scope of that person's military duties;
- 34 (3) any government officer, agent, or employee authorized to carry a weapon and acting  
35 within the scope of that officer's duties;
- 36 (4) the owner or operator of such establishment, as long as that person is not prohibited from  
37 possessing or carrying that weapon under any other federal, state, or local law.
- 38 (d) The penalty for any violation of this section shall be as follows:
- 39 (1) Criminal Offense. Any violation of this Article may be considered a criminal offense,  
40 which shall be punishable by a fine of no more than \$1,000 and/or by imprisonment for  
41 not more than ninety (90) days.  
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47  
48 **Resolution Relating to**

49 (2) Civil Offense. Any violation of this Article may also be considered a civil ordinance  
50 violation punishable by a fine of no less than \$200 and no more than \$500 and the  
51 forfeiture of the weapon as provided below.

52 (3) Forfeiture. Upon probable cause that a person is in violation of this provision, a law  
53 enforcement officer may seize the weapon involved in the violation. The person from  
54 whom the weapon is seized, or the owner of the weapon (if different), may appeal the  
55 forfeiture of the weapon within thirty (30) days of the seizure to the Vermont Superior  
56 Court, Civil Division, pursuant to Chapter 102 of Title 12 of the Vermont Rules of Civil  
57 Procedure and Rule 74 of the Vermont Rules of Civil Procedure. In any appeal, the  
58 burden of proof shall rest upon the City to establish the violation by a preponderance of  
59 the evidence. If the City fails to establish the required burden of proof, the items shall be  
60 returned to the person from whom they were seized.

61 If no appeal is taken within thirty days, or if the City prevails in the superior court  
62 proceedings, the items so seized shall become the property of the City of Burlington.?"

63 AND, BE IT FURTHER RESOLVED that pursuant to 17 V.S.A. Sec. 2645(a)(7) the City  
64 Council hereby determines that the proposed charter amendment is too long or unwieldy to be shown  
65 in the amended form and determines that the printed ballot shall utilize a short form question to read:  
66 "Shall the Burlington City Charter be amended to add Article 99, General Weapons Requirements  
67 Sec. 510 entitled "Ban on Firearms in Any Establishment with a First Class Liquor License," which  
68 provides that no person may carry or possess a firearm in any location under the ownership or control  
69 of an establishment licensed to serve alcohol on its premises and which provides for specific  
70 exemptions from the prohibition and for penalties, including forfeiture of the firearm, for a  
71 violation?"

72 AND, BE IT FURTHER RESOLVED that in accordance with 17 V.S.A. Sec. 2645, public  
73 hearings on the above-proposed amendment of the Burlington City Charter shall be held  
74 on Friday, January 17, 2014 at 12:00 noon and on Monday, January 27, 2014 at 7:00 p.m. in Contois  
75 Auditorium, City Hall, Burlington, Vermont.

76 \* Material underlined added.  
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\* \* \* \* \*

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

Linda Blanchard, City Attorney's Office

RESOLUTION RELATING TO

March 4, 2014 Annual City Meeting -- Proposed Charter Change Re Ban on Firearms in any Establishment with a Liquor License

As amended Adopted by the City Council

November 19, 2013

[Signature] Clerk

Attest: [Signature] Lori Olberg Licensing, Voting and Records Coordinator

Approved November 21, 2013 [Signature] Mayor

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\* \* \* \* \*

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2 **Resolution Relating to**

**RESOLUTION 11.0**

Sponsor(s): Councilors Siegel,  
Ayres, Blais; Charter Change Com.

Introduced: 11/18/13

Referred to: \_\_\_\_\_

Action: amended; adopted

Date: 11/18/13

Signed by Mayor: 11/21/13

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6 MARCH 4, 2014 ANNUAL CITY MEETING--PROPOSED  
7 CHARTER CHANGE RE SAFE STORAGE OF FIREARMS

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12 **CITY OF BURLINGTON**

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14 In the year Two Thousand Thirteen .....  
15 Resolved by the City Council of the City of Burlington, as follows:

16  
17 That the following question be placed on the ballot of the Annual City Meeting to be held on  
18 March 4, 2014:

19 "Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended be further  
20 amended to add Article 99. General Weapons Requirements Sec. 509 entitled "Safe Storage" thereto  
21 to read as follows:

22 Sec. 509. Safe Storage.

- 23 (a) This act expressly supersedes 24 V.S.A. §§ 2291(8) & 2295 and authorizes the City of  
24 Burlington to regulate the possession and carrying of firearms in the manner indicated below.
- 25 (b) Within the City of Burlington, no person who possesses a firearm, as defined in 13 V.S.A.  
26 §4016(a)(3), shall store or otherwise leave the firearm outside of his or her immediate  
27 possession or control without having first securely locked the firearm in an appropriate safe  
28 storage depository or rendered it incapable of being fired by use of a gun locking device  
29 appropriate to that weapon.
- 30 (c) A "safe storage depository" shall means a safe or other secure container which, when locked,  
31 is incapable of being opened without the key, combination, or other unlocking mechanism, so  
32 as to prevent an unauthorized person from obtaining access to the weapon.
- 33 (d) Penalties. The penalty for any violation of this section shall be as follows:
  - 34 (1) Criminal Offense. Any violation of this Article may be considered a criminal offense,  
35 which shall be punishable by a fine of no more than \$2,500 and/or by imprisonment for not  
36 more than ninety (90) days.
  - 37 (2) Civil Offense. Any violation of this Article may also be considered a civil ordinance  
38 violation punishable by a fine of no less than \$200 and no more than \$500 and

40 **Resolution Relating to** MARCH 4, 2014 ANNUAL CITY MEETING--  
41 PROPOSED CHARTER CHANGE RE SAFE STORAGE  
42 OF FIREARMS  
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44 Civil forfeiture of the weapon as provided below.  
45 (3) Forfeiture upon probable cause that a person is in violation of this provision, a  
46 law enforcement officer may seize the weapon involved in the violation. The person  
47 from whom the weapon is seized, or the owner of the weapon (if different), may appeal  
48 the forfeiture of the weapon within thirty (30) days of the seizure to the Vermont  
49 Superior Court, Civil Division, pursuant to Chapter 102 of Title 12 of the Vermont Rules  
50 of Civil Procedure and Rule 74 of the Vermont Rules of Civil Procedure. In any appeal,  
51 the burden of proof shall rest upon the City to establish the violation by a preponderance  
52 of the evidence. If the City fails to establish the required burden of proof, the items shall  
53 be returned to the person from whom they were seized. If no appeal is taken within thirty  
54 days, or if the City prevails in the superior court proceedings, the items so seized shall  
55 become the property of the City of Burlington.

56 (4) Determination of Penalty. In determining the appropriate penalty, the court shall  
57 take into account all relevant factors, including the presence of minors at the location and  
58 time of the offense.?"

59 AND, BE IT FURTHER RESOLVED that pursuant to 17 V.S.A. Sec. 2645(a)(7) the  
60 City Council hereby determines that the proposed charter amendment is too long or unwieldy to  
61 be shown in the amended form and determines that the printed ballot shall utilize a short form  
62 question to read: "Shall the Burlington City Charter be amended to add Article 99, General  
63 Weapons Requirements Sec. 509 entitled "Safe Storage of Firearms." which provides that no  
64 person shall store a firearm outside of his or her immediate possession or control without having  
65 locked the firearm in a safe storage depository or with a gun locking device and which provides  
66 for penalties, including forfeiture of the firearm, for a violation?"

67 AND, BE IT FURTHER RESOLVED that in accordance with 17 V.S.A. Sec. 2645,  
68 public hearings on the above-proposed amendment of the Burlington City Charter shall be held  
69 on Friday, January 17, 2014 at 12:00 noon and on Monday, January 27, 2014 at 7:00 p.m. in  
70 Contois Auditorium, City Hall, Burlington, Vermont.

71 \* Material underlined added.

\* \* \* \* \*

ORIGINAL

**DISTRIBUTION:**

I hereby certify that this resolution has been sent to the following department(s) on

Linda Blanchard, City Attorney's office

**RESOLUTION RELATING TO**

March 4, 2014 Annual City Meeting--Proposed Charter Change Re Safe Storage of Firearms

*AS amended*

Adopted by the City Council

November 18, 2013

 Clerk

Approved  November 21, 2013 Mayor

Attest:   
Lori Olberg  
Licensing, Voting and Records Coordinator Vol.

Page

\* \* \* \* \*

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2 **Resolution Relating to**

**RESOLUTION** 12.  
Sponsor(s): Councilors Siegel,  
Ayres, Blais: Charter Change Com.  
Introduced: 12/09/13  
Referred to: \_\_\_\_\_  
Action: adopted  
Date: 12/09/13  
Signed by Mayor: 12/12/13

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6 MARCH 4, 2014 ANNUAL CITY MEETING--PROPOSED  
7 CHARTER CHANGE RE POLICE CONFISCATION/SEIZURE  
8 OF WEAPONS DURING DOMESTIC ABUSE INCIDENT  
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12 **CITY OF BURLINGTON**

13  
14 In the year Two Thousand Thirteen .....  
15 Resolved by the City Council of the City of Burlington, as follows:

16  
17 That the following question be placed on the ballot of the Annual City Meeting to be held on  
18 March 4, 2014:

19 "Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended be further  
20 amended to add Article 99. General Weapons Requirements Sec. 511 entitled "Police  
21 Confiscation/Seizure During Incident" thereto to read as follows:

22 Sec. 511. Police Confiscation/Seizure During Incident.

- 23 (a) This act expressly supersedes 24 V.S.A. §§ 2291(8) & 2295 and authorizes the City of  
24 Burlington to regulate the possession and control of firearms in the manner indicated  
25 below.  
26 (b) Whenever, within the City of Burlington, a police officer has probable cause to believe  
27 that a person has been the victim of domestic abuse, as defined in Chapter 21 of Title 15  
28 of the Vermont Statutes Annotated, the officer may confiscate any firearm, ammunition,  
29 or deadly or dangerous weapon, as defined in 13 V.S.A. §4601, in the immediate control  
30 or possession of the person alleged to be the abuser.  
31 (c) A person whose property has been confiscated may request its return, and the police shall  
32 return the property within five (5) days of receiving the request, except in the following  
33 circumstances:  
34 (1) if the property is being held as evidence for a legal proceeding connected with the  
35 domestic violence complaint; or  
36 (2) after a hearing, a court order is issued denying the request or prohibiting the  
37 owner from possessing such property.  
38 (d) A person who fails to turn over a weapon in the immediate control or possession of an  
39 alleged abuser when requested by a police officer pursuant to subparagraph (b) above  
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42 **Resolution Relating to**

MARCH 4, 2014 ANNUAL CITY MEETING--  
43 PROPOSED CHARTER CHANGE RE POLICE  
44 CONFISCATION/SEIZURE OF WEAPONS DURING  
45 DOMESTIC ABUSE INCIDENT  
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47 may be subject to the following penalty:

48 (1) Criminal Offense. Such a violation of this Article may be considered a criminal  
49 offense, which shall be punishable by a fine of no more than \$1,000 and/or by  
50 imprisonment for not more than ninety (90) days.

51 (2) Civil Offense. Such a violation of this Article may also be considered a  
52 civil ordinance violation punishable by a fine of no less than \$200 and no more than \$500  
53 and civil forfeiture of the weapon as provided below.

54 (3) Forfeiture. Upon probable cause that a person is in violation of this provision, a  
55 law enforcement officer may seize the weapon involved in the violation. The person  
56 from whom the weapon is seized, or the owner of the weapon (if different), may appeal  
57 the forfeiture of the weapon within thirty (30) days of the seizure to the Vermont  
58 Superior Court, Civil Division, pursuant to Chapter 102 of Title 12 of the Vermont Rules  
59 of Civil Procedure and Rule 74 of the Vermont Rules of Civil Procedure. In any appeal,  
60 the burden of proof shall rest upon the City to establish the violation by a preponderance  
61 of the evidence. If the City fails to establish the required burden of proof, the items shall  
62 be returned to the person from whom they were seized. If no appeal is taken within thirty  
63 days, or if the City prevails in the superior court proceedings, the items so seized shall  
64 become the property of the City of Burlington.?"

65 AND, BE IT FURTHER RESOLVED that the printed ballot utilize a short form question  
66 to read: "Shall the Burlington City Charter be amended to add Article 99. General Weapons  
67 Requirements Sec. 511 entitled "Police Confiscation/Seizure of Weapons During Domestic  
68 Abuse Incident," which provides that a police officer may confiscate a weapon in the immediate  
69 control or possession of an alleged abuser if the officer has probable cause to believe that  
70 domestic abuse has occurred and which provides penalties, including forfeiture of the weapon,  
71 for failure to submit to confiscation?"

72 AND, BE IT FURTHER RESOLVED that in accordance with 17 V.S.A. Sec. 2645,  
73 public hearings on the above-proposed amendment of the Burlington City Charter shall be held  
74

76 **Resolution Relating to** MARCH 4, 2014 ANNUAL CITY MEETING--  
77 PROPOSED CHARTER CHANGE RE POLICE  
78 CONFISCATION/SEIZURE OF WEAPONS DURING  
79 DOMESTIC ABUSE INCIDENT  
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81 on Friday, January 17, 2014 at 12:00 noon and on Monday, January 27, 2014, at 7:00 p.m. in  
82 Contois Auditorium, City Hall, Burlington, Vermont.

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85 \* Material underlined added.

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88 lb/EBlackwood/c: Resolutions 2013/Charter Change re Police Confiscation-Seizure of Weapons during Domestic Abuse  
89 Incident, Sec. 511 (3-04-14 Annual City Meeting)  
90 11/14/13; 12/3/13

\* \* \* \* \*

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

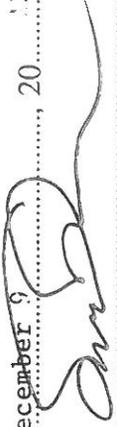
RESOLUTION RELATING TO

March 4, 2014 Annual City Meeting--  
Proposed Charter Change--Re-Police Confiscation/Seizure  
of Weapons During Domestic Abuse Incident

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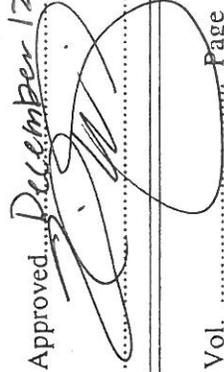
Adopted by the City Council

December 9, 2013



Clerk

Approved December 12, 2013



Mayor

Attest:

Vol. .... Page .....

\* \* \* \* \*

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2 **Resolution Relating to**

**RESOLUTION** 10.

Sponsor(s): Councilors Siegel,  
Ayres, Blais: Charter Change Com.

Introduced: 12/16/13

Referred to: \_\_\_\_\_

Action: amended; adopted

Date: 12/16/13

Signed by Mayor: 12/20/13

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6 MARCH 4, 2014 ANNUAL CITY MEETING--PROPOSED  
7 CHARTER CHANGE RE WARD BOUNDARIES

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12 **CITY OF BURLINGTON**

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14 In the year Two Thousand Thirteen .....  
15 Resolved by the City Council of the City of Burlington, as follows:

16  
17 That the following question be placed on the ballot of the Annual City Meeting to be held on  
18 March 4, 2014:

19 "Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended be further  
20 amended to amend Article 2, Wards and Boundaries, Article 4, Qualifications of Voters, Article  
21 5, Penalties for Illegal voting, Article 6, Ward Officers, Article 7, Checklist, Article 8, Method of  
22 Conducting Elections, Article 9, Special City Meetings, Article 13, Administration, Article 16,  
23 Board of Civil Authority, Article 37, Boards Established, Article 41, Terms of Office, Article 43,  
24 Removal from Office and Filling Vacancies, Article 49, Appointive Officers and Their Trusts;  
25 City Clerk, and Article 57, School Commissioners by amending Sections 2, 3, 7, 8, 9, 10, 14, 18,  
26 19, 20, 22, 23, 26, 36, 43, 120, 125, 128, 130, 138, 163, and 164, thereof and by the addition of  
27 Sec. 2a thereto to read as follows:

28 **ARTICLE 1. BOUNDARIES OF CITY, INCORPORATION. As written**

29 **ARTICLE 2. ~~WARDS AND BOUNDARIES~~ CITY ELECTION AREAS DEFINED**

30 **Transition Provision.** The City of Burlington shall maintain its division into the seven wards as  
31 constituted as of the first Tuesday in March 2014, until the annual meeting on the first Tuesday  
32 in March 2015. and until newly elected officers begin the term on the first Monday in April  
33 2015, after which the division of the city into seven wards as set forth in section 2 below shall be  
34 abolished and replaced by the division into city districts and wards as set forth in section 2a  
35 below to be effective for the annual meeting on the first Tuesday in March 2015, and the terms  
36 of officers beginning on the first Monday in April 2015.

37 **§ 2. Division into Seven Wards described.**

38 The City of Burlington is hereby divided into seven wards constituted as follows:

39 Ward One. Ward one shall include all that part of said city lying easterly and northerly of the  
40 following described line:

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**Resolution Relating to**

MARCH 4, 2014 ANNUAL CITY MEETING--  
PROPOSED CHARTER CHANGE RE  
WARD BOUNDARIES

Beginning at the centerline of the Winooski River under the Central Vermont Railway bridge below the Winooski Lower Falls; thence westerly in the centerline of said railroad to a point where the centerline of Hyde Street extended northerly intersects the same; thence southerly along the centerline of Hyde Street so extended and the centerline of Hyde Street to the intersection of the centerline of North Willard Street; thence southerly along the centerline of North Willard Street to the centerline of Pearl Street; thence easterly along the centerline of Pearl Street to the intersection of Pearl Street and South Williams Street; thence southerly along the centerline of South Williams Street to the intersection of South Williams and College Streets; thence westerly along the centerline of College Street to the intersection of College Street and So. Willard Street; thence southerly along the centerline of So. Willard Street to the intersection of So. Willard and Main Streets; thence easterly in the south line of Main Street to a point in the south line of Main Street said point being one hundred and sixteen (116) feet east of the intersection of the south line of Main Street and the east line of South Prospect Street; thence south twenty-five (25) degrees, thirty (30) minutes east a distance of eight hundred and sixty-five (865) feet to a point in the east boundary of the Burlington Water Works reservoir property located south of Main Street, said point being six hundred and sixty (660) feet southerly of the south line of Main Street; thence south sixty-one (61) degrees, thirty (30) minutes east a distance of three hundred and sixty-three (363) feet to monument number fourteen (14) of the University of Vermont property markers also known as the southeast corner of the University Terrace subdivision; thence from the above-named point south nineteen (19) degrees, zero (0) minutes east a distance of one thousand, six hundred and thirty (1,630) feet to the northwest corner of the Gutterson Field House; thence along the north line of the Gutterson Field House, north eighty-three (83) degrees, fifteen (15) minutes east extended easterly to the common line between Burlington and South Burlington, a distance of six hundred and sixty (660) feet; thence north seven (7) degrees, forty-six (46) minutes west a distance of one thousand, six hundred and ten (1,610) feet along the common boundary between Burlington and South Burlington to the south line of Main Street; thence easterly along the south line of Main Street to the east line of the city.

Ward Two. Ward two shall include all that part of the city bounded as follows:

On the east by ward one and the Winooski River; on the south by the centerline of Main Street; on [the] west by a line running from the centerline of Main Street northerly along the centerline of South and North Union Streets to the centerline of Grant Street, thence westerly along the centerline of Grant Street to the centerline of North Winooski Avenue, thence northerly along the centerline of North Winooski Avenue to the centerline of North Street, thence westerly along the centerline of North Street to the centerline of Elmwood Avenue, thence northerly along the centerline of Elmwood Avenue to the centerline of Spring Street, thence northwesterly along the centerline of Spring Street and said centerline extended, to a point where the same intersects the centerline of Institute Road extended easterly; and on the north by the centerline of Institute Road extended easterly.

Ward Three. Ward three shall include all that part of the city bounded easterly by wards two and six, southerly by the centerline of King Street between South Union and St. Paul Streets and, westerly thereof by the centerline of Main Street and said centerline extended westerly to the west line of the city, westerly by the west line of the city north to the intersection with the

91 **Resolution Relating to**

93 extension of the back property lines of property fronting on Haswell Street, the centerline of  
94 Depot Street to its intersection with North Avenue and by the centerline of North Avenue  
95 northerly thereof, and northerly by the northern boundary of the Central Vermont Railroad right-  
96 of-way.

97 Ward Four. Ward four shall include all that part of the city ~~laying~~ lying northerly of the  
98 centerline of Institute Road and westerly of the centerline of North Avenue to the intersection of  
99 the centerline of Fairfield Drive thence continuing westerly along the centerline of Fairfield  
100 Drive to the intersection of the property line between those properties fronting on Westward  
101 Drive and the eastern boundary of the Village at Northshore, thence continuing northerly along  
102 the Village of Northshore Boundary, then westerly along the northerly boundary of the Village at  
103 Northshore to a point where said boundary extended intersects Lake Champlain.

104 Ward Five. Ward five shall include all that part of the city lying southerly of the centerline of  
105 Main Street and said centerline extended westerly to the west line of the city and westerly of a  
106 line running from the centerline of Main Street southerly along the centerline of St. Paul Street to  
107 the centerline of Adams Street, thence easterly along the centerline of Adams Street to the  
108 centerline of South Winooski Avenue, thence southerly along the centerline of South Winooski  
109 Avenue to the centerline of St. Paul Street, thence southerly along the centerline of St. Paul  
110 Street and Shelburne Street to the south line of the city.

111 Ward Six. Ward six shall include all that part of the city lying southerly of the centerline of King  
112 Street between St. Paul and South Union Streets, but otherwise southerly of the centerline of  
113 Main Street and the south line of ward one, and easterly of the east boundary of ward five.

114 Ward Seven. Ward seven shall include all that part of the city lying easterly of ward four,  
115 westerly of the Winooski River and northerly of the boundaries of wards two and three  
116 respectively.

117 Reference is also made to a map entitled "Proposed Ward Boundaries, Burlington, Vermont,  
118 Department of Zoning and Planning, GIS, Burlington, Vermont, Prepared September 11, 1992  
119 and amended October 5, 1992" located in the Burlington chief administrative officer's Office in  
120 further aid of the above description.

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122 **§ 2a. Election Boundaries for the annual meeting of 2015 and all city elections thereafter.**  
123 **(a) City Districts Described.**

124 For the annual meeting of 2015 and all city elections thereafter, the City of Burlington is divided  
125 into four electoral districts, constituted as follows:

126  
127 **(1) EAST DISTRICT**

128 The East District shall include all that part of said city lying easterly and northerly of the  
129 following described boundaries:

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**Resolution Relating to**

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Beginning at the common boundary between the cities of Burlington and Winooski in the Winooski River beneath the Central Vermont Railway bridge downstream of the Lower Winooski Falls and Salmon Hole; thence westerly in the center line of said railroad tracks, crossing Intervale Road, to a point where the center line of Hyde Street extended northeasterly intersects said railroad track center line (approximately -73.2045 longitude, 44.4912 latitude); thence southerly along the extension of the center line of Hyde Street, continuing on the center line of Hyde Street to the intersection of the center line of North Willard Street; thence southerly along the center line of North Willard Street to the intersection of the center line of Pearl Street; thence westerly along the centerline of Pearl Street to the intersection of the center line of South Winooski Avenue; thence southerly along the center line of South Winooski Avenue to its intersection with the centerline of Maple Street; thence easterly along the center line of Maple Street to its intersection with the center line of Summit Street; thence southerly along the center line of Summit Street to its intersection with the center line of Cliff Street; thence easterly along the center line of Cliff Street to its intersection with the center line of South Prospect Street; thence southerly along the center line of South Prospect Street approximately 228 feet to its intersection with the centerline of the University of Vermont Redstone Campus loop road (approximately -73.2004 longitude, 44.4692 latitude; then easterly along the centerline of said Redstone Campus loop road past Slade, Robinson, and Coolidge Halls, each to the south; then northerly along said Redstone Campus loop road past Southwick Hall to the east, to its intersection with the centerline of the walkway serving Southwick Hall and the Music Building, a total of approximately 727 feet from the centerline of South Prospect Street along said service road (approximately -73.1982 longitude, 44.4698 latitude); thence easterly along the centerline of said walkway, extended to its intersection with the centerline of University Heights Road, with the Music Building and Redstone Hall to the north and Southwick Hall to the south (approximately -73.1968 longitude, 44.4698 latitude); thence southerly along the centerline of University Heights Road to its intersection with the centerline of Davis Road; thence easterly along the centerline of Davis Road to its intersection with the common boundary between the cities of Burlington and South Burlington.

**(2) CENTRAL DISTRICT**

The Central District shall include all that part of the city bounded as follows:  
On the east, beginning at the common boundary between the City of Burlington and Town of Colchester in the Winooski River at the intersection of the center line of Institute Road extended northeasterly (approximately -73.2139 longitude, 44.5077 latitude); thence southerly along the common boundary between the City of Burlington and Town of Colchester in the Winooski River to a point beneath the Central Vermont Railway bridge downstream of the Lower Winooski Falls and Salmon Hole; thence southerly along the East District eastern boundary to its intersection with the center line of King Street; on the south along the centerline of King Street extended westerly to Lake Champlain; on the west by Lake Champlain;

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**Resolution Relating to**

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on the north, beginning at the intersection of the common property boundary between 87 North Avenue and 9 Lakeview Terrace extended westerly to Lake Champlain (approximately -73.2252 longitude, 44.4832 latitude); thence northeasterly along the extended property boundary between 87 North Avenue and 9 Lakeview Terrace to its intersection with the centerline of the Central Vermont Railway railroad track (approximately -73.2239 longitude, 44.4837 latitude); thence northerly and easterly along the centerline of the Central Vermont Railway railroad track, crossing North Avenue and the Burlington Beltline, to its intersection with the centerline of Spring Street extended northwesterly (approximately -73.2183 longitude, 44.4912 latitude); thence northwesterly along the extension of the centerline of Spring Street to its intersection with the centerline of Institute Road extended northeasterly (approximately -73.2281 longitude, 44.4995 latitude); thence northeasterly along the extension of the centerline of Institute Road extended to its intersection with the common boundary between the City of Burlington and Town of Colchester in the Winooski River (approximately -73.2139 longitude, 44.5077 latitude).

**(3) SOUTH DISTRICT**

The South District shall include all that part of the city south of the southern boundaries of the East and Central Districts.

**(4) NORTH DISTRICT**

The North District shall include all that part of the city north of the northern boundary of the Central District.

**(b) Wards Described.**

Each of the City of Burlington's four electoral districts is hereby comprised of two wards, each of which is constituted as follows:

**(1) EAST DISTRICT - WARD 1 AND WARD 8**

The East District is divided into two wards by the following boundary:

Beginning at the center of the intersection of Pearl Street and South Willard Street; thence southerly along the center line of South Willard Street to its intersection with the center line of College Street; thence easterly along the center line of College Street to its intersection with the center line of South Prospect Street; thence southerly along the center line of South Prospect Street to its intersection with the center line of Main Street; thence easterly along the center line of Main Street to the common boundary between the Cities of Burlington and South Burlington.

Ward 1 lies to the north of the described boundary, and Ward 8 lies to the south.

**(2) CENTRAL DISTRICT - WARD 2 AND WARD 3**

The Central District is divided into two wards by the following boundary:

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Beginning at the center line of the Central Vermont Railway railroad track at the intersection of the center line of Spring Street extended northwesterly (approximately -73.2183 longitude, 44.4912 latitude); thence southerly along the center line of Spring Street extended northwesterly, continuing along the center line of Spring Street to its intersection with the centerline of Elmwood Avenue; thence southerly along the center line of Elmwood Avenue to its intersection with the centerline of Pearl Street; thence easterly along the center line of Pearl Street to the intersection of the center lines of North and South Winooski Avenue.

Ward 2 lies to the east of the described boundary, and Ward 3 lies to the west.

**(3) SOUTH DISTRICT - WARD 5 AND WARD 6**

The South District is divided into two wards by the following boundary: Beginning at the intersection of the center lines of King Street and Saint Paul Street; thence southerly along the centerline of Saint Paul Street to its intersection with the center line of Shelburne Street; thence southerly along the center line of Shelburne Street to its intersection with the center line of Flynn Avenue; thence easterly along the centerline of Flynn Avenue extended easterly to the common boundary between the Cities of Burlington and South Burlington.

Ward 5 lies to the west of the described boundary, and Ward 6 lies to the east.

**(4) NORTH DISTRICT - WARD 4 AND WARD 7**

The North District is divided into two wards by the following boundary: Beginning at the intersection of the center lines of North Avenue and the Central Vermont Railway railroad track; thence northerly along the centerline of North Avenue to its intersection with the center line of Fairfield Drive; thence westerly along the center line of Fairfield Drive to its intersection with the western property boundary of 39 Westward Drive extended southerly; thence northerly along the western property boundaries of 39 and 40 Westward Drive, continuing northerly along the western property boundaries of properties fronting the west side of Hardy Avenue to the southern boundary of 35 Derway Drive; thence westerly along the southern boundary of 35 Derway Drive, extended to its intersection with the center line of Derway Drive (approximately -73.2690 longitude, 44.5249 latitude); thence northeasterly along the centerline of Derway Drive to its intersection with the center line of Claire Pointe Drive; thence northerly along the center line of Claire Pointe Drive approximately 44 feet to its intersection with the southern property boundary of the Claire Pointe condominium development; thence westerly along the southern property boundary of the Claire Pointe condominium development to the Waterfront Bike Path right-of-way approximately 537 feet (approximately -73.2707 longitude, 44.5253 latitude), and then extended to Lake Champlain.

Ward 4 lies to the west of the described boundary, and Ward 7 lies to the east.

Reference is also made to a map entitled "Ward Redistricting, 8 Wards – 4 Districts, 12 Councilors, Referred to Charter Change Committee (v. 1), Map Date: November 7, 2013" located in the Burlington chief administrative officer's office in further aid of the above description.

283  
284 **Resolution Relating to**  
285

286 **TITLE II. ELECTIONS AND CITY MEETINGS—CITY ELECTIONS**

287 **§ 3. Election of mayor and city councilors.**

288 (a) Election of mayor. On the first Tuesday in March 2003, and triennially thereafter, the legal  
289 voters of the city shall, from among the legal voters thereof, elect a mayor. Notwithstanding any  
290 provision of this Charter or the general statutes, no person shall be eligible to have his or her  
291 name printed on the ballot as a candidate for the office of mayor who has not submitted a  
292 nominating petition signed by at least one hundred fifty registered voters of the city within the  
293 time limits specified in chapter 55 of Title 17 of the Vermont Statutes Annotated, as the same  
294 may be amended from time to time. ~~On the first Tuesday in March, 1994, and biennially~~  
295 ~~thereafter, the legal voters of wards one, two, three, five and six shall, from among the legal~~  
296 ~~voters thereof, elect one city councilor and all ward officers hereinafter named; and on the first~~  
297 ~~Tuesday in March, 1995, and biennially thereafter, the legal voters in wards one, two, three, five~~  
298 ~~and six shall, from among the legal voters thereof, elect one city councilor and all ward officers~~  
299 ~~hereinafter named.~~

300 (b) ~~On the first Tuesday in March, 1994, the legal voters of wards four and seven shall, from~~  
301 ~~among the legal voters thereof, elect two city councilors, one for a one-year term and one for a~~  
302 ~~two-year term, as well as all ward officers hereinafter named. Annually thereafter, the legal~~  
303 ~~voters of wards four and seven shall, from among the legal voters thereof, elect one city~~  
304 ~~councilor and all ward officers hereinafter named.~~

305 (b) Election of city councilors.

306 Transitional Provision. The terms of city councilors elected on the first Tuesday in March 2014  
307 shall be abolished on the first Monday of April 2015. The terms of city councilors elected on the  
308 first Tuesday in March 2013 shall expire as of the first Monday of April 2015. The new city  
309 council shall be elected at the annual city meeting on the first Tuesday in March 2015, with  
310 councilors' terms to begin on the first Monday of April 2015, as set forth below.

311  
312 (1) On the first Tuesday in March 2015, and biennially thereafter, the legal voters of each of  
313 the south, central, east, and north city districts shall, from among the legal voters of their  
314 respective district, elect a city councilor for a two year term.

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316 (2) On the first Tuesday in March 2015, the legal voters from each of wards one, two, three,  
317 four, five, six, seven and eight shall, from among the legal voters of their respective ward  
318 elect a city councilor for a three year term. On the first Tuesday in March, 2018, and  
319 biennially thereafter, the legal voters of each ward shall elect a city councilor for a two  
320 year term.

327 **Resolution Relating to**

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335 **§§ 4-5 As written**

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337 **ARTICLE 3. WARNINGS As written**

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339 **ARTICLE 4. QUALIFICATIONS OF VOTERS**

340  
341 **§ 7. Age and residence requirements.**

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343 Every ~~male or female~~ citizen of this state not less than eighteen years of age who has taken the  
344 Freeman's (Voter's) Oath, who resides in said city and who has registered to vote with the board  
345 for registration of voters no later than the deadline established by Vermont law prior to any  
346 warned city or ward or city district election or any annual or special city meeting shall be a legal  
347 voter at said election or meeting, and no other person shall be allowed to vote at such election or  
348 meeting.

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350 **§ 8. Person to vote in ward or city district in which the person resides; residence**  
351 **requirement.**

352  
353 No such citizen shall vote except in the ward or city district of which he or she is at the time a  
354 resident.

355  
356 **ARTICLE 5. PENALTIES FOR ILLEGAL VOTING**

357 **§ 9. Adopted.**

358  
359 The penalties set forth in Vermont Statutes Annotated shall be applicable for illegal voting at any  
360 city or ward or city district election.

361 **ARTICLE 6. WARD OFFICERS**

362 **Transitional Provision.** The terms of ward officers elected prior to the annual city meeting on  
363 the first Tuesday in March 2015 shall be abolished on the first Monday of April 2015. The new  
364 ward officers shall be elected at the annual city meeting on the first Tuesday in March 2015, with  
365 their terms to begin on the first Monday of April 2015, as set forth below. The ward officers of  
366 the seven wards elected prior to the 2015 annual city meeting shall serve as the election officers  
367 for the 2015 annual meeting. The ward officers for Ward 8 in the election on the first Tuesday in  
368 March 2015 shall be appointed for that election by the Board of Civil Authority.

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**Resolution Relating to**

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375 **§ 10. Specified; selection.**

376 The ward officers shall be a clerk and three inspectors of election. All three inspectors of election  
377 may not be members of the same political party. In such event, the city council shall forthwith  
378 appoint an inspector who shall serve instead of the candidate who received the third largest  
379 number of votes. Ward clerks shall be chosen for two-year terms and inspectors of elections for  
380 three-year terms by the legal voters of each ward at the annual city election. The ward clerks  
381 elected March 3, 2015 shall take office April 7, 2015 ~~March 7, 2000 shall take office April 4,~~  
382 ~~2000~~. Three inspectors of election shall be elected in each ward on March 3, 2015 ~~March 7,~~  
383 ~~2000~~, one for a one-year term commencing April 4, 2015 ~~2000~~ and terminating March 31, 2016  
384 ~~2001~~; one for a two-year term commencing April 4, 2015 ~~2000~~ and terminating March 31, 2017  
385 ~~2002~~; and one for a three-year term commencing April 4, 2015 ~~2000~~ and terminating March 31,  
386 2018 ~~2003~~. Thereafter, all inspectors of elections shall be elected for three-year terms.

387 **§§ 11-13 As written**

388 **ARTICLE 7. CHECKLIST**

389 **§ 14. List of voters to be prepared; posting.**

390 Preceding each annual or special city or ward or city district election to be held in said city, it  
391 shall be the duty of the board for registration of voters to prepare full and complete lists of the  
392 voters in the respective wards or city districts of said city, and to certify the same to the chief  
393 administrative officer. One copy of such lists shall be posted by or under the direction of the  
394 chief administrative officer in some public place in the wards or city districts to which the voters  
395 whose names are on such list respectively belong, at least twelve days previous to any such  
396 election.

397 **§§ 15-17. As written**

398 **§ 18. Copies of list to be given inspectors.**

399 After all such additions, alterations and corrections shall have been made by said board for  
400 registration of voters, a true copy of such checklist shall be made by the chief administrative  
401 officer, and delivered to the inspectors of election in the several wards, for use at such annual or  
402 special city election or ward or city district election ~~or ward section~~; and no person whose name  
403 is not on such lists shall be allowed to vote at any such election.

404 **ARTICLE 8. METHOD OF CONDUCTING ELECTIONS**

405 **§ 19. Where elections held; early voter absentee ballots.**

406 Annual and special elections shall be held in the several wards, ~~for use at such annual or special~~  
407 ~~city or ward election~~. Notwithstanding 17 V.S.A. Chapter 51, the ballots of early or absentee  
408 voters may be returned to the ward clerks of the various wards within the city.

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# Resolution Relating to

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**§ 20. Ward clerk to keep records; certificates of election to be furnished successful candidates; election results to be published.**

It shall be the duty of the clerk of each ward subject to supervision by the chief administrative officer as presiding officer for city and ward and city district elections to make a record of all elections held therein, and to furnish to each officer who shall have been elected for such ward or city district, including city councilors and school commissioners, a certificate of his or her election, and also immediately after any election in such ward to return and certify to the chief administrative officer a statement of the votes for all officers in his or her ward, which statement shall be recorded in the city records, and a certificate by the chief administrative officer of the result of such election in the whole city shall be forthwith published in the various newspapers of said city.

**§ 21 As written**

**§ 22. Ballots.**

For all city or ward or city district elections, and also for the election of justices of the peace in said city, the chief administrative officer shall prepare all official ballots, consistent with the requirements of any regulation adopted under section 5 of this chapter, and otherwise in the same manner and subject to all the provisions of the laws of this state providing for and regulating the preparation and distribution of official ballots in towns and cities; provided, however, that said chief administrative officer shall cause to be printed for every ward or city district in said city not less than 60 ballots for every 50 names or fractional part thereof on the voting list prepared and posted in such ward or city district for any such election; and further provided that said chief administrative officer shall deliver to the inspectors of election in each ward on the day of such election and before the hour for opening the polls in said ward, such number of blocks of ballots containing one hundred each as shall nearest represent two-thirds of the whole number required to be printed for such ward or city district, and shall retain the balance of the ballots for each ward or city district so prepared.

**§ 23. Retained ballots to be delivered to inspectors on demand.**

In case the inspectors of election in any ward for any cause shall require the ballots so belonging to such ward or city district and retained by said chief administrative officer, or any part thereof, they shall notify him or her in writing. Said chief administrative officer shall thereupon forthwith transmit to said inspectors of election such part or all of said ballots so retained in his or her possession as said inspectors of election shall specify.

**§ 24. As written**

**ARTICLE 9. SPECIAL CITY MEETINGS**

**§ 25 As written**

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**Resolution Relating to**

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**§ 26. Questions at special meetings to be decided by ballot.**

The questions at any such special meeting shall be determined by ballot and the checklist shall be used. There shall be at such meeting a separate polling place, or polling places, for each ward, and as many of the ward officers hereinbefore named as shall be necessary shall act at such meetings, in the same manner as at city or ward or city district elections. For all such meetings, it shall be the duty of the chief administrative officer to prepare suitable ballots in sufficient quantity.

**ARTICLES 10 – 12 As written**

**ARTICLE 13. ADMINISTRATION**

**§ 36. Administration; vested in mayor and city council; selection and terms of same**

The administration of all the fiscal, prudential and municipal affairs of the city and the government thereof, except as herein otherwise provided, shall be vested in a principal officer to be styled the mayor and a board of ~~fourteen~~ twelve members to be denominated the city council. The city council shall elect one of the members president thereof. The mayor and city council sitting in their joint capacity shall be called the city council with mayor presiding. ~~Except as herein otherwise provided, the mayor and the members of the city council shall hold office for the term of two years.~~

**ARTICLES 14-15 As written**

**ARTICLE 16. BOARD OF CIVIL AUTHORITY**

**§ 43. Composition; board for registration of voters; duties; appointments; offices.**

(a) The city council with mayor presiding shall constitute the board of civil authority for said city, except that all duties with respect to preparing checklists of voters and making additions thereto or alterations or corrections thereon imposed upon said council by this Charter or the provisions of the general statutes relating thereto shall be performed by a board of ~~nine (9)~~ ten (10) members, to be known as the board for registration of voters. Not more than five (5) members of said board shall at any one time be from the same political party.

(b) As written.

(c) As written.

**ARTICLES 17 – 36 As written**

493 **Resolution Relating to**

494 **ARTICLE 37. BOARDS ESTABLISHED**

495 **§ 120. Enumerated.**

496 There shall be maintained in said city a board of assessors consisting of the city assessor and two  
497 legal voters of said city; a board of tax appeals normally consisting of seven legal voters of said  
498 city; a board of public works commissioners consisting of seven legal voters of said city; a board  
499 of cemetery commissioners, a board of police commissioners, a board of light commissioners, a  
500 board of fire commissioners, and a board of health, each consisting of five legal voters of said  
501 city; a board of airport commissioners consisting of four legal voters of the City of Burlington  
502 and one legal voter of the City of South Burlington, a board of park and recreation  
503 commissioners, consisting of five legal voters of said city; a board of library commissioners  
504 consisting of ten members; a board of planning commissioners, the members of such boards to  
505 be appointed by the city council with mayor presiding; a board of school commissioners  
506 consisting of ~~fourteen~~ twelve legal voters of said city and of the respective wards in which they  
507 are elected; and a board of finance to be constituted as hereinafter provided.

508 **§§ 120a – 121 As written**

509 **ARTICLES 38 – 40 As written**

510 **ARTICLE 41. TERMS OF OFFICE**

511 **§ 125. Mayor, city councilors, ward and precinct officers.**

512 (a) ~~Except as herein otherwise provided, the mayor elected on the first Tuesday in March,~~  
513 ~~1993, shall hold office from the first Monday in April, 1993, to the first Monday in April, 1995,~~  
514 ~~and those elected thereafter shall hold office for the term of two years from the first Monday in~~  
515 ~~April next following such election. On the first Tuesday in March, 1994, the voters of ward one,~~  
516 ~~two, three, five and six shall each elect, from among the legal voters thereof, one city councilor~~  
517 ~~for a term of two years from the first Monday in April, 1994. On the first Tuesday in March,~~  
518 ~~1995, the voters of wards one, two, three, five and six shall each elect, from among the legal~~  
519 ~~voters thereof, one city councilor for a term of two years from the first Monday in April, 1995.~~  
520 ~~On the first Tuesday in March, 1994, the legal voters of wards four and seven shall each elect,~~  
521 ~~from among the legal voters thereof, two city councilors, one for a one-year term and one for a~~  
522 ~~two-year term. Notwithstanding any other provision hereof, the election of a city councilor in~~  
523 ~~ward four in 1993 shall be for a one-year term only. The various ward and precinct officers~~  
524 ~~elected on the first Tuesday in March, 1994, and the various ward and precinct officers thereafter~~  
525 ~~elected, shall hold office for the term of one year from the first Monday in April following such~~  
526 ~~election. The provisions of this Section shall control the provisions of section 3 of this Charter.~~

527 On the first Tuesday in March 2003, and triennially thereafter, the legal voters of the city shall,  
528 from among the legal voters thereof, elect a mayor who shall hold office for the term of three  
529 years from the first Monday in April next following such election.

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MARCH 4, 2014 ANNUAL CITY MEETING--  
PROPOSED CHARTER CHANGE RE  
WARD BOUNDARIES

(b) Election of city councilors.

**Transitional Provision.** The terms of city councilors elected on the first Tuesday in March 2014 shall be abolished on the first Monday of April 2015. The terms of city councilors elected on the first Tuesday in March 2013 shall expire as of the first Monday of April 2015. The new city council shall be elected at the annual city meeting on the first Tuesday in March 2015, with councilors' terms to begin on the first Monday of April 2015, as set forth below.

(1) On the first Tuesday in March 2015, and biennially thereafter, the legal voters of each of the south, central, east, and north city districts shall, from among the legal voters of their respective district, elect a city councilor for a two year term.

(2) On the first Tuesday in March 2015, the legal voters from each of wards one, two, three, four, five, six, seven and eight shall, from among the legal voters of their respective ward elect a city councilor for a three year term. On the first Tuesday in March, 2018, and biennially thereafter, the legal voters of each ward shall elect a city councilor for a two year term.

§§ 126 – 127 As written

ARTICLE 42. As written

ARTICLE 43. REMOVAL FROM OFFICE AND FILLING VACANCIES.

§ 128. Manner of filling.

In case of a vacancy in the office of mayor, occasioned by death, resignation, removal from said city, permanent inability to serve, failure to elect or disqualification of the person chosen, the president of the city council shall act as mayor until such successor is elected and has qualified; and in case of any vacancy in the city council from any of the above mentioned causes, the same shall be filled by a new election in the proper ward or city district; and if any city councilor shall remove out of the ward or city district which he or she may have been elected or no longer reside in such ward or city district as a result of reapportionment, his or her office shall thereupon become vacant and the same shall be filled by a new election in the proper ward or city district; and in case there shall arise an occasion for any such new election as a result of a vacancy in the office of mayor or city councilor for any of the above mentioned causes, the same shall be held within 90 days of the date of such vacancy, provided such vacancy shall occur before the first

580 **Resolution Relating to**  
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582 day in October in any year, unless a citywide election has been prescheduled to occur between  
583 the 90th and the 120th day of the date of such vacancy, in which case the same shall be held on  
584 such prescheduled election date; otherwise it shall be filled at the next annual city election. In  
585 every case; the person so elected shall serve for the remainder of the official term. In the case of  
586 reapportionment, such election shall be held at the next ensuing annual city meeting and the term  
587 of the city councilor who no longer resides in the ward or city district as a result of  
588 reapportionment shall continue until the newly elected city councilor assumes office on the first  
589 Monday in April.

590 **§ 129. As written**

591 **§ 130. Manner of filling vacancy and residency requirement.**

592 (a) As written

593 (b) Any individual elected to the position of mayor must be a legal voter of the city as of the  
594 date the written consent required by 17 V.S.A. § 2681(a) is filed and at all times during his or her  
595 term of office. Any individual elected to the position of city councilor or school commissioner  
596 must be a legal voter of the city and of the ward or city district he or she proposes to represent as  
597 of the date the written consent required by 17 V.S.A. § 2681(a) is filed and at all times during his  
598 or her term of office. Any person appointed to serve as a member of any city commission must,  
599 except as otherwise specifically provided for herein, be a legal voter of the city at all times  
600 during his or her term of office.

601  
602 (c) As written.

603  
604 (d) As written

605  
606 (e) As written

607 **ARTICLES 44 – 48 As written**

608 **ARTICLE 49. APPOINTIVE OFFICERS AND THEIR TRUSTS; CITY CLERK**

609 **§ 138. Duties of chief administrative officer generally.**

610 (a) The chief administrative officer shall, subject to the authority of the mayor as chief  
611 executive officer, have direct responsibility for those administrative, financial and record  
612 keeping responsibilities which are not assigned by this Charter to another city entity. The chief  
613 administrative officer shall have supervisory responsibility for those functions, herein outlined,  
614 which were formerly the responsibility of the city clerk and city treasurer.

615 (b) The chief administrative officer shall perform for the city the same duties devolving by the  
616 law of the state upon town clerks, except insofar as those duties are changed or modified by the  
617 provisions of this Charter and shall receive and collect for and on behalf of the city to be used for  
618 city purposes all and the same fees to be paid to town clerks for the performance of those duties

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623 under the general laws of the state. The chief administrative officer shall keep a full and  
624 complete record and account of all fees as received and as paid to the chief administrative officer  
625 in a form and manner as the board of finance and the city auditor may prescribe, and shall give a  
626 proper receipt for every fee collected. The chief administrative officer shall receive only an  
627 annual salary or other compensation as shall be determined by the city council. The chief  
628 administrative officer shall be ex officio clerk of the city council with mayor presiding, city  
629 council, board of civil authority, board for the abatement of taxes and liquor control  
630 commissioners. The chief administrative officer shall have exclusive charge and custody of the  
631 public records of the city and of all records, papers and documents belonging to the Town of  
632 Burlington at the time the City of Burlington was organized. The chief administrative officer  
633 shall be the presiding officer for ward, city district, city and legislative district elections. An  
634 assistant within the chief administrator's office may be designated by the chief administrative  
635 officer to be the presiding officer for ward, city district, city and legislative district elections.

636 **§§ 139 – 142 As written**

637 **ARTICLES 50 – 56 As written**

638 **ARTICLE 57. SCHOOL COMMISSIONERS**

639 Transitional Provision. The terms of school commissioners elected on the first Tuesday in  
640 March 2014 shall be abolished on the first Monday of April, 2015. The terms of school  
641 commissioners elected on the first Tuesday in March 2013 shall expire as of the first Monday of  
642 April, 2015. The new school board shall be elected at the annual city meeting on the first  
643 Tuesday in March 2015 with commissioners' terms to begin on the first Monday of April 2015,  
644 as set forth below.  
645

646 **§ 163. Composition.**

647 The board of school commissioners of said city shall be composed of ~~fourteen~~ twelve school  
648 commissioners, ~~two each~~ one from wards one through ~~seven~~ eight inclusive; and one from each  
649 of the four districts who shall be elected as hereinbefore and hereinafter provided. Anything  
650 contained herein or in the general statutes to the contrary notwithstanding, all candidates for the  
651 board of school commissioners shall be elected on a nonpartisan basis. No reference shall be  
652 made on an election ballot to a candidate's political affiliation or to the endorsement of any such  
653 candidate by political party or parties.

654 **§ 164. Terms, elections.**

655 On the first Tuesday in March, 1994, the voters of wards one, two, three, five and six shall each  
656 elect, from among the legal voters thereof, one school commissioner for a term of two years from  
657 the first Monday in April, 1994. On the first Tuesday in March, 1995, the voters of wards one,  
658 two, three, five and six shall each elect, from among the legal voters thereof, one school  
659 commissioner for a term of two years from the first Monday in April, 1995. On the first Tuesday  
660 in March, 1994, the legal voters of wards four and seven shall each elect, from among the legal

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**Resolution Relating to**

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voters thereof, two school commissioners, one for a one-year term and one for a two-year term. Thereafter, the election of school commissioners in each ward shall be held on the first Tuesday in March in the year in which the term of office of the school commissioner therein shall expire, and each school commissioner shall be elected for a term of two years from the first Monday in April following such election. Notwithstanding any other provision hereof, the election of a school commissioner in ward four in 1993 shall be for a one year term only.

Transitional Provision. The terms of school commissioners elected on the first Tuesday in March 2014 shall be abolished on the first Monday of April 2015. The terms of school commissioners elected on the first Tuesday in March 2013 shall expire as of the first Monday of April 2015. The new school board shall be elected at the annual city meeting on the first Tuesday in March 2015, with commissioners' terms to begin on the first Monday of April 2015, as set forth below.

- (1) On the first Tuesday in March 2015, and biennially thereafter, the legal voters of each of the south, central, east, and north city districts shall, from among the legal voters of their respective district, elect a school commissioner for a two year term.
- (2) On the first Tuesday in March 2015, the legal voters from each of wards one, two, three, four, five, six, seven and eight shall, from among the legal voters of their respective ward elect a school commissioner for a three year term. On the first Tuesday in March, 2018, and biennially thereafter, the legal voters of each ward shall elect a school commissioner for a two year term.

**§§ 165 – 170 As written**

**ARTICLES 58 – 98 As written**

AND, BE IT FURTHER RESOLVED that pursuant to 17 V.S.A. Sec. 2645(a)(7) the City Council hereby determines that the proposed charter amendment is too long or unwieldy to be shown in the amended form and determines that the printed ballot shall utilize a short form question to read: "Shall various sections of the City Charter, Acts of 1949, No. 298, as amended, related to city elections be further amended as follows:

1. To provide for the city to be divided into four city electoral districts and eight city electoral wards as depicted on the map on file in the chief administrator's office, effective as of the annual meeting on March 3, 2015, and for all city elections thereafter;
2. To provide for the city council to be comprised of twelve (12) members with each of the four city districts and eight wards represented by one city councilor, with district councilors elected to two year terms beginning with the election on March 3, 2015, and with ward councilors elected for a three year term on March 3, 2015 and a two year term at the annual meeting on March 6, 2018, and two year terms thereafter;

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3. To provide for the school board to be comprised of twelve (12) members with each of the four city districts and eight wards represented by one school commissioner, with district commissioners elected to two year terms beginning with the election on March 3, 2015, and with ward commissioners elected for a three year term on March 3, 2015 and a two year term at the annual meeting on March 6, 2018, and two year terms thereafter;
4. To provide for the ward election officers for each of the eight wards to be elected at the annual meeting on March 3, 2015, with three inspectors of election whose election is phased in so that each is elected for a staggered three year term ultimately, and that for the 2015 annual meeting only the ward officers of the seven wards elected prior to the 2015 annual city meeting shall serve as the election officers for those wards and the ward officers for Ward 8 shall be appointed for the 2015 election by the Board of Civil Authority; and
5. To provide for the addition of one member to the Board for the Registration of Voters so that the board is comprised of ten (10) members.?"

AND, BE IT FURTHER RESOLVED that in accordance with 17 V.S.A. Sec. 2645, public hearings on the above-proposed amendment of the Burlington City Charter shall be held on Friday, January 17, 2014 at 12:00 noon and on Monday, January 27, 2014 at 7:00 p.m. in Contois Auditorium, City Hall, Burlington, Vermont.

\* Material underlined added.  
\*\* Material stricken out deleted.

\* \* \* \* \*

ORIGINAL

**DISTRIBUTION:**

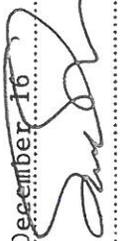
I hereby certify that this resolution has been sent to the following department(s) on

Linda Blanchard, City Attorney's Office

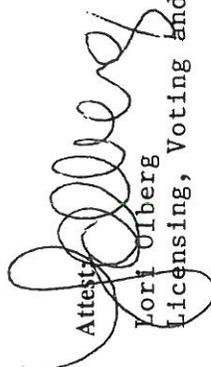
**RESOLUTION RELATING TO**

March 4, 2014 Annual City Meeting--Proposed Charter Change Re Ward Boundaries

*A All Amended*  
Adopted by the City Council

December 16, 20 13  
  
Clerk

Approved December 20, 20 13  
  
Mayor

Attest:  
  
Lori Olberg  
Licensing, Voting and Records Coordinator

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\* \* \* \* \*

# Ward Redistricting 8 Wards - 4 Districts 12 Councilors

Referred to Charter Change Committee (v.1)

|                         |   |                              |
|-------------------------|---|------------------------------|
| <b>Ward (Deviation)</b> |   | 5 (1.0%)                     |
| 1 (5.0%)                |  | 6 (3.9%)                     |
| 2 (-3.2%)               |  | 7 (-3.6%)                    |
| 3 (1.5%)                |  | 8 (-0.5%)                    |
| 4 (-3.8%)               |  | Overall Ward Deviation: 8.8% |

|                             |  |                                  |
|-----------------------------|--|----------------------------------|
| <b>District (Deviation)</b> |  | — District Bnd                   |
| East (2.2%)                 |  | Overall District Deviation: 6.2% |
| Central (-0.9%)             |  |                                  |
| South (2.4%)                |  |                                  |
| North (-3.8%)               |  |                                  |

Map Date: November 7, 2013

