



Thursday, October 16, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

When: Oct 16, 2025 04:30 PM Eastern Time (US and Canada)
Topic: Ordinance Committee Meeting

Join from PC, Mac, iPad, or Android:

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+1 386 347 5053 US

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1. Agenda

1.1. Motion to amend/adopt agenda

2. Adopt Draft Minutes

Subject

2.1. Adopt Draft Minutes from 10/3

Meeting

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Category

2. Adopt Draft Minutes

Department

Council and Board

Type

Recommended Action

3. Public Forum

Subject

3.1. Verbal Comments

Meeting

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Category

3. Public Forum

Department

Council and Board

Type

4. Raising Mandatory Retirement Age for Class A Employees Ordinance Discussion

Subject

4.1. Raising Mandatory Retirement Age for Class A Employees Ordinance Discussion

Meeting

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Category

4. Raising Mandatory Retirement Age for Class A Employees Ordinance Discussion

Department

Council and Board

Type

Recommended Action

5. Parking Ordinance Changes Discussion

Subject

5.1. Parking Ordinance Changes Discussion

Meeting

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Category

5. Parking Ordinance Changes Discussion

Department

Council and Board

Type

Recommended Action

6. Financial Disclosure Ordinance Discussion

Subject

6.1. Financial Disclosure Ordinance Discussion

Meeting

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Category

6. Financial Disclosure Ordinance Discussion

Department

Council and Board

Type

Recommended Action

7. Any Other Committee Business

Subject	7.1. Any Other Committee Business
Meeting	October 16, 2025 - Ordinance Committee Meeting Agenda - Thursday, October 16, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	7. Any Other Committee Business
Department	Council and Board
Type	
Recommended Action	

8. Adjournment

Subject	8.1. Motion to adjourn
Meeting	October 16, 2025 - Ordinance Committee Meeting Agenda - Thursday, October 16, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	8. Adjournment
Department	Council and Board
Type	
Recommended Action	

**Ordinance Committee
Friday, October 3, 2025
Bushor Conference Room Conference Room
or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES**

Members Present: Councilor Bergman (Chair), Councilor Carpenter, Councilor Barlow

Staff Present: Hayley McClenahan (Assistant City Attorney) Kim Sturtevant (Assistant City Attorney), Erik Ramakrishnan (Assistant City Attorney)

Public Present: Sharon Bushor, Josh Kirtlink

Meeting called to order at 2:04 PM.

**1. Adopt the Agenda
1.1 Adopt the Agenda**

Motion to Adopt Agenda.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

**2. Adopt Draft Minutes
2.1 Adopt Draft Minutes from September 18**

Motion to adopt the draft minutes from September 18 with the clarification on CivicClerk that the minutes are of the Ordinance Committee and not the Board of Health

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

Sharon Bushor: I was hoping for a statement supporting the retirement change from both the fire and police unions. I only saw one from the fire union. I don't know how this will effect benefits for early retirees and would like to know. On the parking ordinance changes, the DPW Commission allows for public input. Can the public still go to the Commission to address parking issues? I also think that towing for having over \$275 in parking tickets will end up hurting people. I think it's also problematic for having only 24 hours warning to ban parking on a street and it should be a longer time.

Josh Kirtlink: The BFFA supports the retirement ordinance change as written and has submitted a letter to the Committee stating that. The retirement benefits are laid out in the bargaining agreement and are not age-related except that you must be 50 years of age at least to retire. So changing the mandatory retirement age will not affect benefits.

4. Raising the Mandatory Retirement Age for Class A Employees Discussion

Councilor Barlow said that this change was brought up by a firefighter and was approved by the union and administration. This change will not negatively change benefits for firefighters but will allow them to work longer if needed for their own financial security.

Attorney McClenahan said that the actuarial calculations were done for a change from 60 to 63 and so would like to have further calculations if the Committee is thinking of changing it to 65. She continued that this change should not impact the DROP option that the City offers to employees with over 25 years of service.

Councilor Carpenter said she doesn't think there should be a mandatory age of retirement or have it be 67 to align with the full Social Security benefit. She continued that there should be an exemption for non-line staff.

Councilor Bergman asked if there are any statements of support or opposition from the BPOA or the Police Department about this change. Attorney McClenahan said that the BPD is aware of the potential change but has not received any communication about their position on this change. Councilor Bergman asked the City Attorney's Office to ask BPD and the BPOA if they have any comments on the change.

Josh Kirtlink (BFFA) said that he spoke with the BPOA and that they support the ordinance as drafted. Attorney McClenahan asked Josh Kirtlink whether the employees that are approaching age 63 are all union members. He responded that no, only two are union members and the others are appointed and not in the union. He continued that all of the nearly age 63 employees do not have the 25 years of service to be eligible for the DROP.

Motion to refer the draft ordinance back to City Council with the additional condition to consider other matters of age and employment, and to the request the City Attorney's Office to communicate with the BPOA and Chief of Police if they have any comments on the ordinance change, and to resolicit input from the BFFA and Fire Chief about changing the mandatory retirement age to 65 or 67.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

5. Parking Ordinance Changes Discussion

Attorney Ramakrishnan shared the current draft ordinance changes. The draft ordinance is available in the agenda packet on CivicClerk.

Councilor Carpenter said that if the process to establish accessible residential parking spaces is sped up, the process to undo those spots once the person leaves should also be quick.

Councilor Bergman said he agrees with added flexibility but that there also does need to be public engagement in the process.

Attorney Ramakrishnan said that the Public Works Commission already has the authority to enact rules with the force of ordinance but for the sake of tradition and clarity the ordinance themselves are updated to reflect that.

Councilor Bergman disagreed, and said there needs to be clearer indication of the guardrails, regulations, and public engagement in this ordinance. Attorney Ramakrishnan said that he can move the language proposed for Appendix C into the draft ordinance.

Councilor Bergman asked for the word “approximate” to be removed from line 45 of the draft ordinance regarding sign location.

The Ordinance Committee will continue review at line 115 of the draft ordinance.

6. Any Other Committee Business

No other Committee business. The next meeting is October 16, from 4:30-6:30 PM.

7. Adjournment

The meeting was adjourned at 4:09 PM.



Burlington Fire Fighters Association

Affiliated with the International Association of Fire Fighters AFL-CIO CLC

Organized February 28, 1986



October 2, 2025

City of Burlington City Council
C/O Councilor Bergman
149 Church Street
Burlington, VT 05401

Council,

Recently, the council voted to advance an ordinance change to the mandatory retirement age that imposed on Class A employees. As currently enacted in the pension ordinance, a Class A employee must retire upon turning 60 years of age and the proposed amendment would increase that mandatory retirement age to 63.

This process has unfolded as one of our members worked with the Department administration, via Chief of the Department Michael Curtin, and with Councilor Barlow. While this initiative was not one of Local 3044, I wanted to offer the support of the union for this ordinance change.

Firefighting is a profession that relies not only on rigorous training, but also the experiences that one navigates throughout their career. It is the calls that a firefighter answers, the decisions that they have made, along with the knowledge of those decisions' results, and the experience that comes from fighting fires and mitigating emergency's that prepares a firefighter to take on a leadership role and prepare the next generation of responders. There is immense value to both the organization and the city to allowing a member to remain on the job past age 60. Local 3044 is comprised of talented, experienced, and dedicated members and we support their ability to work to age 63.

The proposed ordinance change is one that allows a member to work past age 60, retiring instead at age 63 while still collecting the same pension benefit that has been previously negotiated. Local 3044 supports this ordinance change as written and we look forward to the conversation with City Council. If you would like to speak further, please don't hesitate to reach out to me at (603) 738-2261.

Thank you,

Josh Kirtlink, President

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

RAISING THE MANDATORY RETIREMENT AGE FOR
CLASS A EMPLOYEES

ORDINANCE _____
Sponsor: *Barlow, Grant, Singh*
Public Hearing Dates: _____
First reading: _____
Referred to: _____
Rules suspended and placed in all
stages of passage: _____
Second reading: _____
Action: _____
Date: _____
Signed by Mayor: _____
Published: _____
Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

1 That WHEREAS, Sec. 24-17 of the Code of Ordinances of the City of Burlington (“B.C.O”) divides
2 membership of the City of Burlington’s retirement system into “Class A” and “Class B” employees, with
3 “Class A” defined as including “[a]ny member who is a member of the police or fire department, not
4 including secretarial, clerical or other employees not having the status of members”; and

5 WHEREAS, B.C.O. Chapter 24, Article II on the Retirement System, further establishes a mandatory
6 retirement age of sixty (60) for Class A employees; and

7 WHEREAS, raising this mandatory retirement age is broadly supported by relevant stakeholders,
8 including the City Council and Mayor’s Office, which continue to regularly support efforts to improve
9 recruitment and retention at Burlington’s public safety departments; and

10 NOW, THEREFORE, BE IT RESOLVED, that B.C.O. Chapter 24, Article II, Retirement System, be
11 and hereby is amended as follows:

12 24-14 Definitions.

13 * * *

14 *Mandatory retirement age* shall mean age sixty-~~three~~ (6~~30~~) for Class A members.

15 * * *

16 24-22 Retirement; benefits.

17 * * *

18 (b) Any Class A employee in service who attains age sixty-~~three~~ (6~~30~~) shall be retired
19 forthwith on a service retirement benefit; provided, that any official appointed for a definite
20 term may remain in service until the end of the term.

21 AND, BE IT FURTHER RESOLVED, the City Council authorizes the Chief Administrative Officer,
22 or their designee, to effectuate any changes to municipal retirement plan documents required by this
23 amendment and to engage in any subsequent effects bargaining with the municipal unions representing Class
24 A employees, with any related changes being subject to any necessary approval by the Board of Finance and
25 City Council.

From: Michael Curtin
To: City Council Ordinance Committee
Date: October 3, 2025

Fire suppression remains one of the most physically demanding professions. Firefighters operate in extreme heat, carry heavy loads, and make rapid decisions under life-threatening conditions. Even with strong fitness standards, age-related declines in endurance, recovery, and strength are unavoidable.

Key considerations:

- Health and Safety – Cardiac events remain one of the leading causes of firefighter line-of-duty deaths, with risk increasing significantly with age. Cancer is also now recognized as a leading long-term occupational hazard, with cumulative exposures compounding later in a firefighter's career.
- Industry Standards – Many police, military, and federal firefighting agencies set retirement ages between 55 and 65. FDNY and Boston Fire uses age 65 for mandatory retirement (both sound organizations to model after). Moving to 65 keeps Burlington competitive in recruitment and retention while ensuring the department retains institutional knowledge and leadership experience.
- Workforce Planning – Predictable retirements allow us to recruit, train, and promote with stability. While raising the age may assist retention, it may also slow promotional opportunities for younger members and not allow for new hirings. By establishing a retirement age of 65, the department can better predict exposure periods, manage cumulative risk, and provide a clear endpoint for workers' compensation liability. This helps maintain financial sustainability for both the department and the city while protecting employees through predictable benefits and retirement planning.
- Fairness and Transparency – A uniform retirement age avoids subjective judgments about fitness for duty and provides equal treatment for all personnel.
- Commitment: Our members love the job and are committed to serving the community. Without a clear retirement policy, many would continue working past the age when it is safest to do so, increasing personal health risks and long-term liability for the department despite having bi-annual physical assessments.

Burlington Fire Department should adopt a mandatory retirement age of 65 years old for all members. It strengthens recruitment and retention, and provides a fair, consistent policy across the organization. We need to make this known to people who apply so they are aware of it.

Let me know if you need anything else or more explanation. My main reason for 65 would be because the 2 largest departments use this age and set that example.

Burlington Employees' Retirement System

Class A Cost Estimate

	2024 Valuation	Proposed Change (A)	Proposed Change (B)	Proposed Change (C)	Proposed Change (D)	Proposed Change (E)	Proposed Change (F)	Proposed Change (G)
Gross normal cost	\$4,089,601	\$4,098,106	\$4,085,759	\$4,076,770	\$4,053,222	\$4,066,213	\$4,061,447	\$4,058,495
Estimated employee contributions	<u>(1,503,761)</u>	<u>(1,513,256)</u>	<u>(1,513,256)</u>	<u>(1,513,256)</u>	<u>(1,513,256)</u>	<u>(1,513,256)</u>	<u>(1,513,256)</u>	<u>(1,513,256)</u>
City's normal cost	2,585,840	2,584,850	2,572,503	2,563,514	2,539,966	2,552,957	2,548,191	2,545,239
Increase (decrease) in city's normal cost		(990)	(13,337)	(22,326)	(45,874)	(32,883)	(37,649)	(40,601)
Unfunded actuarial accrued liability	61,944,015	62,189,545	62,335,047	62,431,221	62,619,510	62,436,521	62,517,780	62,561,919
Amortization of unfunded accrued liability	5,627,582	5,605,774	5,592,850	5,584,308	5,567,584	5,583,837	5,576,619	5,572,699
Contribution before adjustment as of the valuation date	8,213,422	8,190,624	8,165,353	8,147,822	8,107,550	8,136,794	8,124,810	8,117,938
Fiscal year ending June 30, 2024								
Adjustment for interest and inflation	<u>80,160</u>	<u>80,130</u>	<u>79,748</u>	<u>79,469</u>	<u>78,739</u>	<u>79,142</u>	<u>78,994</u>	<u>78,902</u>
Actuarially determined employer contribution	8,293,582	8,270,754	8,245,101	8,227,291	8,186,289	8,215,936	8,203,804	8,196,840
Increase (decrease) in ADEC		(22,828)	(48,481)	(66,291)	(107,293)	(77,646)	(89,778)	(96,742)

Estimated valuation year payroll	13,670,555	13,670,555	13,670,555	13,670,555	13,670,555	13,670,555	13,670,555	13,670,555
Contribution as a percentage of payroll	-0.17%	-0.35%	-0.48%	-0.77%	-0.56%	-0.65%	-0.70%	

(A) Proposed change to mandatory retirement age to 63 for all Class A actives.

(B) Proposed change to mandatory retirement age to 65 for all Class A actives.

(C) Proposed change to mandatory retirement age to 67 for all Class A actives.

(D) Proposed change to remove mandatory retirement age for all Class A actives.

(E) Proposed change to mandatory retirement age to 63 for all union Class A actives and removing mandatory retirement age for all non-union Class A actives.

(F) Proposed change to mandatory retirement age to 65 for all union Class A actives and removing mandatory retirement age for all non-union Class A actives.

(G) Proposed change to mandatory retirement age to 67 for all union Class A actives and removing mandatory retirement age for all non-union Class A actives.

Basis: Actuarial valuation as of June 30, 2024

City Attorney

MEMORANDUM

TO: City of Burlington, Public Works Commission
City of Burlington, City Council
City of Burlington, Ordinance Committee

FROM: Erik Ramakrishnan, Esq., Assistant City Attorney
Christina Cangioli, Associate Public Works Engineer
Phillip Peterson P.E., Senior Transportation Engineer & Planner

CC: Chapin Spencer, Director of Public Works
Laura Wheelock P.E., Division Director of Tech Services/City Engineer
Jackie Rowland, Division Director for Parking & Traffic

DATE: September 17, 2025 (PW Commission)
September 29, 2025 (City Council – First Reading)
October 21, 2025 (City Council – Second Reading)

SUBJECT: Modernization of City Parking Ordinances

September 17, 2025 (PW Commission Approval)

The Public Works Commission reviewed the proposed ordinance amendments at its September 17, 2025 meeting and voted to recommend approval with one amendment. The original language in 20-84(c) stated: *“whenever any payment processor charges a fee for the use of a credit card to pay for metered parking, the person responsible for payment for the parking shall also be responsible for the payment processor’s charges.”* The Commission amended this provision to read: *“except to the extent the City Council has otherwise appropriated city funds to pay such charges for the fiscal year in question, whenever any payment processor charges a fee for the use of a credit card to pay for metered parking, the person responsible for payment for the parking shall also be responsible for the payment processor’s charges.”*

On behalf of the Parking Services Division and Technical Services Division of the Department of Public Works, the City Attorney’s Office is requesting the **City Council approval** of the First Reading to the following amendments to the Burlington Code of Ordinances (see Attachment-1):

Section 20-1: The code refers interchangeably to the Public Works Commission in its role as the City’s Traffic Commission as either the “traffic commission” or the “public works commission”. For clarity, the proposed amendment defines “traffic commission” to mean the “public works commission”. The code also refers in places to the “parking enforcement officer”, which term is undefined. Other proposed amendments update the code by replacing reference to the police department with reference to the “parking enforcement officer”. A definition is provided to clarify that the “parking enforcement officer” refers to appropriate personnel in the Department of Public Works.

Section 20-23: Appendix C delineates parking and traffic rules for every street in the City at a granular level. While ensuring community engagement and a public process, the requirement to go to the Public Works Commission to adopt rules by ordinance for a parking space, intersection, or street section to respond to changed circumstances or new information sometimes hampers staff's ability to respond to safety concerns or to meet the City's obligations under state and federal disability access laws. Staff will be presenting a proposal to the commission soon asking for delegated authority in Appendix C in the following circumstances:

(1) To designate accessible street parking spaces when necessary or convenient to comply with federal and state disability access laws;

(2) To establish or change school zones or to establish or modify crossing guard placements in response to requests from the school department or when warranted by changed circumstances or new data;

(3) To prohibit parking when necessitated based upon safety assessments, including to address line-of-sight issues at intersections or commercial driveways;

(4) To implement or modify restrictions on right turns at intersections when warranted by safety assessments; and

(5) To implement or modify restrictions that substantially conflict with published safety or engineering standards, including, without limitations, the city's own approved standard engineering specifications, the Public Right-of-Way Accessibility Guidelines and other relevant standards published by the United States Access Board, the Manual on Uniform Traffic Control Devices and other standards published by the Federal Highways Administration, binding regulations or safety guidelines published by the Vermont Agency of Transportation, and relevant guidelines published by the American Association of State Highway and Transportation Officials.

The proposed addition of new Section 20-23(c) would enable the delegation sought. Staff's intent would be to exercise delegated authority on a provisional basis until the City's traffic regulations are formally amended.

Section 20-41: This section pertains to school zones. A conforming change is proposed to be consistent with language proposed for Section 20-23.

Section 20-53(b): This subsection authorizes the Public Works Commission to place traffic and parking control devices on City streets. In reality, the commission adopts regulations, and the Department of Public Works posts signage consistent with those regulations. The distinction between the legal fiction and the reality will be material if staff is delegated authority in the future as described above in the discussion of proposed changes to Section 20-23. Thus, an amendment is proposed authorizing staff to post signage when allowed by the commission.

Section 20-53(c): A new subsection (c) is proposed to address circumstances where parking tickets have been dismissed by the Superior Court because Appendix C describes the approximate location of a no parking zone rather than the precise location. When this occurs, staff is given some discretion where to post signage, which leaves open the possibility that the signage has not been posted exactly as intended by the commission. The intent of the new language is to shift the burden in such circumstances to the person challenging the ticket to show that signage has not been posted in the correct location. The presumption behind this change is that when the Commission fails to specify an exact location for something, it intends to confer discretion.

Section 20-55(a): Clause (8) prohibits parking in areas closed pursuant to Section 20-63. Because Section 20-63 is also being proposed for amendment to address areas encumbered pursuant to Section 27-33, Clause (8) is amended to clarify that it applies even when only a portion of a street is closed, and Clause (10) is deleted as duplicative.

Section 20-55(d): An edit is proposed to eliminate pejorative language. A conforming edit is also proposed in anticipation of a future amendment to Appendix C. The language of subsection (d) currently prohibits parking in an accessible space designated by the traffic commission. Because the City has a historic practice of requiring that every accessible space be individually designated by the commission, the City often is not able to respond quickly to accommodations requests that it is required to grant under federal law. To address this concern, staff will soon be asking the public works commission to amend Appendix C to include a process to allow provisional designation of accessible spaces at a staff level. The proposed deletion in subsection (d) is a conforming change in anticipation of that process. Whether the commission accepts the proposed procedure, referencing the traffic commission in subsection (d) is unnecessary to render the subsection effective.

Section 20-61: An edit is proposed to reflect that the public works department now handles parking enforcement.

Section 20-63: Provisions of the code regarding encumbered parking assume the existence of individual parking meters for all on-street parking spaces in the City, in that historically spaces could be encumbered by placing locked hoods on individual parking meters. The City is moving away from individual parking meters because they are expensive to maintain, they complicate sidewalks maintenance, and they have the potential to make sidewalks less accessible by narrowing the path of travel. As such, encumbered spaces should be marked with temporary signs, as described for other street closures described in Section 20-63. Adding such closures within the coverage of Section 20-63 also simplifies Section 20-55, addresses towing consistent with changes proposed to Section 20-71, and clarifies the fine applicable to parking illegally in an encumbered space, pursuant to Section 20-66(b)(5). The changes to this section reflect current practice based on a teleological interpretation of the code, thereby eliminating any ambiguity.

Section 20-66: Changes are proposed to remove pejorative language from Clauses (1) and (7) of Subsection (b). A change is also made to Clause (1) to make the fine for

parking in an accessible space illegally the same as under state law, which currently is \$200.00. Changes to Clause (7) also remove an ambiguity in that Clause (7) states that the charge for nonmetered violations, except idling in accessible spaces and idling, is \$75.00. This conflicts with Clause (6) of the same Subsection, which applies a \$200.00 charge for removal of a vehicle being processed for towing.

Section 20-67: An edit is proposed to reflect that the public works department now handles parking enforcement.

Section 20-71: Currently, the code indicates that parking enforcement officers “shall” tow a vehicle anytime it is parked in violation of Section 20-55. Not every violation of Section 20-55 warrants towing, so that an amendment is proposed to state that a vehicle may be towed anytime it violates any provision of the code if the vehicle is: blocking access, interfering with construction activities, near a hydrant, in an accessible space, in an area closed to parking (including encumbered parking), parked in a manner that threatens public health or safety, or parked illegally for at least 24 hours; or if more than \$275.00 in outstanding fines has accumulated.

Section 20-72: An edit is proposed to reflect that the public works department now handles parking enforcement.

Section 20-73: An edit is proposed to reflect that the public works department now handles parking enforcement. Additionally, proposed amendments to this section and to Section 20-79 make clear that if a vehicle is towed upon accumulation of \$275.00 in outstanding fines, the owner must repay the entire fine to recover the vehicle. Currently, it is sufficient to pay down the accumulated fines to the \$275.00 limit. However, commonly, owners who pay down their fines to this limit quickly accrue additional fines and face towing again. The intent is to remove that possibility. An additional non-substantive amendment avoids the separate enumeration of Clause (1) of Subsection (b). Because there is no Clause (2), setting off Clause (1) from the remainder of the Subsection is unnecessary.

Section 20-79: the proposed edit relates to the \$275.00 limit described above for Section 20-73.

Sections 20-83, 20-84, 20-87, & 20-101: Edits are proposed that are declaratory of existing law to reflect that the City is moving away from individual parking meters. An edit is also proposed to clarify that credit card service fees are the responsibility of the parker. This is consistent with current City practice since the City provides the option to pay at kiosks with coin. In the future, providing that option may become less practical, so that clarification is warranted.

Section 20-95: Edits are proposed to eliminate pejorative language.

Section 20-110: A new code section is proposed to clarify the City’s authority to rent space in private parking facilities and to ensure that the City has appropriate ticketing and towing authority in such rented facilities.

Section 27-33: Edits are proposed regarding encumbered spaces, as discussed above with respect to other sections.

Purpose & Need:

The goal of these proposed Chapter 20 and Appendix C changes is to simplify and expedite the approval and enforcement of parking and traffic regulations, clarify roles and responsibilities, and update outdated provisions. These amendments will improve efficiency, enhance responsiveness to community needs, and support timely implementation of safety and accessibility improvements.

- **Improving Accessibility:** Streamlined processes will enable quicker responses to requests for changes that enhance accessibility, such as ADA parking spaces and school zones.
- **Efficiency in Safety-Related Amendments:** With an expedited approval process, safety-related changes can be implemented faster, reducing risks associated with delayed action on critical traffic issues.
- **Alignment with Current Guidelines:** These proposed amendments will ensure that our processes align with the latest recommendations from the Public Rights-of-Way Accessibility Guidelines (PROWAG) and the Manual on Uniform Traffic Control Devices (MUTCD).
- **Correcting Legal and Procedural Ambiguities:** The current code sometimes reflects a legal fiction rather than actual practice (for example, the Commission “posting signage”). Updating the language avoids confusion, reduces legal risk, and reflects how responsibilities are actually carried out.

Project Checklist:

	N/A	Yes	No	Reference
Aligns with MUTCD standards and/or established City Policy?		x		PROWAG, MUTCD, ADA, VTrans, Established DPW Policies
Aligns with City plans?		x		City Transportation Plan, planBTV Walk Bike, BSD School Travel Plan
Followed Public Engagement Plan?		x		These Traffic Regulation changes are defined as an INVOLVE project in the Public Engagement Plan (PEP).

Enhancing Efficiency While Preserving Oversight

These ordinance updates follow from discussions with the Public Works Commission in November 2024, where staff outlined a framework for modernizing the City’s traffic regulation amendment process. The Commission was informed at that time that the existing system, which requires Commission level action on even minor regulatory

adjustments, can delay implementation of important safety measures, accessibility accommodations, and compliance with state and federal standards.

The proposed amendments reflect staff's ongoing effort to align the City's practices with modern transportation standards such as the Manual on Uniform Traffic Control Devices (MUTCD), the Public Rights of Way Accessibility Guidelines (PROWAG), and applicable ADA requirements. By clarifying definitions, reducing procedural ambiguity, and delegating limited authority to staff, the City will be better able to respond promptly to changing conditions while maintaining transparency and community involvement.

This approach preserves the Commission's oversight role on broader policy and regulatory matters while ensuring that urgent or legally mandated adjustments such as accessible parking, school zones, or safety related signage can be addressed in a timely and consistent manner.

Upcoming Appendix C Amendments

Once the Chapter 20 ordinance changes are approved, Department of Public Works staff will bring forward proposed amendments to Appendix C. These amendments will implement the updated processes for staff-level traffic regulation adjustments, including accessible parking, school zones, and safety-related changes, see Attachment-2.

Staff anticipates presenting the Appendix C amendments to the Public Works Commission at the November 2025 meeting. A draft of the proposed changes is attached for review and consideration.

Timeline and Next Steps

- **Public Works Commission – September 17, 2025:** Approved of the ordinance updates with friendly amendment.
- **City Council – First Reading – September 29, 2025:** Waive the rules and approve the first reading of the proposed parking enforcement ordinance.
- **City Council – Second Reading – October 21, 2025:** Waive the rules and approve the second reading of the ordinance.
- **Public Works Commission – November 2025:** Staff will return to present specific Appendix C amendments for consideration, consistent with the updated process.
- **Implementation:** Following all Council, Commission, and Committee approvals, staff will update the Code of Ordinances, and Traffic Regulations communicate changes to enforcement and operations teams, and provide public notice.

Attachments:

1. Chapter 20 BCO Amendment
2. DRAFT Appendix C Amendment
3. Supplemental Response to Public Feedback

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

PARKING ENFORCEMENT

ORDINANCE _____

Sponsor: Public Works Commission
Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 1, thereof to read as follows:

As written, with the following definitions inserted in alphabetical order:

Parking enforcement officer: Means any city employee designated by the director of public works or designee to enforce the parking restrictions of this code.

Traffic commission: Means the public works commission.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 23, thereof to read as follows:

(a) and (b), as written.

(c) The board of traffic commissions may adopt regulations delegating its authority under this section to the director of public works or their designee, for the following purposes:

(1) To designate accessible street parking spaces when necessary or convenient to comply with federal and state disability access laws;

(2) To establish or change primary or secondary school zones or to establish or modify crossing guard placements in response to requests from the school department or when warranted by changed circumstances or new data;

(3) To prohibit parking when necessitated based upon safety assessments, including to address line-of-sight issues at intersections or commercial driveways;

(4) To implement or modify restrictions on right turns at intersections when warranted by safety assessments; and

(5) To implement or modify restrictions that substantially conflict with published safety or engineering standards, including, without limitations, the city's own approved standard engineering specifications, the Public Right-of-Way Accessibility Guidelines and other relevant standards published by the United States Access Board, the Manual on Uniform Traffic Control Devices and other standards published by the Federal Highways Administration, binding regulations or safety guidelines published by the Vermont Agency of Transportation, and relevant guidelines published by the American Association of State Highway and Transportation Officials.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 41, thereof to read as follows:

The traffic commission is hereby authorized to establish school zones, and to authorize staff to establish primary or secondary school zones consistent with subsection (c) of section 20-23 of this code, by causing the same to be designated by appropriate signs indicating the speed limit and erected not more than five hundred (500) feet in advance of a school ground or of a pedestrian crossing customarily used by primary or secondary school pupils.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 53, thereof to read as follows:

(a), *as written*.

(b) The traffic commission may conspicuously place, or authorize the public works director or designee to place, suitable signs in and near the areas affected by the parking regulations of this article, plainly indicating such regulations.

(c) Whenever the traffic commission's regulations identify an approximate location for signage to be placed, the actual placement chosen by the public works director or designee shall be entitled to a rebuttable presumption of correctness.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 55, thereof to read as follows:

(a) No operator or driver of any vehicle shall stop, stand or park the same in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic sign or except momentarily to pick up or discharge a passenger:

(1) to (7), as written.

(8) Any street or portion of a street closed pursuant to section 20-63;

(9), as written.

(10) ~~[Reserved]. In a metered parking space where the meter for such space is covered with a hood issued pursuant to Section 27-33. This prohibition shall not apply to vehicles engaged in the activities allowed by the permit issued pursuant to Section 27-33;~~

(11) to (16), as written.

(b) and (c), as written.

(d) No person shall park any vehicle in any parking space designated by the traffic commission for parking for ~~the handicapped~~ individuals with disabilities unless the vehicle displays ~~special handicapped~~ license plates or placards issued pursuant to 23 V.S.A. 304a, or any amendment or renumbering thereof.

(e) and (f), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 61, thereof to read as follows:

No person shall leave a vehicle in the same place within the limits of a street for a period longer than three (3) days. This period starts when the police department or parking enforcement officer observes a vehicle in a space. From that time the vehicle must be moved within three (3) days. For the purposes of this section the term moved is defined as relocating a vehicle at least twenty-five (25) feet from its original location for a time period of thirty-six (36) hours.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 63, thereof to read as follows:

For the purpose of cleaning, clearing, oiling, repairing, surfacing a street, special events, parades, or pruning or removing trees, or for parking encumbered pursuant to Section 27-33, the street department, parks department, or police department may close such street or portion of a street to the parking of vehicles by causing signs to be posted thereon in conspicuous locations indicating the prohibition of parking thereon. The signs shall be posted by 6:00 p.m. and the prohibition shall be effective 12:00 a.m. the following day. Such prohibition shall remain in effect until such signs are removed, and during the period when parking is so prohibited, no person shall park a motor vehicle on any such street.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 66, thereof to read as follows:

(a), as written.

(b) Nonmetered Parking Offenses:

(1) ~~Handicapped-Accessible~~ parking. The penalty for ~~handicapped~~ parking violations as set forth in Section 20-55(d) shall be ~~one hundred twenty-five dollars (\$125.00)~~ as set forth in 23 V.S.A. § 304a(e)(1), as the same may be amended or renumbered from time to time.

(2) to (6), as written.

(7) Other nonmetered parking offense. "Nonmetered parking offense" means any parking offense set out in this Code, except violations related to metered parking. The penalty for violations of nonmetered parking offenses except ~~handicapped parking and idling as indicated~~ shall be seventy-five dollars (\$75.00).

(8) and (9), as written.

(c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 67, thereof to read as follows:

(a), as written.

(b) Any person who has violated any ordinance regarding parking in the city may within thirty (30) days from the date of such violation waive in writing the issuance of any process in a trial by jury or hearing and voluntarily pay to the police department of the city the penalty prescribed in Section 20-66. Payments may be made by cash, check, money order, credit card or online payment.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 71, thereof to read as follows:

(a) Under the provisions of this division, any police officer or parking enforcement officer shall cause a motor vehicle parked in violation of the following to be moved or removed to any public garage or other place designated by him within a five-mile radius from the boundaries of the city-:

(1), as written.

(2) ~~Designated prohibited areas, as set forth in section 20-55 of this Code;~~ In any manner that violates any provision of this code if:

(i) The vehicle is interfering unreasonably with the free flow of traffic, including through, into, or out of any public or private parking area, driveway, or right of way;

(ii) The vehicle is parked in a manner that interferes unreasonably with any lawful construction activity;

(iii) The violation constitutes or includes a violation of Section 22-55(a)(3), (a)(8), or (d) of this code;

(iv) When allowed pursuant to Section 20-79 of this code;

(v) In any location where, in the opinion of the parking enforcement officer, such vehicle creates an immediate traffic hazard or otherwise endangers the public health, safety, or welfare; or

(vi) The violation continues for a period of not less than twenty-four (24) hours following ticketing.

(vii) The vehicle is parked in any space designated a special parking space pursuant to section 29 of Appendix C to this code, as the same may be renumbered or amended from time to time.

(3) to (5), as written.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 72, thereof to read as follows:

The ~~chief of police~~ parking enforcement officer and the owner of any public garage to which a vehicle is removed shall keep a record of each vehicle so removed by manufacturer's trade name or make, registration number or motor number if the vehicle is not registered, registered owner if the vehicle bears a Vermont registration, such other descriptive matter as may be necessary to identify such vehicle, and the name and address of any claimant thereof. The ~~chief of police~~ parking enforcement officer shall, in addition, keep a record showing the date of such removal, the place to which such removal is made and the reason for such removal. All such records shall be open to public inspection at all times.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 73, thereof to read as follows:

Before the owner shall be permitted to reclaim a vehicle which has been removed pursuant to this division, he shall:

(a) Furnish satisfactory evidence to the ~~chief of police~~ parking enforcement officer and to the owner or person in charge of such public garage of his identity and of his ownership of such vehicle;

(b) Pay ~~to the police department~~ all outstanding charges for violation of the offenses described in ~~section 20-79(a)~~ this article, and all charges for removing said vehicle and all charges for the storing and parking thereof, and for publication of record of removal; ~~or (1) Post a bond, certified by the chief of police or his duly authorized representative, which is equal to the amount of charges due set forth in (b) above; and~~

(c) Sign a written receipt acknowledging delivery of said vehicle;

(d), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 79, thereof to read as follows:

(a) Any motor vehicle parked in violation of city ordinance upon any public highway of the city or at the Burlington International Airport, including such ways, streets, alleys, lanes or other places as may be open to the public, the owner of which has accumulated unpaid parking violations totaling two hundred seventy-five dollars (\$275.00) or more, not including the amount attributable to the present violation, may be removed and stored pursuant to this division. Thereupon, the vehicle may be reclaimed pursuant to Section 20-73. In order to reclaim the impounded vehicle, the owner shall pay charges for outstanding violations such that the total amount owed in fines and fees pursuant to ordinance violations is reduced to less than two hundred seventy-five dollars (\$275.00), all outstanding removal charges previously assessed and the charges imposed by this division for such removal and storage or until the requirements of Section 20-73(b)(1) have been met. Fines shall not be avoided by the transference of title or registration, or the purchasing of a different vehicle.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 83, thereof to read as follows:

The board of public works commissioners is hereby authorized to establish zones to be known as parking meter zones in all or part of such areas on the streets of the city as they may deem necessary. For greater clarity, the term "parking meter zone" includes all on-street paid parking within the city, whether a meter is physically present for each metered space. Nothing in this code or its appendices shall be construed to prevent the city from using parking kiosks, other forms of multi-space metering, or web-based

applications, to collect parking fees, whether in parking meter zones or other city owned or operated parking lots or garages.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 84, thereof to read as follows:

(a) ~~The public works commission shall cause parking meters to be installed in parking meter zones established under this division.~~ The public works commission shall also cause the installation of necessary curb and street markings for on-street paid parking, provide for the regulation and operation thereof, and maintain said parking meters, including multi-space meters, instructions for online payment via web-based applications, kiosks, or similar apparatus and/or multi-space meters in workable condition.

(b) ~~Meters and/or multi-space meters~~ Payment devices shall be placed upon the curb next to individual parking spaces or in proximity of designated parking spaces, and shall be so constructed as to accept payment as indicated by instructions upon the ~~meter device~~.

(c) Except to the extent the city council has otherwise appropriated city funds to pay such charges for the fiscal year in question, whenever any payment processor charges a fee for the use of a credit card to pay for metered parking, the person responsible for payment for the parking shall also be responsible for the payment processor's charges.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 87, thereof to read as follows:

(a) When any vehicle is parked in any meter zone in accordance with the provisions of this division, the operator of the vehicle shall, upon entering the parking space, immediately pay in accordance with instructions on the ~~meter and/or multi-space meter~~ payment apparatus as indicated by the legend thereon, and failure to make such payment ~~or to operate the meter~~ shall constitute a misdemeanor. Upon payment, the parking space may be lawfully occupied by such vehicle for a period as set out in App. C, Section 19.

(b), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 95, thereof to read as follows:

~~20-95 Disabled persons~~ Individuals with disabilities exempt from requirements.

Any person who is blind, who has an ambulatory handicap, or who is temporarily disabled with an ambulatory handicap shall be entitled to Any person who is blind, or who has a permanent or temporary ambulatory disability, may park without fee for an unlimited period in a parking zone which is restricted as to the length of time parking is permitted. This section shall not apply to zones in which parking, standing or stopping of all vehicles is prohibited, which are reserved for special vehicles, or where parking is prohibited by any parking ban. As a condition to this ~~privilege right~~, the vehicle shall display the ~~special handicapped~~ parking card, plate or placard issued by the state commissioner of motor vehicles as required in 23 V.S.A. 304a, or a ~~handicapped~~ similar license plate, card or other identification issued by any other state.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 101, thereof to read as follows:

In each lot owned or leased by the city for the purpose of parking, ~~meters and/or multi-space meters~~ payment apparatus shall be placed upon the curb or in proximity to parking spaces, and shall be so constructed as to accept payment as indicated by instructions thereupon ~~said meter~~.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding Sec. 110, thereof to read as follows:

The public works commission may, with the approval of the city council, authorize the mayor to execute leases for space within private parking facilities, wherein the city may charge for parking at rates the same or substantially the same as rates charged in public garages within the city, and wherein the parking enforcement officer shall have the same authority to ticket or tow vehicles as for public garages.

And that Chapter 27, Streets and Sidewalks, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 33, thereof to read as follows:

(a), as written.

(b) Permits for the obstruction of metered parking spaces may be issued for the following purposes only:

- (1) Construction, repair or maintenance work on abutting or nearby properties;
- (2) Loading or unloading goods, people, materials or equipment, or the use of such equipment, on abutting or nearby properties;
- (3) Working in that immediate area of the street;

(4) The parking of vehicles used for events; or

(5) Any other uses as approved by city council.

The permit and the application for the permit shall state the nature of the obstruction, the purpose of the obstruction, and the time allowed for it to remain or continue. The permit shall specify the number of metered spaces to be obstructed. The permit shall be subject to reasonable conditions imposed by the director of public works or designee, including reasonable indemnification provisions approved as to form by the city attorney or designee.

(c) The department of public works shall upon issuance of the permit issue ~~an appropriate number of meter hoods to the applicant for each parking space to be obstructed. Upon the face of each hood shall be indicated in bold face "NO PARKING — TOW AWAY ZONE."~~ The applicant shall place the meter hood over the meter by 6:00 p.m. the preceding day signage to be placed as described in Section 20-63.

(d) to (f), as written.

* Material stricken out deleted.

** Material underlined added.

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

A Regulation in Relation to

Rules and Regulations of the Traffic
Commission—

- 7 No-parking areas.
- 7A Accessible spaces designated.
- 15 Designated school zones.
- 19 Parking rates.
- 20 Prohibition of turns on red signal.
- 21 School crossing guards.

Sponsor(s): Public Works Commission

Action: DRAFT

Date: XX/XX/XXXX

Attestation of Adoption:

Phillip Peterson, PE

Senior Transportation Engineer & Planner, Technical Services

Published: _____

Effective: _____

It is hereby Ordained by the Public Works Commission of the City of Burlington as follows:

That Appendix C, Rule and Regulations of the Traffic Commission, 7A Accessible spaces designated and 15 Designated school zones, designated of the Code of Ordinances of the City of Burlington is hereby amended as follows:

Section 7 No-parking areas.

(a) No person shall park any vehicle at any time in the following locations:

(1)-(591) As written.

(b) Notwithstanding subsection (a) or any other provision of this appendix, whenever necessary or convenient in response to a reasonable request from the public or when warranted by changed circumstances or new data, and whenever existing rules are substantially inconsistent with binding regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials, the public works director or designee may designate new no-parking areas, change or modify the locations of existing no-parking areas, or make other changes affecting no-parking areas, including, without limitation, removals that are necessitated by safety assessments. Such designations, changes, or modifications shall become effective and enforceable upon the posting of reasonable signage directing motorists accordingly. Within a reasonable time after making such designation, change, or modification, the public works director or designee shall propose to the traffic commission a formal amendment to subsection (a) of this section to reflect said designation, change, or modification; provided that the failure to do so shall not render an existing designation, change, or modification invalid or unenforceable.

Section 7A Accessible spaces designated.

(b) No person shall park any vehicle at any time in the following location, except automobiles displaying ~~special~~ ~~handicapped~~ license plates ~~or placards~~ issued pursuant to ~~18 V.S.A. § 1325~~ 23 V.S.A. § 304a, or any amendment or renumbering thereof:

(1)-(173) As written.

(b) Notwithstanding subsection (a) or any other provision of this appendix, whenever necessary or convenient to comply with federal and state disability access laws, and whenever existing parking rules are substantially inconsistent with the Public Right-of-Way Accessibility Guidelines, or other relevant standards published by the United States Access Board, the public works director or designee may designate new accessible spaces or change or modify the locations of existing accessible spaces. Such designations, changes, or modifications shall become effective and enforceable upon the posting of reasonable signage directing motorists accordingly. Within a reasonable time after making such designation, change, or modification, the public works director or designee shall propose to the traffic commission a formal amendment to subsection (a) of this section to reflect said designation, change, or modification; provided that the failure to do so shall not render an existing designation, change, or modification invalid or unenforceable.

Section 15 Designated school zones.

(a) The following streets are hereby designated as school zones. No person shall operate a vehicle at a rate of speed greater than twenty-five (25) miles per hour on the following streets:

(1)-(32) As written.

(b) Notwithstanding subsection (a) or any other provision of this appendix, whenever necessary or convenient in response to a reasonable request from the school department or when warranted by changed circumstances or new data, and whenever existing rules are substantially inconsistent with binding regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials, the public works director or designee may designate new school zones, change or modify the locations of existing school zones, or make other changes affecting school zones, including, without limitation, adjusting rules for student drop off and pick up. Such designations, changes, or modifications shall become effective and enforceable upon the posting of reasonable signage directing motorists accordingly. Within a reasonable time after making such designation, change, or modification, the public works director or designee shall propose to the traffic commission a formal amendment to subsection (a) of this section to reflect said designation, change, or modification; provided that the failure to do so shall not render an existing designation, change, or modification invalid or unenforceable.

Section 19 Parking rates.

(a), (b), (c), (d), (e), and (f) As written.

(g) With the commission's recommendation, the City Council may approve leases of private parking garages, lots, and other facilities, which the City shall lease and operate in the public interest. Parking rates for leased parking facilities shall be set by lease, and the City shall have the same power to enforce parking rules and regulations in leased facilities as for other city parking facilities, including the power to issue tickets and to tow vehicles. Parking facilities leases shall be approved as to form by the City Attorney and signed by the Mayor.

Section 20 Prohibition of turns on red signal.

Notwithstanding any general authorization otherwise contained in the statutes of the State of Vermont, the ordinances of the City of Burlington or the regulations of the board of traffic commissioners, it shall be unlawful at the following intersections within the City of Burlington for an operator of a motor vehicle to make a right-hand turn against a traffic signal which is indicating red:

(a) At all times at the following locations:

(1)-(51) As written.

(b) At times when an illuminated sign indications "No Turn On Red" is displayed to drivers at the following locations:

(1)-(21) As written.

(c) Notwithstanding

Section 21 School crossing guards.

(a) Motor vehicles shall be operated in conformance with directions given by adult school crossing guards, who are hereby given the authority to direct vehicular traffic at the following locations:

(1)-(33) As written.

(b) Notwithstanding subsection (a) or any other provision of this appendix, whenever necessary or convenient in response to a reasonable request from the school department or when warranted by changed circumstances or new data, the public works director or designee may designate new school crossing guard locations, change or modify the locations of existing school crossing guard locations, or make other changes affecting school crossing guard locations. Such designations, changes, or modifications shall become effective and enforceable upon the posting of reasonable signage directing motorists accordingly. Within a reasonable time after making such designation, change, or modification, the public works director or designee shall propose to the traffic commission a formal amendment to subsection (a) of this section to reflect said designation, change, or modification; provided that the failure to do so shall not render an existing designation, change, or modification invalid or unenforceable.

** Material stricken out deleted.

*** Material underlined added.

TD: BCO Appx.C, Sec 7, Sec 16



City of Burlington
Department of Public Works

Technical Services Engineering Division
645 Pine Street, Suite A
Burlington, VT 05402
P 802-863-9094 / F 802-863-0466 / TTY 802-863-0450
www.burlingtonvt.gov/DPW

Memo

Date: September 17th, 2025

To: September 17, 2025 (PW Commission)
September 29, 2025 (City Council – First Reading)
October 21, 2025 (City Council – Second Reading)

From: Erik Ramakrishnan, Esq., Assistant City Attorney
Christina Cangioli, Associate Public Works Engineer
Phillip Peterson P.E., Senior Transportation Engineer & Planner

CC: Chapin Spencer, Director of Public Works
Laura Wheelock P.E., Division Director of Tech Services/City Engineer
Jackie Rowland, Division Director for Parking & Traffic

Subject: Modernization of City Parking Ordinances – Supplemental Response to Public Feedback

Additional Proposed Language Changes

Following public comments on the ordinance amendments previously distributed, the following clarifying adjustments are proposed:

1. Change references to "schools" to "primary or secondary schools" to explicitly limit application to K-12 institutions.
2. Amend "other city owned or operated parking facilities" in Section 20-83 to read "city owned or operated parking lots or garages" to prevent misinterpretation regarding street parking.
3. Add B.C.O. 20-71(a)(2)(vii): "the vehicle is parked in any space designated a special parking space pursuant to Appendix C, section 29 of this code" to clarify towing authority for non-car share vehicles in designated spaces.

These amendments supplement the changes already proposed in the previous memo.

Purpose / Context

These additional clarifications address concerns raised by residents (see Attachment-1) without altering the intent of the original ordinance updates, which are intended to:

- Modernize Burlington's on-street parking program.
- Clarify enforcement of CarShare VT spaces.
- Maintain transparency and consistency in parking regulations.

The amendments do not expand metered parking into residential permit zones or authorize charging on residential streets.

Public Feedback and Supplemental Clarifications

Following public comments, the primary concerns raised were:

1. **Staff discretion** – some residents believe the ordinance allows DPW staff to add meters without Commission approval. The proposed language clarifies that all expansion of paid parking continues to require Commission approval and does not apply to residential streets.
2. **CarShare VT enforcement** – residents sought clarity on towing authority for non-car share vehicles in designated spaces. The new subsection addresses this directly, aligning ordinance language with current policy.

We will post an updated tracked-changes version on Civic Clerk to make these clarifications explicit. Residents have also been contacted with a clear explanation that:

- Resident parking zones are not affected.
- No authority is granted to charge on residential streets.
- The revisions focus on modernization of paid parking areas and enforcement clarity for car share spaces.

Attachments:

1. Public input correspondence

Front Porch Forum Resident Feedback

Pending Erosion of Resident Only Permit Parking

Barbara Headrick • S Prospect St, Burlington

Discussion

Dear neighbors,

There is a proposed ordinance revision in front of the Public Works Commission this Wednesday, September 17th, that if approved and adopted, will erode the "Resident Only Permit Parking program" by giving staff at DPW the authority to:

1) Install a parking-pay-station-box on every street in the city (with no further public input or approval from residents on that street), and no need for subsequent approvals from the Public Works Commission or City Council. (The DPW document does not exclude Resident Only Permit Parking streets from this.)

and

2) Increase public access to parking on streets near schools (K-12 but also UVM and Champlain College) when DPW staff thinks there is a need for more public parking access. Do you want public-parking-pay-stations / parking meters installed on your street? Do you want DPW to allow more public parking on our streets when UVM has overflow parking demand? Do you want to protect the Resident Only Permit Parking (RPP) program from erosion? Please let the people listed below know your thoughts on this.

IF we collectively voice our concerns, we might be able to convince DPW that the document going in front of the Public Works Commission needs to be pushed to a future meeting in order to allow time for revisions that will eliminate the public's concerns.

I'd like to see the following edits made to the DPW document:

1) Throughout the document, I'd like to see "K-12" inserted before the word "school" in order prevent DPW staff from obtaining authority to increase public access to parking on streets adjacent to and near UVM and Champlain College that have Resident Only Permit Parking.

2) I'd like to see the document revised to explicitly NOT grant DPW staff the authority to install parking pay stations/meters on every street in the city – and especially not Resident Only Parking Permit streets. Decisions regarding the installation of parking pay stations/meters should continue to go to the Public Works Commission for approval on a street-by-street basis. IMO, before such decisions go to the Public Works Commission, DPW should not even consider installing the parking pay station/meter equipment unless 80% or more of the residents along such street indicate via a signed petition that they want a parking-pay-station on their street.

3) Nor, in my opinion, should DPW have the authority to increase public access to parking on RPP streets and streets near or adjacent to UVM via any other means. For example, DPW staff should not be granted the authority to install temporary signage allowing public parking on streets adjacent to or near campus during UVM events. UVM, as required by City Ordinance, is supposed to be managing their parking demand to prevent it from overflowing onto nearby streets. They are also supposed to be reducing their commuter/student/visitor parking demand via effective Transportation Demand Management so that their parking and traffic doesn't impact our neighborhoods. Since parking ordinances are controlled by DPW, please don't rely on consensus from City Council to protect Resident Only Permit Parking and other nearby streets from UVM's ever-growing parking demand and overflow parking impacts.

If you're concerned about the authority that DPW staff is seeking, please send your comments to:

Director of DPW Chapin Spencer: cspencer@burlingtonvt.gov

City Attorney Erik Ramakrishnan: eramakrishnan@burlingtonvt.gov

Ward 6 City Councilor Becca Brown McKnight: bbrownmcknight@burlingtonvt.gov

South End City Councilor Buddy Singh: bsingh@burlingtonvt.gov

Provided below is a link to the agenda package for the Wednesday September 17th Public Works Commission meeting. The parking ordinance document that DPW staff wants approved begins on page 48. If the link doesn't work, just copy it into your browser or go the the Burlington VT Civic Clerk website and scroll to the 9/17/25 Public Works Commission meeting. The document is in their agenda package .

<https://burlingtonvt.portal.civicclerk.com/event/8482/files/agenda/14980>

Thank you for considering this information. If you write to the folks listed above, thank you for that too.

The Wednesday meeting starts at 6:30pm (DPW office on Pine Street) if you want to show up in person to talk during the public comment period at the beginning of the meeting.

The following response was provided by DPW on Front Porch Forum and to residents

Re: Pending Erosion of Resident Only Permit Parking

Customer Service • Dept. of Public Works, Department of Public Works, Burlington

Hello neighbors,

The proposed ordinance changes before the DPW Commission on Wednesday related to paid parking pertain only to areas where paid on-street parking is already in place and does not make changes to resident parking zones. Any changes to metered parking zones would still require Commission approval and is not actively being considered.

The proposed language reflects ongoing efforts to modernize on-street parking technology by phasing out single-spaced meters and installing kiosks, and does not propose to begin charging for parking on residential streets.

Due to the misunderstanding and all the subsequent questions we received, we will recommend a revised motion with clarifying language that will be posted to Civic Clerk shortly. You will find that at

<https://burlingtonvt.portal.civicclerk.com/event/8482/files/agenda/14979>.

In closing, we want to reiterate that transparency is our priority, and underscore again that these ordinance changes do not apply to resident parking zones nor do they grant staff the authority to charge for parking on residential streets. The proposed changes allow staff to quickly move to address a limited number of safety-related issues such as the location of accessible on-street parking spaces and school drop-off zones for primary and secondary schools. None of the changes are intended to apply to colleges or universities, and staff will be recommending proposed language to clarify this further.

Do not hesitate to reach out with questions at dpw-pinecustomerservice@burlingtonvt.gov or by calling 802-863-9094.

Emails submitted from public

From: Erik Trinkaus <eriktrinkaus1@gmail.com>
Sent: Tuesday, September 16, 2025 10:43 AM
To: Chapin Spencer <cspencer@burlingtonvt.gov>; Erik Ramakrishnan <eramakrishnan@burlingtonvt.gov>; Becca Brown McKnight <bbrownmcknight@burlingtonvt.gov>; Buddy Singh <bsingh@burlingtonvt.gov>
Subject: Resident Only Street Parking

[WARNING]: This email was sent from someone outside of the City of Burlington.

I have become aware that there is a proposal to greatly reduce and/or eliminate resident only parking in the vicinities of K-12 schools, Champlain College and UVM. While this may make sense in the immediate areas of K-12 schools, it would be a major mistake with respect to the streets around UVM and Champlain College. Prior to the establishment of resident only parking around their campuses, those streets were inundated with student parking, taking up all of the legitimate spaces, extending onto driveway spaces and even completely blocking driveways. Given the limited off-street parking for most of the houses and apartments in those areas, access to some on-street parking by residents is essential, especially for the elderly, the disabled and families with small children. It is also absolutely essential for any service vehicles coming to those houses.

Therefore, eliminating or greatly reducing resident only parking in the vicinities of UVM and Champlain College would be a disaster. Both of those institutions have worked out systems for student cars, albeit ones that many students find inconvenient. Let those institutions and students find their parking solutions without causing a parking disaster for those who live near them.

From: Glenn Jarrett <Glenn@vtelaw.com>
Sent: Monday, September 15, 2025 12:02 PM
To: Erik Ramakrishnan <eramakrishnan@burlingtonvt.gov>
Subject: Proposed changes to ordinance re Parking

[WARNING]: This email was sent from someone outside of the City of Burlington.

Erik—

I live on Robinson Parkway, a street which has long had Resident Permit Parking (RPP). I have concerns about some of the proposals coming before the Public Works Commission this Wednesday evening, and would like to discuss them with you prior to the meeting.

My afternoon today is busy and the best times for me tomorrow are 9-11:30 and 2-3:15. My work number is 802-864-5951 and my cell number is 802-238-4708. If you can reply to this email with a time that might work for you, I'd appreciate it.

Thank you.

Best regards,

Glenn Jarrett

From: Kim Holtan <kimholtan@usa.net>

Sent: Tuesday, September 16, 2025 12:04 AM

To: Chapin Spencer <cspencer@burlingtonvt.gov>; Erik Ramakrishnan

<eramakrishnan@burlingtonvt.gov>; Becca Brown McKnight <bbrownmcknight@burlingtonvt.gov>;

Buddy Singh <bsingh@burlingtonvt.gov>

Subject: Residents only parking

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hello. I will be unable to attend the meeting on this but want to voice my opinion about the parking ordinance document that DPW staff wants approved. I live near UVM and Champlain Colleges.

I do NOT want the possibility of parking-pay-station-box on every street in the city. Are we trying to make life hell? Please exclude Resident Only Permit Parking streets from this. Please do NOT increase public access to parking UVM and Champlain College. It gets congested enough already please protect us from UVM's ever-growing parking demand and overflow parking impacts.

Please insert "K-12" before the word "school" to prevent DPW staff from being able to increase public access to parking on streets adjacent to and near UVM and Champlain College that have Resident Only Permit Parking.

explicitly disallow DPW staff from installing parking pay stations/meters on every street in the city – and especially not Resident Only Parking Permit streets. Decisions regarding the installation of parking pay stations/meters should continue to go to the Public Works Commission for approval on a street-by-street basis. DPW should not even consider installing the parking pay station/meter equipment unless 80% or more of the residents along such street indicate via a signed petition that they want a parking-pay-station on their street.

UVM is required by City Ordinance to be managing their parking demand to prevent it from overflowing onto nearby streets. They are supposed to be reducing their commuter/student/visitor parking demand via effective Transportation Demand Management so that their parking and traffic doesn't impact our neighborhoods. DPW should NOT have the authority to increase public access to parking on RPP streets and streets near or adjacent to UVM via any other means.

Living near a college has enough issues already, please don't compound them!

Thank you for your attention,

From: Carolyn Hanson <carolyn@burlingtontelecom.net>
Sent: Monday, September 15, 2025 9:22 PM
To: Chapin Spencer <cspencer@burlingtonvt.gov>
Subject: I do not support metered parking in our neighborhood!

[WARNING]: This email was sent from someone outside of the City of Burlington.

Dear Chapin

I just read that Public Works is considering reducing our "resident only" parking. We like the parking in our neighborhood the way it is! We do not want metered parking!

Best

Carolyn Hanson
118 spruce st

From: Ellen Howrigan <ellen@burlingtontelecom.net>

Sent: Monday, September 15, 2025 8:01 PM

To: Chapin Spencer <cspencer@burlingtonvt.gov>

Subject: Residential parking

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hello

I am deeply concerned with our city doing away with residential parking and being able to install pay stations.

I would like to understand why you think these changes are needed.

I just don't understand the erosion of our community.

From: Jacques Bailly <Jacques.Bailly@uvm.edu>

Sent: Monday, September 15, 2025 7:07 PM

To: Chapin Spencer <cspencer@burlingtonvt.gov>; Erik Ramakrishnan
<eramakrishnan@burlingtonvt.gov>; Becca Brown McKnight <bbrownmcknight@burlingtonvt.gov>;
Buddy Singh <bsingh@burlingtonvt.gov>

Subject: resident permit parking

[WARNING]: This email was sent from someone outside of the City of Burlington.

Dear Burlington city folks,

I hear there's a move afoot that will affect resident permit parking only streets.

Streets in the hill section should **not** be resident permit parking only: they are all almost always empty. The residents don't need that parking at all. Those are public streets and there should be parking available on them just like all the other streets. I don't care if UVM students use them, and you should not either. We are simply subsidizing rich folks' property values by making those streets resident parking only.

The only place I would allow resident permit parking only is streets like King St which are high density near downtown and residents really need help finding parking, particularly since they are not as privileged as hill section folk and don't have multi-car garages.

Yours truly,

From: Robert Linder <robertlinderemail@gmail.com>

Sent: Tuesday, September 16, 2025 1:04 PM

To: Becca Brown McKnight <bbrownmcknight@burlingtonvt.gov>; Chapin Spencer <cspencer@burlingtonvt.gov>; Erik Ramakrishnan <eramakrishnan@burlingtonvt.gov>; Buddy Singh <bsingh@burlingtonvt.gov>

Cc: Robert Linder <robertlinderemail@gmail.com>

Subject: Resident Only Permit Parking

[WARNING]: This email was sent from someone outside of the City of Burlington.

Dear Burlington City Government,

I am opposed to the proposed change in the parking regulations. We resolved a similar issue several years ago but it never seems to go away. Champlain College and UVM are responsible for the parking needs of their students and faculty. They have the capacity and funds to manage this. Flooding neighborhoods with student parking should be unnecessary. Doing that would significantly diminish the quality of life in the neighborhoods, turning them into active parking lots. The students should be provided with off campus parking and be bussed to the campuses or however else the schools choose to manage their student body automobile issue.

On my street, children play in the street. To improve this neighborhood, which I hope would be a goal of the city, I would suggest renewing the speed bumps that were put in years ago, were never robust and are worthless today. Cars speed down this street at 50 plus miles an hour endangering children, animals and everyone who might be on the street. Monitoring for speed would also be helpful. It would be wonderful to have a police force that was capable of being an occasional presence to assist in this.

One strength in Burlington has been the voice of the neighborhood and community in making decisions especially when the issues directly involve their neighborhood. Taking away the capacity for such input would be detrimental to the whole concept of a neighborhood. The neighborhood voice and input should remain a priority for this city.

The city has many very serious issues to deal with and should be prioritizing them. At the same time, improving the quality of life in the neighborhoods would improve the city's overall wellbeing, including regarding less serious matters. One such issue concerns an ordinance passed a few years ago limiting the dates when gas powered leaf blowers were allowed. The sound and gas pollution is well documented. This ordinance has been summarily ignored almost unanimously by the landscaping companies. Maybe the ordinance should not be date limited. While this is a minor matter, it again speaks to the quality of life in our city. Well intentioned but ignored and unenforced.

Thank you for listening to some of my concerns.

From: Chris Hadsel <chris.hadsel@gmail.com>
Sent: Tuesday, September 16, 2025 2:26 PM
To: Chapin Spencer <cspencer@burlingtonvt.gov>
Subject: Terrible Idea

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hello Chapin.

You know for years I organized petitions and fought to get the roundabout and yes, it's working well.

I also fought and worked with Leahy's office to get the 18-wheelers headed to Milton or points north or carrying lumber to the McNeil plant out of the downtown streets and onto 189 and yes, it's working.

But it feels like a never-ending battle to get the City to come up with a good plan to deal with parking.

This latest idea of putting meters or pay boxes in front of all our houses and doing away with the residential parking that so many of us fought so hard to get is a truly terrible idea. We have very limited residential parking south of Cliff St on S. Willard - a compromise carefully worked out with the city and Champlain College - it consists of no non-residential parking from midnight to 6:00am and we residents have to go to the police dept every year and pay for a special placard so we or guests can park overnight on the street if we need to. Before we got that, Champlain students would come early Monday morning and leave their cars all week without moving them. It made our life impossible and it was really hard for Champlain because there was no legal reason why students shouldn't avoid paying their fees and just leave their cars all down Willard.

So the possibility of the city undoing all that effort that actually works well for the neighborhood is....really discouraging. I hope it's just a rumor without substance.

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

PARKING ENFORCEMENT

ORDINANCE _____

Sponsor: Public Works Commission
Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 1, thereof to read as follows:

As written, with the following definitions inserted in alphabetical order:

Parking enforcement officer: Means any city employee designated by the director of public works or designee to enforce the parking restrictions of this code.

Traffic commission: Means the public works commission.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 23, thereof to read as follows:

(a) and (b), as written.

(c) The traffic commission may adopt regulations delegating its authority under this section to the director of public works or their designee, for the following purposes:

(1) To designate accessible street parking spaces when necessary or convenient to comply with federal and state disability access laws;

(2) To establish or change primary or secondary school zones or rules affecting school zones, or to establish or modify crossing guard placements, in response to requests from the school department or when warranted by changed circumstances or new data;

(3) To prohibit parking when necessitated based upon safety assessments, including to address line-of-sight issues at intersections or commercial driveways;

(4) To implement or modify restrictions on right turns at intersections when warranted by safety assessments; and

(5) To implement or modify restrictions that substantially conflict with published safety or engineering standards, including, without limitations, the city's own approved standard engineering specifications, the Public Right-of-Way Accessibility Guidelines and other relevant standards published by the United States Access Board, the Manual on Uniform Traffic Control Devices and other standards published by the Federal Highways Administration, binding regulations or safety guidelines published by the Vermont Agency of Transportation, and relevant guidelines published by the American Association of State Highway and Transportation Officials.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 41, thereof to read as follows:

The traffic commission is hereby authorized to establish school zones, and to authorize staff to establish primary or secondary school zones, consistent with subsection (c) of section 20-23 of this code, by causing the same to be designated by appropriate signs indicating the speed limit and erected not more than five hundred (500) feet in advance of a school ground or of a pedestrian crossing customarily used by primary or secondary school pupils.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 53, thereof to read as follows:

(a), *as written.*

(b) The traffic commission may conspicuously place, or authorize the public works director or designee to place, suitable signs in and near the areas affected by the parking regulations of this article, plainly indicating such regulations.

(c) Whenever the traffic commission's regulations identify an approximate location for signage to be placed, the actual placement chosen by the public works director or designee shall be entitled to a rebuttable presumption of correctness.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 55, thereof to read as follows:

(a) No operator or driver of any vehicle shall stop, stand or park the same in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic sign or except momentarily to pick up or discharge a passenger:

(1) to (7), as written.

(8) Any street or portion of a street closed pursuant to section 20-63;

(9), as written.

(10) ~~[Reserved]. In a metered parking space where the meter for such space is covered with a hood issued pursuant to Section 27-33. This prohibition shall not apply to vehicles engaged in the activities allowed by the permit issued pursuant to Section 27-33;~~

(11) to (16), as written.

(b) and (c), as written.

(d) No person shall park any vehicle in any parking space designated by the traffic commission for parking for ~~the handicapped individuals with disabilities~~ unless the vehicle displays ~~special handicapped~~ license plates or placards issued pursuant to 23 V.S.A. 304a, or any amendment or renumbering thereof.

(e) and (f), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 61, thereof to read as follows:

No person shall leave a vehicle in the same place within the limits of a street for a period longer than three (3) days. This period starts when the police department or parking enforcement officer observes a vehicle in a space. From that time the vehicle must be moved within three (3) days. For the purposes of this section the term moved is defined as relocating a vehicle at least twenty-five (25) feet from its original location for a time period of thirty-six (36) hours.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 63, thereof to read as follows:

For the purpose of cleaning, clearing, oiling, repairing, surfacing a street, special events, parades, or pruning or removing trees, or for parking encumbered pursuant to Section 27-33, the street department, parks department, or police department may close such street or portion of a street to the parking of vehicles by causing signs to be posted thereon in conspicuous locations indicating the prohibition of parking thereon. The signs shall be posted by 6:00 p.m. and the prohibition shall be effective 12:00 a.m. the following day. Such prohibition shall remain in effect until such signs are removed, and during the period when parking is so prohibited, no person shall park a motor vehicle on any such street.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 66, thereof to read as follows:

(a), as written.

(b) Nonmetered Parking Offenses:

(1) ~~Handicapped-Accessible~~ parking. The penalty for ~~handicapped~~ parking violations as set forth in Section 20-55(d) shall be ~~one hundred twenty-five dollars (\$125.00)~~ as set forth in 23 V.S.A. § 304a(e)(1), as the same may be amended or renumbered from time to time.

(2) to (6), as written.

(7) Other nonmetered parking offense. "Nonmetered parking offense" means any parking offense set out in this Code, except violations related to metered parking. The penalty for violations of nonmetered parking offenses except ~~handicapped parking and idling as indicated~~ shall be seventy-five dollars (\$75.00).

(8) and (9), as written.

(c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 67, thereof to read as follows:

(a), as written.

(b) Any person who has violated any ordinance regarding parking in the city may within thirty (30) days from the date of such violation waive in writing the issuance of any process in a trial by jury or hearing and voluntarily pay ~~to the police department of the city~~ the penalty prescribed in Section 20-66. Payments may be made by cash, check, money order, credit card or online payment.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 71, thereof to read as follows:

(a) Under the provisions of this division, any police officer or parking enforcement officer shall cause a motor vehicle parked in violation of the following to be moved or removed to any public garage or other place designated by him within a five-mile radius from the boundaries of the city:

(1), as written.

(2) ~~Designated prohibited areas, as set forth in section 20-55 of this Code;~~ In any manner that violates any provision of this code if:

(i) The vehicle is interfering unreasonably with the free flow of traffic, including through, into, or out of any public or private parking area, driveway, or right of way;

(ii) The vehicle is parked in a manner that interferes unreasonably with any lawful construction activity;

(iii) The violation constitutes or includes a violation of Section 22-55(a)(3), (a)(8), or (d) of this code;

(iv) When allowed pursuant to Section 20-79 of this code;

(v) In any location where, in the opinion of the parking enforcement officer, such vehicle creates an immediate traffic hazard or otherwise endangers the public health, safety, or welfare; or

(vi) The violation continues for a period of not less than twenty-four (24) hours following ticketing.

(vii) The vehicle is parked in any space designated a special parking space pursuant to section 29 of Appendix C to this code, as the same may be renumbered or amended from time to time.

(3) to (5), as written.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 72, thereof to read as follows:

The ~~chief of police~~parking enforcement officer and the owner of any public garage to which a vehicle is removed shall keep a record of each vehicle so removed by manufacturer's trade name or make, registration number or motor number if the vehicle is not registered, registered owner if the vehicle bears a Vermont registration, such other descriptive matter as may be necessary to identify such vehicle, and the name and address of any claimant thereof. The ~~chief of police~~parking enforcement officer shall, in addition, keep a record showing the date of such removal, the place to which such removal is made and the reason for such removal. All such records shall be open to public inspection at all times.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 73, thereof to read as follows:

Before the owner shall be permitted to reclaim a vehicle which has been removed pursuant to this division, he shall:

(a) Furnish satisfactory evidence to the ~~chief of police~~parking enforcement officer and to the owner or person in charge of such public garage of his identity and of his ownership of such vehicle;

(b) Pay ~~to the police department~~ all outstanding charges for violation of the offenses described in ~~section 20-79(a)~~this article, and all charges for removing said vehicle and all charges for the storing and parking thereof, and for publication of record of removal;[;] or

~~(1) p~~Post a bond, ~~certified by the chief of police or his duly authorized representative, which is~~ equal to the amount of charges ~~dueset forth in (b) above~~; and

(c) Sign a written receipt acknowledging delivery of said vehicle~~;~~.

(d), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 79, thereof to read as follows:

(a) Any motor vehicle parked in violation of city ordinance upon any public highway of the city or at the Burlington International Airport, including such ways, streets, alleys, lanes or other places as may be open to the public, the owner of which has accumulated unpaid parking violations totaling two hundred seventy-five dollars (\$275.00) or more, not including the amount attributable to the present violation, may be removed and stored pursuant to this division. Thereupon, the vehicle may be reclaimed pursuant to Section 20-73. In order to reclaim the impounded vehicle, the owner shall pay charges for outstanding violations such that the total amount owed in fines and fees pursuant to ordinance violations is reduced to less than two hundred seventy-five dollars (\$275.00), all outstanding removal charges previously assessed and the charges imposed by this division for such removal and storage or until the requirements of Section 20-73(b)(1) have been met. Fines shall not be avoided by the transference of title or registration, or the purchasing of a different vehicle.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 83, thereof to read as follows:

The board of public works commissioners is hereby authorized to establish zones to be known as parking meter zones in all or part of such areas on the streets of the city as they may deem necessary. For greater clarity, the term "parking meter zone" includes all on-street paid parking within the city, whether a meter is physically present for each metered space. Nothing in this code or its appendices shall be construed

176 to prevent the city from using parking kiosks, other forms of multi-space metering, or web-based
177 applications, to collect parking fees, whether in parking meter zones or other city owned or operated parking
178 lots or garages.

179
180 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
181 hereby is amended by amending Sec. 84, thereof to read as follows:

182 (a) ~~The public works commission shall cause parking meters to be installed in parking meter zones~~
183 ~~established under this division.~~ The public works commission shall ~~also~~ cause the installation of necessary
184 curb and street markings for on-street paid parking, provide for the regulation and operation thereof, and
185 maintain ~~said parking meters, including multi-space meters, instructions for online payment via web-based~~
186 applications, kiosks, or similar apparatus and/or multi-space meters in workable condition.

187
188 (b) ~~Meters and/or multi-space meters~~ Payment devices shall be placed upon the curb next to
189 individual parking spaces or in proximity of designated parking spaces, and shall be so constructed as to
190 accept payment as indicated by instructions upon the ~~meter~~ device.

191 (c) Except to the extent the city council has otherwise appropriated city funds to pay such charges for
192 the fiscal year in question, whenever any payment processor charges a fee for the use of a credit card to pay
193 for metered parking, the person responsible for payment for the parking shall also be responsible for the
194 payment processor's charges.

195
196 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
197 hereby is amended by amending Sec. 87, thereof to read as follows:

198 (a) When any vehicle is parked in any meter zone in accordance with the provisions of this division,
199 the operator of the vehicle shall, upon entering the parking space, immediately pay in accordance with
200 instructions on the ~~meter and/or multi-space meter~~ payment apparatus as indicated by the legend thereon, and
201 failure to make such payment ~~or to operate the meter~~ shall constitute a misdemeanor. Upon payment, the
202 parking space may be lawfully occupied by such vehicle for a period as set out in App. C, Section 19.

203 (b), as written.

204
205 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
206 hereby is amended by amending Sec. 95, thereof to read as follows:

20-95 ~~Disabled persons~~Individuals with disabilities exempt from requirements.

~~Any person who is blind, who has an ambulatory handicap, or who is temporarily disabled with an ambulatory handicap shall be entitled to~~Any person who is blind, or who has a permanent or temporary ambulatory disability, may park without fee for an unlimited period in a parking zone which is restricted as to the length of time parking is permitted. This section shall not apply to zones in which parking, standing or stopping of all vehicles is prohibited, which are reserved for special vehicles, or where parking is prohibited by any parking ban. As a condition to this ~~privilege~~right, the vehicle shall display the ~~special handicapped~~ parking card, plate or placard issued by the state commissioner of motor vehicles as required in 23 V.S.A. 304a, or a ~~handicapped~~similar license plate, card or other identification issued by any other state.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 101, thereof to read as follows:

In each lot owned or leased by the city for the purpose of parking, ~~meters and/or multi-space meters~~payment apparatus shall be placed upon the curb or in proximity to parking spaces, and shall be so constructed as to accept payment as indicated by instructions ~~thereupon~~said meter.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding Sec. 110, thereof to read as follows:

The public works commission may, with the approval of the city council, authorize the mayor to execute leases for space within private parking facilities, wherein the city may charge for parking at rates the same or substantially the same as rates charged in public garages within the city, and wherein the parking enforcement officer shall have the same authority to ticket or tow vehicles as for public garages.

And that Chapter 27, Streets and Sidewalks, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 33, thereof to read as follows:

(a), as written.

(b) Permits for the obstruction of metered parking spaces may be issued for the following purposes only:

- (1) Construction, repair or maintenance work on abutting or nearby properties;
- (2) Loading or unloading goods, people, materials or equipment, or the use of such equipment, on abutting or nearby properties;

(3) Working in that immediate area of the street;

(4) The parking of vehicles used for events; or

(5) Any other uses as approved by city council.

The permit and the application for the permit shall state the nature of the obstruction, the purpose of the obstruction, and the time allowed for it to remain or continue. The permit shall specify the number of metered spaces to be obstructed. The permit shall be subject to reasonable conditions imposed by the director of public works or designee, including reasonable indemnification provisions approved as to form by the city attorney or designee.

(c) The department of public works shall upon issuance of the permit issue ~~an appropriate number of meter hoods to the applicant for each parking space to be obstructed. Upon the face of each hood shall be indicated in bold face "NO PARKING — TOW AWAY ZONE."~~ The applicant shall place the meter hood over the meter by 6:00 p.m. the preceding day signage to be placed as described in Section 20-63.

(d) to (f), as written.

* Material stricken out deleted.

** Material underlined added.

ER/ER/Ordinances 2025/*Parking Enforcement*
August 25, 2025

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

PARKING ENFORCEMENT

ORDINANCE _____

Sponsor: Public Works Commission

Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 1, thereof to read as follows:

As written, with the following definitions inserted in alphabetical order:

Parking enforcement officer: Means any city employee designated by the city pursuant to 23 V.S.A. § 4(11)(B), as the same may be amended or renumbered from time to time.

Traffic commission: Means the public works commission.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 23, thereof to read as follows:

(a) and (b), as written.

(c) The traffic commission may adopt regulations delegating its authority under this section to the director of public works or their designee, for the following purposes:

(1) Whenever necessary or convenient in response to a reasonable request from the public or when warranted by changed circumstances or new data, and whenever existing rules are substantially inconsistent with binding regulations or safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association of State Highway and Transportation Officials, to designate new no-parking areas, to change or modify the locations of existing no-parking areas, or to make other changes affecting no-parking areas, including, without limitation, removals that are necessitated by safety assessments;

(2) whenever necessary or convenient to comply with federal and state disability access laws, and whenever existing parking rules are substantially inconsistent with the Public Right-of-Way

23 Accessibility Guidelines, or other relevant standards published by the United States Access Board, to
24 designate new accessible spaces or to change or modify the locations of existing accessible spaces;

25 (3) whenever necessary or convenient in response to a reasonable request from the school
26 department or when warranted by changed circumstances or new data, and whenever existing rules are
27 substantially inconsistent with binding regulations or safety guidelines published by the U.S. Access Board,
28 the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association
29 of State Highway and Transportation Officials, to designate new school zones, to change or modify the
30 locations of existing school zones, or to make other changes affecting school zones, including, without
31 limitation, adjusting rules for student drop off and pick up;

32 (4) whenever necessary or convenient in response to a reasonable request from the public or
33 when warranted by changed circumstances or new data, and whenever existing rules are substantially
34 inconsistent with binding regulations or safety guidelines published by the U.S. Access Board, the Federal
35 Highways Administration, the Vermont Agency of Transportation, or the American Association of State
36 Highway and Transportation Officials, to prohibit right-hand turns against a traffic signal which is indicating
37 red; and

38 (5) whenever necessary or convenient in response to a reasonable request from the school
39 department or when warranted by changed circumstances or new data, and whenever existing rules are
40 substantially inconsistent with binding regulations or safety guidelines published by the U.S. Access Board,
41 the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association
42 of State Highway and Transportation Officials, to designate new school crossing guard locations, to change
43 or modify the locations of existing school crossing guard locations, or to make other changes affecting
44 school crossing guard locations.

45 Such modifications shall become effective and enforceable upon the posting of reasonable signage
46 directing motorists accordingly. Within a reasonable time after posting such signage, the public works
47 director or designee shall propose to the traffic commission a formal amendment to Appendix C to reflect
48 said change; provided that the failure to do so shall not render the change invalid or unenforceable; but
49 provided further that if the traffic commission rejects the change, it shall cease to be effective.

51 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
52 hereby is amended by amending Sec. 41, thereof to read as follows:

The traffic commission is hereby authorized to establish school zones, and to authorize staff to establish primary or secondary school zones, consistent with subsection (c) of section 20-23 of this code, by causing the same to be designated by appropriate signs indicating the speed limit and erected not more than five hundred (500) feet in advance of a school ground or of a pedestrian crossing customarily used by primary or secondary school pupils.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 53, thereof to read as follows:

(a), *as written.*

(b) The traffic commission may conspicuously place, or authorize the public works director or designee to place, suitable signs in and near the areas affected by the parking regulations of this article, plainly indicating such regulations.

(c) Whenever the traffic commission's regulations identify a location for signage to be placed, the location chosen by the public works director or designee shall be entitled to a rebuttable presumption of correctness.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 55, thereof to read as follows:

(a) No operator or driver of any vehicle shall stop, stand or park the same in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic sign or except momentarily to pick up or discharge a passenger:

(1) to (7), *as written.*

(8) Any street or portion of a street closed pursuant to section 20-63, including, without limitation, in metered parking spaces encumbered pursuant to Section 27-33 of this code; provided that this prohibition shall not apply to vehicles engaged in activities allowed under the permit issued pursuant to Section 27-33;

(9), *as written.*

(10) ~~[Reserved]. In a metered parking space where the meter for such space is covered with a hood issued pursuant to Section 27-33. This prohibition shall not apply to vehicles engaged in the activities allowed by the permit issued pursuant to Section 27-33;~~

(11) to (16), *as written.*

(b) and (c), *as written.*

(d) No person shall park any vehicle in any parking space designated by the traffic commission for parking for ~~the handicapped individuals with disabilities~~ unless the vehicle displays ~~special handicapped~~ license plates or placards issued pursuant to 23 V.S.A. 304a, or any amendment or renumbering thereof.

(e) and (f), as written.

(g) Effective upon making conforming changes to Appendix D of this code, a violation of rules relating to parking set forth in said Appendix D shall constitute a violation of this section for purposes of ticketing and enforcement.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 61, thereof to read as follows:

No person shall leave a vehicle in the same place within the limits of a street for a period longer than three (3) days. This period starts when the police department or parking enforcement officer observes a vehicle in a space. From that time the vehicle must be moved within three (3) days. For the purposes of this section the term moved is defined as relocating a vehicle at least twenty-five (25) feet from its original location for a time period of thirty-six (36) hours.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 63, thereof to read as follows:

For the purpose of cleaning, clearing, oiling, repairing, surfacing a street, special events, parades, or pruning or removing trees, or for parking encumbered pursuant to Section 27-33, the street department, parks department, or police department may close such street or portion of a street to the parking of vehicles by causing signs to be posted thereon in conspicuous locations and at reasonable intervals indicating the prohibition of parking thereon. The signs shall be posted by 6:00 p.m. and the prohibition shall be effective 12:00 a.m. the following day. The signs shall indicate in bold face "NO PARKING – TOW AWAY ZONE". Where individual parking space meters are provided, such signage shall be provided in the form of parking meter hoods. Such prohibition shall remain in effect until such signs are removed, and during the period when parking is so prohibited, no person shall park a motor vehicle on any such street.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 66, thereof to read as follows:

(a), as written.

(b) Nonmetered Parking Offenses:

(1) ~~Handicapped~~ Accessible parking. The penalty for ~~handicapped~~ parking violations as set forth in Section 20-55(d) shall be ~~one hundred twenty-five dollars (\$125.00)~~ as set forth in 23 V.S.A. § 304a(e)(1), as the same may be amended or renumbered from time to time.

(2) to (6), as written.

(7) Other nonmetered parking offense. "Nonmetered parking offense" means any parking offense set out in this Code, except violations related to metered parking. The penalty for violations of nonmetered parking offenses except ~~handicapped parking and idling~~as indicated shall be seventy-five dollars (\$75.00).

(8) and (9), as written.

(c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 67, thereof to read as follows:

(a), as written.

(b) Any person who has violated any ordinance regarding parking in the city may within thirty (30) days from the date of such violation waive in writing the issuance of any process in a trial by jury or hearing and voluntarily pay ~~to the police department of the city~~ the penalty prescribed in Section 20-66. Payments may be made by cash, check, money order, credit card or online payment.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 71, thereof to read as follows:

(a) Under the provisions of this division, any police officer or parking enforcement officer shall cause a motor vehicle parked in violation of the following to be moved or removed to any public garage or other place designated by him within a five-mile radius from the boundaries of the city:

(1), as written.

(2) ~~Designated prohibited areas, as set forth in section 20-55 of this Code;~~ In any manner that violates any provision of this code if:

(i) The vehicle is interfering unreasonably with the free flow of traffic, including through, into, or out of any public or private parking area, driveway, or right of way;

(ii) The vehicle is parked in a manner that interferes unreasonably with any lawful construction activity;

(iii) The violation constitutes or includes a violation of Section 22-55(a)(3), (a)(8), or (d) of this code;

(iv) When allowed pursuant to Section 20-79 of this code;

(v) In any location where, in the opinion of the parking enforcement officer, such vehicle creates an immediate traffic hazard or otherwise endangers the public health, safety, or welfare; or

(vi) The violation continues for a period of not less than twenty-four (24) hours following ticketing.

(vii) The vehicle is parked in any space designated a special parking space pursuant to section 29 of Appendix C to this code, as the same may be renumbered or amended from time to time.

(3) to (5), as written.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 72, thereof to read as follows:

The ~~chief of police~~parking enforcement officer and the owner of any public garage to which a vehicle is removed shall keep a record of each vehicle so removed by manufacturer's trade name or make, registration number or motor number if the vehicle is not registered, registered owner if the vehicle bears a Vermont registration, such other descriptive matter as may be necessary to identify such vehicle, and the name and address of any claimant thereof. The ~~chief of police~~parking enforcement officer shall, in addition, keep a record showing the date of such removal, the place to which such removal is made and the reason for such removal. All such records shall be open to public inspection at all times.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 73, thereof to read as follows:

Before the owner shall be permitted to reclaim a vehicle which has been removed pursuant to this division, he shall:

(a) Furnish satisfactory evidence to the ~~chief of police~~parking enforcement officer and to the owner or person in charge of such public garage of his identity and of his ownership of such vehicle;

(b) Pay ~~to the police department~~ all outstanding charges for violation of the offenses described in ~~section 20-79(a)~~this article, and all charges for removing said vehicle and all charges for the storing and parking thereof, and for publication of record of removal;~~;~~ or

(1) ~~p~~Post a bond, ~~certified by the chief of police or his duly authorized representative, which is equal~~
to the amount of charges ~~dueset forth in (b) above~~; and

(c) Sign a written receipt acknowledging delivery of said vehicle;

(d), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 79, thereof to read as follows:

(a) Any motor vehicle parked in violation of city ordinance upon any public highway of the city or at the Burlington International Airport, including such ways, streets, alleys, lanes or other places as may be open to the public, the owner of which has accumulated unpaid parking violations totaling two hundred seventy-five dollars (\$275.00) or more, not including the amount attributable to the present violation, may be removed and stored pursuant to this division. Thereupon, the vehicle may be reclaimed pursuant to Section 20-73. In order to reclaim the impounded vehicle, the owner shall pay charges for outstanding violations such that the total amount owed in fines and fees pursuant to ordinance violations is reduced to less than two hundred seventy-five dollars (\$275.00), all outstanding removal charges previously assessed and the charges imposed by this division for such removal and storage or until the requirements of Section 20-73(b)(1) have been met. Fines shall not be avoided by the transference of title or registration, or the purchasing of a different vehicle.

(b) and (c), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 83, thereof to read as follows:

The board of public works commissioners is hereby authorized to establish zones to be known as parking meter zones in all or part of such areas on the streets of the city as they may deem necessary. For greater clarity, the term “parking meter zone” includes all on-street paid parking within the city, whether a meter is physically present for each metered space. Nothing in this code or its appendices shall be construed to prevent the city from using parking kiosks, other forms of multi-space metering, or web-based applications, to collect parking fees, whether in parking meter zones or other city owned or operated parking lots or garages.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 84, thereof to read as follows:

(a) ~~The public works commission shall cause parking meters to be installed in parking meter zones established under this division.~~ The public works commission shall ~~also~~ cause the installation of necessary curb and street markings for on-street paid parking, provide for the regulation and operation thereof, and maintain ~~said parking meters, including multi-space meters, instructions for online payment via web-based applications, kiosks, or similar apparatus and/or multi-space meters~~ in workable condition.

(b) ~~Meters and/or multi-space meters~~ Payment devices shall be placed upon the curb next to individual parking spaces or in proximity of designated parking spaces, and shall be so constructed as to accept payment as indicated by instructions upon the meter device.

(c) Except to the extent the city council has otherwise appropriated city funds to pay such charges for the fiscal year in question, whenever any payment processor charges a fee for the use of a credit card to pay for metered parking, the person responsible for payment for the parking shall also be responsible for the payment processor's charges.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 87, thereof to read as follows:

(a) When any vehicle is parked in any meter zone in accordance with the provisions of this division, the operator of the vehicle shall, upon entering the parking space, immediately pay in accordance with instructions on the ~~meter and/or multi-space meter~~ payment apparatus as indicated by the legend thereon, and failure to make such payment ~~or to operate the meter~~ shall constitute a misdemeanor. Upon payment, the parking space may be lawfully occupied by such vehicle for a period as set out in App. C, Section 19.

(b), as written.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 95, thereof to read as follows:

20-95 ~~Disabled persons~~ Individuals with disabilities exempt from requirements.

~~Any person who is blind, who has an ambulatory handicap, or who is temporarily disabled with an ambulatory handicap shall be entitled to~~ Any person who is blind, or who has a permanent or temporary ambulatory disability, may park without fee for an unlimited period in a parking zone which is restricted as

to the length of time parking is permitted. This section shall not apply to zones in which parking, standing or stopping of all vehicles is prohibited, which are reserved for special vehicles, or where parking is prohibited by any parking ban. As a condition to this ~~privilegeright~~, the vehicle shall display the ~~special handicapped~~ parking card, plate or placard issued by the state commissioner of motor vehicles as required in 23 V.S.A. 304a, or a ~~handicapped-similar~~ license plate, card or other identification issued by any other state.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 101, thereof to read as follows:

In each lot owned or leased by the city for the purpose of parking, ~~meters and/or multi-space~~ ~~meters~~ payment apparatus shall be placed upon the curb or in proximity to parking spaces, and shall be so constructed as to accept payment as indicated by instructions ~~thereupon-said-meter~~.

And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding Sec. 110, thereof to read as follows:

The public works commission may, with the approval of the city council, authorize the mayor to execute leases for space within private parking facilities, wherein the city may charge for parking at rates the same or substantially the same as rates charged in public garages within the city, and wherein the parking enforcement officer shall have the same authority to ticket or tow vehicles as for public garages.

And that Chapter 27, Streets and Sidewalks, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sec. 33, thereof to read as follows:

(a), as written.

(b) Permits for the obstruction of metered parking spaces may be issued for the following purposes only:

- (1) Construction, repair or maintenance work on abutting or nearby properties;
- (2) Loading or unloading goods, people, materials or equipment, or the use of such equipment, on abutting or nearby properties;
- (3) Working in that immediate area of the street;
- (4) The parking of vehicles used for events; or
- (5) Any other uses as approved by city council.

The permit and the application for the permit shall state the nature of the obstruction, the purpose of the obstruction, and the time allowed for it to remain or continue. The permit shall specify the number of metered spaces to be obstructed. The permit shall be subject to reasonable conditions imposed by the director of public works or designee, including reasonable indemnification provisions approved as to form by the city attorney or designee.

(c) The department of public works shall upon issuance of the permit issue ~~an appropriate number of meter hoods to the applicant for each parking space to be obstructed. Upon the face of each hood shall be indicated in bold face "NO PARKING — TOW AWAY ZONE."~~ The applicant shall place the meter hood over the meter by 6:00 p.m. the preceding day signage to be placed as described in Section 20-63.

(d) to (f), as written.

* Material stricken out deleted.

** Material underlined added.

ER/ER/Ordinances 2025/*Parking Enforcement*
August 25, 2025

Resolution Relating to

**FINANCIAL DISCLOSURE FOR LOCAL ELECTED
OFFICIALS**

RESOLUTION_____

Sponsor(s): Councilor Neubieser
Introduced: _____
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-Five.....

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

- 1 That WHEREAS, on average, the amount of money raised and spent by candidates running for City
2 Council, Mayor, and the local political party committees supporting those candidates has increased
3 substantially over the last decade; and
- 4 WHEREAS, candidates for local elected office are required to file one or more of the following forms
5 to run for elected office: endorsement of candidate for local office form, consent of candidate for local
6 office form, and ballot access petition signatures; and
- 7 WHEREAS, 17 V.S.A. § 2414(a) requires that each candidate for Statewide office and each candidate
8 for State Senator or State Representative complete and file a financial disclosure form. The
9 financial disclosure form includes information on sources of income, service, company
10 ownership, lobbying activity, tax returns, and more; and
- 11 WHEREAS, the mission of the former Office of the City Clerk/Treasurer is ...
- 12 • To maintain and strengthen five basic structures of local democracy: elections, public records,
13 City Council proceedings, licensing, and the dissemination of public information; and
 - 14 • To maintain and enhance the City's revenue base by applying sound financial practices and
15 directing the City's financial resources toward meeting its long-term goals; and
- 16 WHEREAS, the former Office of the City Clerk/Treasurer is now called the Department of Finance
17 and Administration (DFA); and
- 18 WHEREAS, 24 V.S.A. § 1999 went into effect January 1st, 2025 and includes a provision stating, “A
19 municipality may adopt additional ordinances, rules, and personnel policies regarding ethics,
20 provided that these are not in conflict with the provisions of this chapter.”; and
- 21 WHEREAS, there is no prohibition in the municipal code of ethics, or conflicting sections regarding
22 financial disclosure for municipalities; and
- 23 WHEREAS, extremist political movements are eroding our democracy in favor of oligarchy and
24 autocracy. Citizens’ right to political dissent and to create a government that is accountable to its people is

being challenged. We must take every step we can to reverse course by increasing transparency in government;

NOW, THEREFORE, BE IT RESOLVED that the Department of Finance and Administration (DFA) will create a financial disclosure form based on what candidates for Statewide Office, State Senator, and State Representative are currently required to disclose when they seek elected office in Vermont; and

BE IT FURTHER RESOLVED that all candidates for School Board, City Council, and Mayor must file a financial disclosure form with the Department of Finance and Administration (DFA) at the same time that those candidates file the currently required endorsement of candidate for local office form, consent of candidate for local office form, and ballot access petition signatures. This change will be implemented for elections that occur on Town Meeting Day 2026; and

BE IT FURTHER RESOLVED that the Department of Finance and Administration (DFA) will maintain a publicly available online record of the financial disclosure forms on the city website, alongside other election related information; and

BE IT FURTHER RESOLVED that in an effort to increase transparency and voter education, the former Office of the City Clerk/Treasurer will include a link on their website to the Vermont Secretary of State's campaign finance database. They will also develop and provide non-partisan educational materials, available online, on how to access and understand the campaign finance records of candidates running for office at all levels in Vermont.

Resolution Relating to

**FINANCIAL DISCLOSURE FOR LOCAL ELECTED
OFFICIALS**

RESOLUTION_____

Sponsor(s): Councilor Neubieser
Introduced: _____
Referred to: _____

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

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1 That WHEREAS, on average, the amount of money raised and spent by candidates running for City
2 Council, Mayor, and the local political party committees supporting those candidates has increased
3 substantially over the last decade; and
4 WHEREAS, candidates for local elected office are required to file one or more of the following forms
5 to run for elected office: endorsement of candidate for local office form, consent of candidate for local
6 office form, and ballot access petition signatures; and
7 WHEREAS, 17 V.S.A. § 2414(a) requires that each candidate for Statewide office and each candidate
8 for State Senator or State Representative complete and file a financial disclosure form. The
9 financial disclosure form includes information on sources of income, service, company
10 ownership, lobbying activity, tax returns, and more; and
11 WHEREAS, the mission of the former Office of the City Clerk/Treasurer is ...
12 • To maintain and strengthen five basic structures of local democracy: elections, public records,
13 City Council proceedings, licensing, and the dissemination of public information; and
14 • To maintain and enhance the City's revenue base by applying sound financial practices and
15 directing the City's financial resources toward meeting its long-term goals; and
16 WHEREAS, the former Office of the City Clerk/Treasurer is now called the Department of Finance
17 and Administration (DFA); and
18 WHEREAS, 24 V.S.A. § 1999 went into effect January 1st, 2025 and includes a provision stating, “A
19 municipality may adopt additional ordinances, rules, and personnel policies regarding ethics,
20 provided that these are not in conflict with the provisions of this chapter.”; and
21 WHEREAS, there is no prohibition in the municipal code of ethics, or conflicting sections regarding
22 financial disclosure for municipalities; and
23 WHEREAS, extremist political movements are eroding our democracy in favor of oligarchy and
24 autocracy. Citizens’ right to political dissent and to create a government that is accountable to its people is

25 being challenged. We must take every step we can to reverse course by increasing transparency in
26 government;

27 NOW, THEREFORE, BE IT RESOLVED that the Department of Finance and Administration (DFA)
28 will create a financial disclosure form based on what candidates for State Senator and State Representative are
29 currently required to disclose when they seek elected office in Vermont; and

30 BE IT FURTHER RESOLVED that all candidates for School Board, City Council, and Mayor must
31 file a financial disclosure form with the Department of Finance and Administration (DFA) at the same time
32 that those candidates file the currently required endorsement of candidate for local office form, consent of
33 candidate for local office form, and ballot access petition signatures. This change will be
34 implemented for elections that occur on Town Meeting Day 2026; and

35 BE IT FURTHER RESOLVED that the Department of Finance and Administration (DFA) will
36 maintain a publicly available online record of the financial disclosure forms on the city website, alongside
37 other election related information; and

38 BE IT FURTHER RESOLVED that in an effort to increase transparency and voter education, the
39 former Office of the City Clerk/Treasurer will include a link on their website to the Vermont Secretary of
40 State's campaign finance database. They will also develop and provide non-partisan educational
41 materials, available online, on how to access and understand the campaign finance records of
42 candidates running for office at all levels in Vermont.

43
44 CN/Resolutions 2025/*Financial Disclosure for Local Elected Officials*
45 10/6/25

October 3, 2025

Dear Council President Traverse,

The Burlington School Board recognizes the importance of transparency in public service. However, this proposed resolution requiring all local candidates—including School Board candidates—to file financial disclosure forms modeled after those required of State Senators, Representatives, and statewide candidates is **ill-suited, burdensome, and potentially harmful** to the health of local democracy.

Specifically, School Board candidates should not be held to the same disclosure standards as candidates for Statewide office, given the vastly different scope of authority, compensation, and responsibility.

Further, Burlington's unpaid, volunteer School Board is not a political body—it exists to serve Burlington's students. Resolutions that intentionally pull the School Board into political conversations are contrary to the Board's mission and responsibilities.

For the above reasons Burlington's School Board strongly opposes any proposed resolution that conflates the role and responsibilities of local governing bodies with those of statewide offices.

Sincerely,

Clare Wool
Chairwoman on behalf of
The Burlington Board of School Commissioners



OFFICE OF THE CLERK TREASURER

City of Burlington

City Hall, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000;

(802) 865-7014

MEMORANDUM

TO: City Council

FROM: Sarah Montgomery, Assistant City Clerk

CC: Katherine Schad, Chief Administrative Officer

DATE: September 4th, 2025

RE: Financial Disclosure for local candidates

The City Clerk's office was asked to review the feasibility and financial impact of requiring local candidates to submit financial disclosure forms along with the other required forms at the time of candidate filing.

Implementation Feasibility: This proposed requirement would be simple to implement by the Clerk's Office. We do not have any concerns about the feasibility of accepting this additional form and posting it to the City's website.

Financial Impact: This proposed requirement would have no financial impact on the City.



Candidates for Vermont Statewide Office and Candidates for Legislative Office Financial Disclosure Form for 2024

Who must file: 17 V.S.A. § 2414(a) requires that each candidate for Statewide office and each candidate for State Senator or State Representative complete and file this financial disclosure form.

When: File with your consent of candidate form.

Please attach additional pages as necessary to complete this form.

Your name: _____

E-mail address: _____

Elected office sought: _____ District: _____

Financial information provided below is for calendar year 2023.

1. **Sources of personal income** – For you, your spouse or your domestic partner as defined in 17 V.S.A. § 2414 (e)(1), or both of you together, disclose each source of income that totals more than \$5,000.00. You do not need to provide the actual dollar amount. 17 V.S.A. § 2414(a)(1).

A. Employment income – List each employer and employer business address. If you are self-employed, describe the nature of your employment. 17 V.S.A. § 2414(a)(1)(A).

☐ Neither I nor my spouse/domestic partner have sources of employment income required to be listed.

Employer Name	Employer Business Address or description of work if self-employed	Candidate/Spouse or Domestic Partner/Joint

B. Investment income – For you, your spouse or your domestic partner as defined in 17 V.S.A. § 2414(e)(1), or both of you together, disclose each source of investment income that totals more than \$5,000.00. 17 V.S.A. § 2414(a)(1)(B). You do not need to provide the actual dollar amount. 17 V.S.A. § 2414(a)(1). Sources of investment income may include, but are not limited to, stocks, bonds, mutual

funds, income-producing property, joint ventures and business interests not included in Part 3 below. 17 V.S.A. § 2414(a)(3). Brokerage firms may be listed; individual stock holdings need not be disclosed unless stock ownership represents 10% or more, in which case the ownership should be listed in Part 3 below. Retirement holdings need not be listed.

☐ Neither I nor my spouse/domestic partner have investments required to be listed.

Source	Nature of Investment	Candidate/Spouse or Domestic Partner/Joint

C. Other Sources of Income - For you, your spouse or your domestic partner as defined in 17 V.S.A. § 2414(e)(1), or both of you together, disclose each additional source of income not mentioned above, that totals more than \$5,000.00. You do not need to provide the actual dollar amount. 17 V.S.A. § 2414(a)(1).

☐ Neither I nor my spouse/domestic partner have any other sources of income required to be listed.

Source of Income	Candidate/Spouse or Domestic Partner/Joint

2. Service – List each board, commission, or other entity that is regulated by law or that receives funding from the State of Vermont on which you serve and your position on it. 17 V.S.A. § 2414(a)(2).

☐ I have no service to list.

Board, Commission, other Entity	Position held

3. Company Ownership – List any company which you, or your spouse or domestic partner, or both together own more than 10 percent. 17 V.S.A. § 2414(a)(3).

☐ Neither I nor my spouse/domestic partner have businesses required to be listed.

Business Name	Business Address	Candidate/Spouse or Domestic Partner/Joint

(Company ownership cont'd)		
----------------------------	--	--

4. Lease or Contract with the State – List any lease or contract with the State held or entered into by (a) you or your spouse or domestic partner; or (b) a company of which you or your spouse or domestic partner, or both together owned more than 10 percent. 17 V.S.A. § 2414(a)(4).

☐ Neither I nor my spouse/domestic partner have leases or contracts required to be listed.

Type of lease or contract	Candidate/Spouse or Domestic Partner/Joint

5. Lobbying Activities – If your spouse or domestic partner is a lobbyist, enter the name of your spouse or domestic partner below and, if applicable, the name of his or her lobbying firm. 17 V.S.A. § 2414(b).

☐ My spouse/domestic partner has no lobbying activities required to be listed.

Name of spouse/domestic partner	Name of lobbying firm

6. Tax Return – If you are a candidate for Statewide office (not legislative office), please attach to this form a copy of your most recent U.S. Individual Income Tax Return Form 1040. You may redact the following information: (1) your Social Security Number and that of your spouse, if applicable; (2) the names of any dependent and the dependent's Social Security Number; and (3) your signature and that of your spouse, if applicable. 17 V.S.A. § 2414(c).

I hereby certify that the information provided is true and accurate to the best of my knowledge, information, and belief.

Signature

Date: _____

Submit this completed Disclosure Form to the officer with whom you file your consent of candidate form. 17 V.S.A. § 2414(a)(1).

Revised April 2024 for 2024.

WHEREAS, effective January 1, 2025, the State of Vermont adopted a statewide Municipal Code of Ethics (the “Code”), 24 V.S.A. §§ 1991 et seq., which applies to all municipal officers; and

WHEREAS, the Code establishes a duty for all municipal officers to avoid conflicts of interest, which are broadly defined as including: “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.”; and

WHEREAS, where conflicts of interest exist, the Code requires: (1) that municipal officers generally recuse themselves; (2) that when a municipal officer does not recuse themselves from a conflict of interest for “good cause,” as defined by statute, the municipal officer must publicly announce their nonrecusal and submit a written nonrecusal statement; and (3) that members of a public body, including the Burlington City Council, be permitted to inquire of a public officer about any possible conflict of interest or any appearance of a conflict of interest and to recommend that the member recuse themselves from the matter; and

WHEREAS, the Code further provides strong protections against statutorily defined “unethical conduct,” “preferential treatment,” “misuse of position,” “misuse of information,” “misuse of government resources,” “unauthorized commitments,” and the acceptance of “gifts” and “benefit from contracts”; and

WHEREAS, the Code tasks the State Ethics Commission with providing guidance to municipal officers on the Code’s provisions and, upon request, written advisory opinions that include advice or interpretation with respect to an officer’s duties regarding any provision of the Code or regarding any other issue related to government ethics; and

WHEREAS, the Mayor and City Councilors are municipal officers who are required under the Code to complete ethics training within 120 days after their election, and then again every three years; and

WHEREAS, the Code requires that each municipality adopt procedures for the investigation of municipal ethics complaints and enforcement in instances of substantiated complaints; and

WHEREAS, since the Code became effective, other municipalities have adopted provisions on the investigation and enforcement of complaints, including, but not limited to, South Burlington, Essex Junction, and Shelburne, among others; and

WHEREAS, the Burlington City Charter also includes long-standing provisions on conflicts of interest under Section 133, which require recusal when a “direct or indirect conflict of interest” is present, and defines a “direct conflict of interest” as limited just to those instances where a City officer has “a direct and immediate financial interest” in a manner, and defines an “indirect conflict of interest” as limited to situations where a City officer’s family member has a direct conflict of interest; and

WHEREAS, the statewide Code’s provisions on conflicts of interest are more broadly defined than those in the Charter, and provides that: “To the extent any provisions of this chapter conflict with the provisions of any municipal charter listed in Title 24 Appendix, the provisions of this chapter shall prevail.”; and

NOW, THEREFORE, BE IT RESOLVED, to the extent the statewide Municipal Code of Ethics is broader than or otherwise conflicts with conflict of interest provisions in the City Charter, the City Council respectfully requests the City Attorney's Office draft a proposed Charter change for the Council's consideration that either removes or amends conflicting provisions to align the Charter with the Code; and

BE IT FURTHER RESOLVED, in compliance with 24 V.S.A. § 1997, the Burlington Code of Ordinances is amended to include the following under Chapter 2, Administration:

Article IV. Code of Ethics Investigation and Enforcement

2-43. Authority.

This ordinance is adopted by the City of Burlington under authority of 24 V.S.A. §1997.

2-44. Purpose.

The purpose of this Article is to enact procedures for the investigation of complaints alleging 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. An additional purpose of this Article is to mandate regular ethics trainings for municipal officers.

Sec. 2-45. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Designated complaint recipient" means the municipal officer or body designated to receive complaints alleging violations of the Code.

"Alternative designated complaint recipient" means the municipal officer or body designated to receive complaints alleging violations of the Code when the designated complaint recipient is unavailable or the subject of a complaint.

"Code" for the purposes of this Article means Vermont's Municipal Code of Ethics, 24 V.S.A. §§ 1991 et seq.

"Municipal officer" or "officer" means:

- (1) The Mayor;
- (2) Any member of the City Council;
- (3) Any individual who holds the position of, or exercises the function of, any of the following positions in or on behalf of the City of Burlington:
 - a. Cemetery Superintendent
 - b. Chief Administrative Officer
 - c. Chief Engineer of the Fire Department
 - d. City Assessor
 - e. City Attorney and Assistant City Attorney
 - f. City Constable and Second, Third, and Fourth Constables

- g. City Engineer and Surveyor
- h. Director of Aviation
- i. Director of Burlington City Arts
- j. Director of Permitting and Inspections
- k. Director of Planning
- l. Director of the Community and Economic Development Office
- m. Director of the Human Resources Department
- n. Director of the Office of Racial Equity, Inclusion & Belonging
- o. Executive Director of the Church Street Marketplace District
- p. General Manager/Superintendent of the Electric Department
- q. Harbor Master
- r. Librarian(s) of the Fletcher Free Library
- s. Police Chief
- t. Superintendent of the Parks and Recreation Department
- u. Superintendent/Director of the Public Works Department
- v. Zoning Administrative Officer
- w. All other superintendent/directors of any other City department
- x. Members of the City's various boards and commissions appointed by the City Council or City Council with Mayor Presiding
- y. Advisory committee members appointed by the Mayor, City Council, or City Council with Mayor Presiding; and
- z. To the extent not set forth herein, all other municipal officers covered by the Code.

Sec. 2-46. Complaints.

- (a) The City Attorney's Office shall maintain a municipal ethics complaint form and make this readily available to the public in both written and electronic format.
- (b) Any member of the general public may make a municipal ethics complaint including any person elected, appointed, or employed by the City.
- (c) The City's designated complaint recipient and alternative designated complaint recipient will be established by the City Council, except neither the Mayor nor any member of the City Council may be designated as a complaint recipient.
- (d) All municipal ethics complaints must be directed to the designated complaint recipient.
- (e) The designated complaint recipient will conduct a prompt, thorough, and impartial investigation of all municipal ethics complaints, and confidentiality will be protected to the extent possible.
- (f) Municipal ethics complaints against the designated complaint recipient must be directed to the alternative designated complaint recipient.

- (g) The designated complaint recipient and alternative designated complaint recipient shall provide the Mayor and City Council President regular updates on any received complaints. These updates may be provided confidentially to the extent permitted by Vermont's Public Records Act.
- (h) No person will be adversely affected or otherwise retaliated against in either their volunteer or employment status with the City as a result of bringing a municipal ethics complaint.

Sec. 2-47. Enforcement.

If the designated complaint recipient, or the alternative designated complaint recipient in the case of a municipal complaint brought against the designated complaint recipient or when the designated complaint recipient is unavailable, determines a violation of the Code has occurred, the violating municipal officer will be subject to timely and appropriate corrective action, including, but not limited to the following:

- (a) Enforcement against elected officers.

In cases in which the municipal officer is the Mayor or member of the City Council, the City Council may, in its discretion, take any of the following actions:

(1) The City Council President may meet informally with the municipal officer to discuss the violation.

(2) The City Council 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.

(3) In compliance with Section 133(c) of the City Charter, the City Council with Mayor Presiding may officially censure the municipal officer upon affirmative vote of two-thirds of the whole number of the body. The official censure may request (but not order) the offending municipal officer resign from their office. The municipal officer will be given the opportunity to respond to official censure.

- (b) Enforcement against appointed officers.

In cases in which the municipal officer holds appointed office, the City Council may choose to follow any of the steps articulated in Section 2-47(a)(1-2). In addition to, or in lieu of any of those steps, the City Council, City Council with Mayor Presiding, or any other appointing board or commission may remove an appointed municipal officer in compliance with Section 129 of the City Charter and any other applicable law.

- (c) Enforcement against employees.

In cases in which the municipal officer is also an employee of the City, the Mayor or other properly designated municipal officer may take any corrective action, up to and

including termination, in accordance with applicable law, municipal policies and regulations, and any applicable collective bargaining agreement

Sec. 2-48. Trainings.

All municipal officers shall complete ethics training, as approved by the State Ethics Commission, within 120 days after their election, appointment, or hire. Upon completing initial ethics training, a municipal officer shall complete additional ethics training, as determined by the State Ethics Commission, every year.

Sec. 2-107. - Other laws.

This article 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 article are hereby repealed to the extent of such inconsistency.

BE IT FURTHER RESOLVED, upon this new ordinance taking effect, the City Attorney shall be the designated complaint recipient and the Director of the Human Resources Department shall be the alternative designated complaint recipient.

Sec. 22. 24 V.S.A. chapter 60 is added to read:

CHAPTER 60. MUNICIPAL CODE OF ETHICS

§ 1991. DEFINITIONS

As used in this chapter:

- (1) “Advisory body” means a public body that does not have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters.
- (2) “Candidate” and “candidate’s committee” have the same meanings as in 17 V.S.A. § 2901.
- (3) “Commission” means the State Ethics Commission established under 3 V.S.A. chapter 31, subchapter 3.
- (4) “Confidential information” means information that is exempt from public inspection and copying under 1 V.S.A. § 315 et seq. or is otherwise designated by law as confidential.
- (5) “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.
- (6) “Department head” means any authority in charge of an agency, department, or office of a municipality.
- (7) “Designated complaint recipient” means:
 - (A) a department head or employee specifically designated or assigned to receive a complaint that constitutes protected activity, as set forth in section 1997 of this title;
 - (B) a board or commission of the State or a municipality;
 - (C) the Vermont State Auditor;
 - (D) a State or federal agency that oversees the activities of an agency, department, or office of the State or a municipality;
 - (E) a law enforcement officer as defined in 20 V.S.A. § 2358;
 - (F) a federal or State court, grand jury, petit jury, law enforcement agency, or prosecutorial office;
 - (G) the legislative body of the municipality, the General Assembly or the U.S. Congress; or
 - (H) an officer or employee of an entity listed in this subdivision (7) when acting within the scope of the officer’s or employee’s duties.
- (8) “Domestic partner” means an individual in an enduring domestic relationship of a spousal nature with the municipal officer, provided the individual and municipal officer:
 - (A) have shared a residence for at least six consecutive months;

- (B) are at least 18 years of age;
- (C) are not married to or considered a domestic partner of another individual;
- (D) are not related by blood closer than would bar marriage under State law; and
- (E) have agreed between themselves to be responsible for each other's welfare.

(9) "Illegal order" means a directive to violate, or to assist in violating, a federal, State, or local law.

(10) "Immediate family" means an individual's spouse, domestic partner, or civil union partner; child or foster child; sibling; parent; or such relations by marriage or by civil union or domestic partnership; or an individual claimed as a dependent for federal income tax purposes.

(11) "Legislative body" means the selectboard in the case of a town, the mayor, alderpersons, and city council members in the case of a city, the president and trustees in the case of an incorporated village, the members of the prudential committee in the case of a fire district, and the supervisor in the case of an unorganized town or gore.

(12) "Municipal officer" or "officer" means:

- (A) any member of a legislative body of a municipality;
- (B) any member of a quasi-judicial body of a municipality; or
- (C) any individual who holds the position of, or exercises the function of, any of the following positions in or on behalf of any municipality:
 - (i) advisory budget committee member;
 - (ii) auditor;
 - (iii) building inspector;
 - (iv) cemetery commissioner;
 - (v) chief administrative officer;
 - (vi) clerk;
 - (vii) collector of delinquent taxes;
 - (viii) department heads;
 - (ix) first constable;
 - (x) lister or assessor;
 - (xi) mayor;
 - (xii) moderator;
 - (xiii) planning commission member;
 - (xiv) road commissioner;
 - (xv) town or city manager;
 - (xvi) treasurer;
 - (xvii) village or town trustee;
 - (xviii) trustee of public funds; or
 - (xix) water commissioner.

(13) "Municipality" means any town, village, or city.

(14) “Protected employee” means an individual employed on a permanent or limited status basis by a municipality.

(15) “Public body” has the same meaning as in 1 V.S.A. § 310.

(16) “Retaliatory action” includes any adverse performance or disciplinary action, including discharge, suspension, reprimand, demotion, denial of promotion, imposition of a performance warning period, or involuntary transfer or reassignment; that is given in retaliation for the protected employee’s involvement in a protected activity, as set forth in section 1997 of this title.

§ 1992. CONFLICTS OF INTEREST

(a) Duty to avoid conflicts of interest. In the municipal officer’s official capacity, the officer shall avoid any conflict of interest or the appearance of a conflict of interest. The appearance of a conflict shall be determined from the perspective of a reasonable individual with knowledge of the relevant facts.

(b) Recusal.

(1) If a municipal officer is confronted with a conflict of interest or the appearance of one, the officer shall immediately recuse themselves from the matter, except as otherwise provided in subdivisions (2) and (5) of this subsection, and not take further action on the matter or participate in any way or act to influence a decision regarding the matter. After recusal, an officer may still take action on the matter if the officer is a party, as defined by section 1201 of this title, in a contested hearing or litigation and acts only in the officer’s capacity as a member of the public. The officer shall make a public statement explaining the officer’s recusal.

(2)(A) Notwithstanding subdivision (1) of this subsection (b), an officer may continue to act in a matter involving the officer’s conflict of interest or appearance of a conflict of interest if the officer first:

(i) determines there is good cause for the officer to proceed, meaning:

(I) the conflict is amorphous, intangible, or otherwise speculative;

(II) the officer cannot legally or practically delegate the matter; or

(III) the action to be taken by the officer is purely ministerial and does not involve substantive decision-making; and

(ii) the officer submits a written nonrecusal statement to the legislative body of the municipality regarding the nature of the conflict that shall:

(I) include a description of the matter requiring action;

(II) include a description of the nature of the potential conflict or actual conflict of interest;

(III) include an explanation of why good cause exists so that the municipal officer can take action in the matter fairly, objectively, and in the public interest;

(IV) be written in plain language and with sufficient detail so that the matter may be understood by the public; and

(V) be signed by the municipal officer.

(B) Notwithstanding subsection (A) of this subdivision (2), a municipal officer that would benefit from any contract entered into by the municipality and the officer, the officer’s immediate family, or an associated business of the officer or the officer’s immediate family, and

whose official duties include execution of that contract, shall recuse themselves from any decision-making process involved in the awarding of that contract.

(C) Notwithstanding subsection (A) of this subdivision (2), a municipal officer shall not continue to act in a matter involving the officer's conflict of interest or appearance of a conflict of interest if authority granted to another official or public body elsewhere under law is exercised to preclude the municipal officer from continuing to act in the matter.

(3) If an officer's conflict of interest or the appearance of a conflict of interest concerns an official act or actions that take place outside a public meeting, the officer's nonrecusal statement shall be filed with the clerk of the municipality and be available to the public for the duration of the officer's service plus a minimum of five years.

(4) If an officer's conflict of interest is related to an official municipal act or actions considered at a public meeting, the officer's nonrecusal statement shall be filed as part of the minutes of the meeting of the public body in which the municipal officer serves.

(5) If, at a meeting of a public body, an officer becomes aware of a conflict of interest or the appearance of a conflict of interest for the officer and the officer determines there is good cause to proceed, the officer may proceed with the matter after announcing and fully stating the conflict on the record. The officer shall submit a written nonrecusal statement pursuant to subdivision (2) of this subsection within five business days after the meeting. The meeting minutes shall be subsequently amended to reflect the submitted written nonrecusal statement.

(c) Authority to inquire about conflicts of interest. If a municipal officer is a member of a public body, the other members of that body shall have the authority to inquire of the officer about any possible conflict of interest or any appearance of a conflict of interest and to recommend that the member recuse themselves from the matter.

(d) Confidential information. Nothing in this section shall require a municipal officer to disclose confidential information or information that is otherwise privileged under law.

§ 1993. PROHIBITED CONDUCT

(a) Directing unethical conduct. A municipal officer shall not direct any individual to act in a manner that would:

(1) benefit a municipal officer in a manner related to the officer's conflict of interest;

(2) create a conflict of interest or the appearance of a conflict of interest for the officer or for the directed individual; or

(3) otherwise violate the Municipal Code of Ethics as described in this chapter.

(b) Preferential treatment. A municipal officer shall act impartially and not unduly favor or prejudice any person in the course of conducting official business. An officer shall not give, or represent an ability to give, undue preference or special treatment to any person because of the person's wealth, position, or status or because of a person's personal relationship with the officer, unless otherwise permitted or required by State or federal law.

(c) Misuse of position. A municipal officer shall not use the officer's official position for the personal or financial gain of the officer, a member of the officer's immediate family or household, or the officer's business associate.

(d) Misuse of information. A municipal officer shall not use nonpublic or confidential information acquired during the course of official business for personal or financial gain of the officer or for the personal or financial gain of a member of the officer's immediate family or household or of an officer's business associate.

(e) Misuse of government resources. A municipal officer shall not make use of a town's, city's, or village's materials, funds, property, personnel, facilities, or equipment, or permit another person to do so, for any purpose other than for official business unless the use is expressly permitted or required by State law; ordinance; or a written agency, departmental, or institutional policy or rule. An officer shall not engage in or direct another person to engage in work other than the performance of official duties during working hours, except as permitted or required by law or a written agency, departmental, or institutional policy or rule.

(f) Gifts.

(1) No person shall offer or give to a municipal officer or candidate, or the officer's or candidate's immediate family, anything of value, including a gift, loan, political contribution, reward, or promise of future employment based on any understanding that the vote, official action, or judgment of the municipal officer or candidate would be, or had been, influenced thereby.

(2) A municipal officer or candidate shall not solicit or accept anything of value, including a gift, loan, political contribution, reward, or promise of future employment based on any understanding that the vote, official action, or judgment of the municipal officer or candidate would be or had been influenced thereby.

(3) Nothing in subdivision (1) or (2) of this subsection shall be construed to apply to any campaign contribution that is lawfully made to a candidate or candidate's committee pursuant to 17 V.S.A. chapter 61 or to permit any activity otherwise prohibited by 13 V.S.A. chapter 21.

(g) Unauthorized commitments. A municipal officer shall not make unauthorized commitments or promises of any kind purporting to bind the municipality unless otherwise permitted by law.

(h) Benefit from contracts. A municipal officer shall not benefit from any contract entered into by the municipality and the officer, the officer's immediate family, or an associated business of the officer or the officer's immediate family, unless:

- (1) the benefit is not greater than that of other individuals generally affected by the contract;
- (2) the contract is a contract for employment with the municipality;
- (3) the contract was awarded through an open and public process of competitive bidding; or
- (4) the total value of the contract is less than \$2,000.00

Title 13: Crimes and Criminal Procedure

Chapter 21: Bribery

- **§ 1101. Bribing public officers or employees**

(a) A person shall not, directly or indirectly, corruptly, give, offer, or promise to an executive, legislative, or judicial officer, or to any employee, appointee, or designee of any executive, legislative, or judicial officer, or to a person who is a candidate or applicant for an executive, legislative, or judicial office, a gift or gratuity:

(1) with intent to influence his or her finding, decision, report, or opinion in any matter within his or her official capacity or employment; or

(2) for or because of any finding, decision, report, or opinion in any matter within his or her official capacity or employment.

(b) A person who violates this section shall, if the gift or gratuity is less than \$500.00 in value, be imprisoned not more than two years or fined not more than \$5,000.00, or both. A person who violates this section shall, if the gift or gratuity is \$500.00 or more in value, be imprisoned not more than five years or fined not more than \$10,000.00, or both. (Amended 1971, No. 199 (Adj. Sess.), § 15; 1981, No. 223 (Adj. Sess.), § 23; 1987, No. 48, § 1.)

- **§ 1102. Public officers or employees accepting bribes**

(a) An executive, legislative, or judicial officer, or any employee, appointee, or designee of such officer, or a person who is a candidate or applicant for an executive, legislative, or judicial office, shall not, directly or indirectly, corruptly, ask, demand, exact, solicit, accept, receive, or agree to receive a gift or gratuity, or a promise to make a gift or to do an act beneficial to himself or herself or another:

(1) with the understanding that he or she will be influenced thereby in any finding, decision, report, or opinion in any matter within his or her official capacity or employment; or

(2) for or because of any finding, decision, report, or opinion in any matter within his or her official capacity or employment.

(b) A person who violates this section shall, if the gift, gratuity, or benefit is less than \$500.00 in value, be imprisoned not more than two years or fined not more than \$5,000.00, or both. A person who violates this section shall, if the gift, gratuity, or benefit is \$500.00 or more in value, be imprisoned not more than 10 years or fined not more than \$10,000.00, or both. (Amended 1971, No. 199 (Adj. Sess.), § 15; 1981, No. 223 (Adj. Sess.), § 23; 1987, No. 48, § 2.)

- **§ 1103. Bribing triers of causes**

A person who corrupts or attempts to corrupt a master, auditor, referee, commissioner, juror, or arbitrator by giving, offering, or promising a gift or gratuity, with intent to bias the opinion or influence the decision of such person, in relation to a cause or matter pending in the court or before an inquest, or for the decision of which such officer has been chosen or appointed, shall be imprisoned not more than five years or fined not more than \$1,000.00, or both. (Amended 1971, No. 185 (Adj. Sess.), § 236, eff. March 29, 1972; 1971, No. 199 (Adj. Sess.), § 15; 1981, No. 223 (Adj. Sess.), § 23.)

- **§ 1104. Triers of causes accepting bribes**

A person summoned as a juror, or chosen or appointed as a master, auditor, referee, commissioner, or arbitrator, who corruptly takes anything to give his or her verdict, award, or report, or corruptly receives a gift or gratuity from a party to an action, cause, or proceedings, for the trial or decision of which such juror was summoned, or for the hearing or determination of which such master, auditor, referee, commissioner, or arbitrator was chosen or appointed, shall be imprisoned not more than five years or fined not more than \$1,000.00, or both. (Amended 1971, No. 185 (Adj. Sess.), § 236, eff. March 29, 1972; 1971, No. 199 (Adj. Sess.), § 15; 1981, No. 223 (Adj. Sess.), § 23.)

- **§ 1105. Public Utility Commission members or clerk not to accept pay except from State**

If a member of the Public Utility Commission or the clerk of such Commission receives pay for any service from any party other than the State, or for neglect of any service, he or she shall be imprisoned not more than six months or fined not more than \$1,000.00, or both. This section shall not be construed to prevent the clerk of such Commission from receiving the usual fees for copies of records or papers in his or her office. (Amended 1959, No. 329 (Adj. Sess.), § 39, eff. March 1, 1961; 1971, No. 199 (Adj. Sess.), § 15; 1981, No. 223 (Adj. Sess.), § 23.)

- **§ 1106. Kickbacks; purchasing supplies**

(a) An officer or agent of, or person employed by the State or a county, municipality, supervisory union school district, or public institution in this State, who, being authorized to procure material, supplies, or other articles by purchase or contract, or to employ service or labor, shall not corruptly, directly or indirectly, ask, demand, exact, solicit, seek, accept, receive, or agree to receive for himself or herself or for another, any benefit from the person who makes such contract, furnishes such material, supplies, or other articles, or from a person who renders service or labor under such contract, nor shall a person give or offer corruptly such benefit.

(b) A person who violates this section shall, if the benefit has a value of less than \$500.00, be imprisoned not more than two years or fined not more than \$5,000.00, or both. A person who violates this section shall, if the benefit is \$500.00 or more in value, be imprisoned not more than five years or fined not more than \$10,000.00, or both. (Amended 1987, No. 48, § 3.)

- **§ 1107. Kickbacks; granting licenses**

(a) An officer or agent of, or person employed by the State or a county, municipality, supervisory union school district, or public institution in this State, who, being authorized, individually or as a member of a board or commission or other governmental entity, to grant a license, permit, or other authorization or thing of value, shall not corruptly, directly or indirectly, ask, demand, exact, solicit, seek, accept, receive, or agree to receive for himself or herself or for another, any benefit from a person who applies for a license, permit, or other authorization or thing of value, nor shall a person corruptly give or offer such benefit.

(b) A person who violates this section shall, if the value of the benefit is less than \$500.00, be imprisoned not more than two years or fined not more than \$5,000.00, or both. A person who violates this section shall, if the value of the benefit is \$500.00 or more, be imprisoned not more than five years or fined not more than \$10,000.00, or both. (Added 1987, No. 48, § 4.)

- **§ 1108. Kickbacks; private corporations**

(a) An officer or agent of, or person employed by a private corporation or business entity, who, being authorized to procure material, supplies, or other articles by purchase or contract, or to employ service or labor, shall not, directly or indirectly, solicit, ask, demand, exact, seek, accept, receive, or agree to receive, with intent that he or she will be influenced adversely to the interest of the employer or principal, any benefit from a person who makes such contract, furnishes such material, supplies, or other articles, or from a person who renders service or labor under such contract, nor shall a person give or offer such benefit.

(b) A person who violates this section shall, if the value of the benefit is less than \$500.00, be imprisoned not more than two years or fined not more than \$5,000.00, or both. A person who violates this section shall, if the value of the benefit is \$500.00 or more, be imprisoned not more than five years or fined not more than \$10,000.00, or both. (Added 1987, No. 48, § 5.)

Title 17: Elections

Chapter 61: Campaign Finance

- ***Subchapter 1: GENERAL PROVISIONS***
- **§ 2901. Definitions**

As used in this chapter:

(1) "Candidate" means an individual who has taken affirmative action to become a candidate for State, county, local, or legislative office in a primary, special, general, or local election. An affirmative action shall include one or more of the following:

(A) accepting contributions or making expenditures totaling \$500.00 or more;

(B) filing the requisite petition for nomination under this title or being nominated by primary or caucus;
or

(C) announcing that the individual seeks an elected position as a State, county, or local officer or a position as Representative or Senator in the General Assembly.

(2) "Candidate's committee" means the candidate's campaign staff, whether paid or unpaid.

(3) "Clearly identified," with respect to a candidate, means:

(A) the name of the candidate appears;

(B) a photograph or drawing of the candidate appears; or

(C) the identity of the candidate is apparent by unambiguous reference.

(4) "Contribution" means a payment, distribution, advance, deposit, loan, or gift of money or anything of value, paid or promised to be paid for the purpose of influencing an election, advocating a position on a public question, or supporting or opposing one or more candidates in any election. As used in this chapter, "contribution" shall not include any of the following:

(A) a personal loan of money to a candidate from a lending institution made in the ordinary course of business;

(B) services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee, or political party;

(C) unreimbursed travel expenses paid for by an individual for himself or herself who volunteers personal services to a candidate;

(D) unreimbursed campaign-related travel expenses paid for by the candidate or the candidate's spouse;

(E) the use by a candidate or volunteer of his or her own personal property, including offices, telephones, computers, and similar equipment;

(F) the use of a political party's offices, telephones, computers, and similar equipment;

(G) the payment by a political party of the costs of preparation, display, or mailing or other distribution of a party candidate listing;

(H) documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this title, lists of registered voters, and voter identification information created, obtained, or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party or to another political party;

(I) compensation paid by a political party to its employees whose job responsibilities are not for the specific and exclusive benefit of a single candidate in any election;

(J) compensation paid by a political party to its employees or consultants for the purpose of providing assistance to another political party;

(K) campaign training sessions provided to three or more candidates;

(L) costs paid for by a political party in connection with a campaign event at which three or more candidates are present; or

(M) activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention or depict a clearly identified candidate.

(5) "Election" means the procedure whereby the voters of this State or any of its political subdivisions select a person to be a candidate for public office or to fill a public office or to act on public questions, including voting on constitutional amendments. Each primary, general, special, or local election shall constitute a separate election.

(6) "Electioneering communication" means any communication that refers to a clearly identified candidate for office and that promotes or supports a candidate for that office or attacks or opposes a candidate for that office, regardless of whether the communication expressly advocates a vote for or against a candidate, including communications published in any newspaper or periodical or broadcast on radio or television or over the Internet or any public address system; placed on any billboards, outdoor facilities, buttons, or printed material attached to motor vehicles, window displays, posters, cards, pamphlets, leaflets, flyers, or other circulars; or contained in any direct mailing, robotic phone calls, or mass electronic or digital communications.

(7) "Expenditure" means a payment, disbursement, distribution, advance, deposit, loan, or gift of money or anything of value, paid or promised to be paid, for the purpose of influencing an election, advocating a position on a public question, or supporting or opposing one or more candidates.

(A) Expenditures may include those expenses that are necessary to allow a candidate to campaign, such as expenses for the care of a dependent family member that are incurred as a direct result of campaign activity.

(B) As used in this chapter, "expenditure" shall not include any of the following:

(i) a personal loan of money to a candidate from a lending institution made in the ordinary course of business;

- (ii) services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee, or political party;
 - (iii) unreimbursed travel expenses paid for by an individual for himself or herself who volunteers personal services to a candidate; or
 - (iv) unreimbursed campaign-related travel expenses paid for by the candidate or the candidate's spouse.
- (8) "Four-year general election cycle" means the 48-month period that begins 38 days after a general election for a four-year-term office.
- (9) "Full name" means an individual's full first name, middle name or initial, if any, and full legal last name, making the identity of the person who made the contribution apparent by unambiguous reference.
- (10) "Independent expenditure-only political committee" means a political committee that conducts its activities entirely independent of candidates; does not give contributions to candidates, political committees, or political parties; does not make related expenditures; and is not closely related to a political party or to a political committee that makes contributions to candidates or makes related expenditures.
- (11) "Mass media activity" means a television commercial, radio commercial, Internet advertisement, mass mailing, mass electronic or digital communication, literature drop, newspaper or periodical advertisement, robotic phone call, or telephone bank, that includes the name or likeness of a clearly identified candidate for office.
- (12) "Party candidate listing" means any communication by a political party that:
- (A) lists the names of at least three candidates for election to public office;
 - (B) is distributed through public advertising such as broadcast stations, cable television, newspapers, and similar media or through direct mail, telephone, electronic mail, a publicly accessible site on the Internet, or personal delivery;
 - (C) treats all candidates in the communication in a substantially similar manner; and
 - (D) is limited to:
 - (i) the identification of each candidate, with which pictures may be used;
 - (ii) the offices sought;
 - (iii) the offices currently held by the candidates;
 - (iv) the party affiliation of the candidates and a brief statement about the party or the candidates' positions, philosophy, goals, accomplishments, or biographies;
 - (v) encouragement to vote for the candidates identified; and
 - (vi) information about voting, such as voting hours and locations.

(13) “Political committee” or “political action committee” means any formal or informal committee of two or more individuals or a corporation, labor organization, public interest group, or other entity, not including a political party, that accepts contributions of \$1,000.00 or more and makes expenditures of \$1,000.00 or more in any two-year general election cycle for the purpose of supporting or opposing one or more candidates, influencing an election, or advocating a position on a public question in any election, and includes an independent expenditure-only political committee and a legislative leadership political committee.

(14) “Political party” means a political party organized under chapter 45 of this title and any committee established, financed, maintained, or controlled by the party, including any subsidiary, branch, or local unit thereof, and shall be considered a single, unified political party. The national affiliate of the political party shall be considered a separate political party.

(15) “Public question” means an issue that is before the voters for a binding decision.

(16) “Single source” means an individual, partnership, corporation, association, labor organization, or any other organization or group of persons that is not a political committee or political party.

(17) “Telephone bank” means more than 500 telephone calls of an identical or substantially similar nature that are made to the general public within any 30-day period.

(18) “Two-year general election cycle” means the 24-month period that begins 38 days after a general election.

(19) “Legislative leadership political committee” means a political committee established by or on behalf of a political party caucus within a chamber of the General Assembly. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2015, No. 49, § 9; 2017, No. 129 (Adj. Sess.), § 1, eff. May 16, 2018; 2021, No. 8, § 1, eff. April 13, 2021; 2021, No. 8, § 1, eff. April 13, 2021.)

- **§ 2902. Exceptions**

The definitions of “contribution,” “expenditure,” and “electioneering communication” shall not apply to:

(1) any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication that has not been paid for or such facilities are not owned or controlled by any political party, committee, or candidate; or

(2) any communication distributed through a public access television station if the communication complies with the laws and rules governing the station and if all candidates in the race have an equal opportunity to promote their candidacies through the station. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2903. Penalties**

(a) A person who knowingly and intentionally violates a provision of subchapter 2, 3, or 4 of this chapter shall be fined not more than \$1,000.00 or imprisoned not more than six months, or both.

(b) A person who violates any provision of this chapter shall be subject to a civil penalty of up to \$10,000.00 for each violation and shall refund to the Secretary of State an amount equivalent to any contributions or expenditures that violate subdivision 2983(b)(1) of this chapter.

(c) In addition to the other penalties provided in this section, a State's Attorney or the Attorney General may institute any appropriate action, injunction, or other proceeding to prevent, restrain, correct, or abate any violation of this chapter. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2015, No. 30, § 29a, eff. May 26, 2015.)

- **§ 2904. Civil investigation**

(a)(1) The Attorney General or a State's Attorney, whenever he or she has reason to believe any person to be or to have been in violation of this chapter or of any rule made pursuant to this chapter, may examine or cause to be examined by any agent or representative designated by him or her for that purpose any books, records, papers, memoranda, or physical objects of any nature bearing upon each alleged violation and may demand written responses under oath to questions bearing upon each alleged violation.

(2) The Attorney General or a State's Attorney may require the attendance of such person or of any other person having knowledge in the premises in the county where such person resides or has a place of business or in Washington County if such person is a nonresident or has no place of business within the State and may take testimony and require proof material for his or her information and may administer oaths or take acknowledgment in respect of any book, record, paper, or memorandum.

(3) The Attorney General or a State's Attorney shall serve notice of the time, place, and cause of such examination or attendance or notice of the cause of the demand for written responses personally or by certified mail upon such person at his or her principal place of business or, if such place is not known, to his or her last known address. Such notice shall include a statement that a knowing and intentional violation of subchapters 2 through 4 of this chapter is subject to criminal prosecution.

(4) Any book, record, paper, memorandum, or other information produced by any person pursuant to this section shall not, unless otherwise ordered by a court of this State for good cause shown, be disclosed to any person other than the authorized agent or representative of the Attorney General or a State's Attorney or another law enforcement officer engaged in legitimate law enforcement activities unless with the consent of the person producing the same, except that any transcript of oral testimony, written responses, documents, or other information produced pursuant to this section may be used in the enforcement of this chapter, including in connection with any civil action brought under section 2903 of this subchapter or subsection (c) of this section.

(5) Nothing in this subsection is intended to prevent the Attorney General or a State's Attorney from disclosing the results of an investigation conducted under this section, including the grounds for his or her decision as to whether to bring an enforcement action alleging a violation of this chapter or of any rule made pursuant to this chapter.

(6) This subsection shall not be applicable to any criminal investigation or prosecution brought under the laws of this or any state.

(b)(1) A person upon whom a notice is served pursuant to the provisions of this section shall comply with its terms unless otherwise provided by the order of a court of this State.

(2) Any person who, with intent to avoid, evade, or prevent compliance, in whole or in part, with any civil investigation under this section, removes from any place; conceals, withholds, or destroys; or

mutilates, alters, or by any other means falsifies any documentary material in the possession, custody, or control of any person subject to such notice or mistakes or conceals any information shall be fined not more than \$5,000.00.

(c)(1) Whenever any person fails to comply with any notice served upon him or her under this section or whenever satisfactory copying or reproduction of any such material cannot be done and the person refuses to surrender the material, the Attorney General or a State's Attorney may file, in the Superior Court in the county in which the person resides or has his or her principal place of business or in Washington County if the person is a nonresident or has no principal place of business in this State, and serve upon the person a petition for an order of the court for the enforcement of this section.

(2) Whenever any petition is filed under this section, the court shall have jurisdiction to hear and determine the matter so presented and to enter any order or orders as may be required to carry into effect the provisions of this section. Any disobedience of any order entered under this section by any court shall be punished as a contempt of the court.

(d) Any person aggrieved by a civil investigation conducted under this section may seek relief from Washington Superior Court or the Superior Court in the county in which the aggrieved person resides. Except for cases the court considers to be of greater importance, proceedings before Superior Court as authorized by this section shall take precedence on the docket over all other cases. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; 2017, No. 50, § 64; 2017, No. 79, § 5, eff. June 14, 2017.)

- **§ 2904a. Reports to the State Ethics Commission**

Upon receipt of a complaint made in regard to a violation of this chapter or of any rule made pursuant to this chapter, the Attorney General or a State's Attorney shall:

(1) Forward a copy of the complaint to the State Ethics Commission established in 3 V.S.A. chapter 31. The Attorney General or State's Attorney shall provide this information to the Commission within 10 days of his or her receipt of the complaint.

(2) File a report with the Commission regarding his or her decision as to whether to bring an enforcement action as a result of that complaint. The Attorney General or State's Attorney shall make this report within 10 days of that decision. (Added 2017, No. 79, § 6, eff. Jan. 1, 2018.)

- **§ 2905. Adjustments for inflation**

(a)(1) Whenever it is required by this chapter, the Secretary of State shall make adjustments to monetary amounts provided in this chapter based on the Consumer Price Index. Increases shall be rounded to the nearest \$10.00 and shall apply for the term of two two-year general election cycles. Increases shall be effective for the first two-year general election cycle beginning after the general election held in 2016.

(2) As used in this section, Consumer Price Index shall mean the Northeast Region Consumer Price Index for all urban consumers, designated as "CPI-U," in the northeast region, as published by the U.S. Department of Labor, Bureau of Labor Statistics.

(b) On or before the first two-year general election cycle beginning after the general election held in 2016, the Secretary of State shall calculate and publish on the online database set forth in section 2906

of this chapter each adjusted monetary amount that will apply to those two two-year general election cycles. On or before the beginning of each second subsequent two-year general election cycle, the Secretary of State shall publish the amount of each adjusted monetary amount that shall apply for that two-year general election cycle and the next two-year general election cycle. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2015, No. 30, § 30, eff. May 26, 2015.)

- **§ 2906. Campaign database; candidate information web page**

(a) Campaign database. For each election, the Secretary of State shall develop and continually update a publicly accessible campaign database, which shall be made available to the public through the Secretary of State's home page online service or through printed reports from the Secretary of State in response to a public request within 14 days of the date of the request. The database shall contain:

(1) at least the following information for all candidates for statewide, county, and local office and for the General Assembly:

(A) for candidates receiving public financing grants, the amount of each grant awarded; and

(B) the information contained in any reports submitted pursuant to subchapter 4 of this chapter;

(2) an Internet link to campaign finance reports filed by Vermont's candidates for federal office;

(3) the adjustments for inflation made to monetary amounts as required by this chapter; and

(4) any photographs, biographical sketches, and position statements submitted to the Secretary of State pursuant to subsection (b) of this section.

(b) Candidate information web page.

(1) Any candidate for statewide office and any candidate for federal office qualified to be on the ballot in this State may submit to the Secretary of State a photograph, biographical sketch, and position statement of a length and format specified by the Secretary of State for the purposes of preparing a candidate information web page within the website of the Secretary of State.

(2) Without making any substantive changes in the material presented, the Secretary of State shall prepare a candidate information web page on the Secretary of State's website that includes the candidates' photographs, biographies, and position statements; a brief explanation of the process used to obtain candidate submissions; and, with respect to offices for which public financing is available, an indication of which candidates are receiving Vermont campaign finance grants and which candidates are not receiving Vermont campaign finance grants.

(3) The Secretary of State shall populate the candidate information web page by posting each candidate's submission no later than three business days after receiving the candidate's submission. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2907. Administration**

The Secretary of State shall administer this chapter and shall perform all duties required under this chapter. The Secretary of State may employ or contract for the services of persons necessary for performance of these duties. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- ***Subchapter 2: REGISTRATION AND MAINTENANCE REQUIREMENTS***

- **§ 2921. Candidates; registration; checking account; treasurer**

(a) Each candidate who has made expenditures or accepted contributions of \$500.00 or more in an election cycle shall register with the Secretary of State within 10 days of reaching the \$500.00 threshold or on the date that the next report is required of the candidate under this chapter, whichever occurs first, stating his or her full name and address; the office the candidate is seeking; the name and address of the bank in which the candidate maintains his or her campaign checking account; and the name and address of the treasurer responsible for maintaining the checking account. A candidate's treasurer may be the candidate or his or her spouse.

(b) All expenditures by a candidate shall be paid by either a credit card or a debit card, check, or other electronic transfer from the single campaign checking account in the bank designated by the candidate under subsection (a) of this section, or, if under \$250.00, the candidate may make the expenditure from cash from that campaign checking account if accompanied by a receipt, a copy of which shall be maintained by the candidate for at least two years from the end of the election cycle in which the expenditure was made. Nothing in this subsection shall be construed to prohibit the payment of fees required to be made from a separately held online account designated solely to collect campaign contributions made to the candidate.

(c) As used in this section, "election cycle" means:

(1) in the case of a general or local election, the period that begins 38 days after the previous general or local election for the office and ends 38 days after the general or local election for the office for which that person is a candidate, and includes any primary or run-off election related to that general or local election; or

(2) in the case of a special election, the period that begins on the date the special election for the office was ordered and ends 38 days after that special election, and includes any special primary or run-off election related to that special election. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2922. Political committees; registration; checking account; treasurer**

(a)(1) Each political committee shall register with the Secretary of State within 10 days of making expenditures of \$1,000.00 or more and accepting contributions of \$1,000.00 or more stating its full name and address; the name and address of the bank in which it maintains its campaign checking account; and the name and address of the treasurer responsible for maintaining the checking account.

(2)(A) In addition to the requirements of subdivision (1) of this subsection, a legislative leadership political committee shall designate in its registration that it is established as a legislative leadership political committee.

(B) The Secretary of State shall provide on his or her website a list of all legislative leadership political committees that have been designated as provided in this subdivision (2).

(b) All expenditures by a political committee shall be paid by either a credit card or a debit card, check, or other electronic transfer from the single campaign checking account in the bank designated by the political committee under subsection (a) of this section, or, if under \$250.00, the political committee may make the expenditure from cash from that campaign checking account if accompanied by a receipt, a copy of which shall be maintained by the political committee for at least two years from the end of the two-year general election cycle in which the expenditure was made. Nothing in this subsection shall be construed to prohibit the payment of fees required to be made from a separately held online account designated solely to collect campaign contributions made to the political committee.

(c) A political committee whose principal place of business or whose treasurer is not located in this State shall file a statement with the Secretary of State designating a person who resides in this State upon whom may be served any process, notice, or demand required or permitted by law to be served upon the political committee. This statement shall be filed at the same time as the registration required in subsection (a) of this section. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2015, No. 49, § 10.)

• **§ 2923. Political parties; registration; checking accounts; treasurer**

(a)(1) Each political party that has accepted contributions or made expenditures of \$1,000.00 or more in any two-year general election cycle shall register with the Secretary of State within 10 days of reaching the \$1,000.00 threshold. In its registration, the party shall state its full name and address, the name and address of the bank in which it maintains its campaign checking account, and the name and address of the treasurer responsible for maintaining the checking account.

(2) A political party may permit any subsidiary, branch, or local unit of the political party to maintain its own checking account. If a subsidiary, branch, or local unit of a political party is so permitted, it shall file with the Secretary of State within five days of establishing the checking account its full name and address, the name of the political party, the name and address of the bank in which it maintains its campaign checking account, and the name and address of the treasurer responsible for maintaining the checking account.

(b) All expenditures by a political party or its subsidiary, branch, or local unit shall be paid by either a credit card or a debit card, check, or other electronic transfer from the single campaign checking account in the bank designated by the political party, subsidiary, branch, or local unit under subsection (a) of this section, or if under \$250.00, the political party, subsidiary, branch, or local unit may make the expenditure from cash from that campaign checking account if accompanied by a receipt, a copy of which shall be maintained by the political party, subsidiary, branch, or local unit for at least two years from the end of the two-year general election cycle in which the expenditure was made. Nothing in this subsection shall be construed to prohibit the payment of fees required to be made from a separately held online account designated solely to collect campaign contributions made to the political party, subsidiary, branch, or local unit.

(c) A political party or its subsidiary, branch, or local unit whose principal place of business or whose treasurer is not located in this State shall file a statement with the Secretary of State designating a person who resides in this State upon whom may be served any process, notice, or demand required or permitted by law to be served upon the political party, subsidiary, branch, or local unit. This statement

shall be filed at the same time as the registration required in subsection (a) of this section. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2924. Candidates; surplus campaign funds; new campaign accounts**

(a) A candidate who has surplus funds after all campaign debts have been paid shall not convert the surplus to personal use, other than to reduce personal campaign debts or as otherwise provided in this chapter.

(b) Surplus funds in a candidate's account shall be:

(1) contributed to other candidates, political parties, or political committees subject to the contribution limits set forth in this chapter;

(2) contributed to a charity;

(3) contributed to the Secretary of State Services Fund;

(4) rolled over into a new campaign or be carried forward for surplus maintenance as provided in subsection (d) of this section; or

(5) liquidated using a combination of the provisions set forth in subdivisions (1)-(4) of this subsection.

(c) The "final report" of a candidate shall indicate the amount of the surplus and how it has been liquidated.

(d)(1)(A) A candidate who chooses to roll over any surplus into a new campaign for public office shall close out his or her former campaign by converting all debts and assets to the new campaign.

(B) A candidate who does not intend to be a candidate in a subsequent election but who chooses to carry forward any surplus shall maintain that surplus by closing out his or her former campaign and converting all debts and assets to surplus maintenance.

(2) The candidate may use his or her former campaign's treasurer and bank account for the new campaign under subdivision (1)(A) of this subsection or the maintenance of surplus under subdivision (1)(B) of this subsection. A candidate shall be required to file a new bank designation form only if there has been a change in the treasurer or the location of the campaign account. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2925. Political committees; surplus campaign funds**

(a) A member of a political committee that has surplus funds after all campaign debts have been paid shall not convert the surplus to personal use.

(b) Surplus funds in a political committee's account shall be:

(1) contributed to other candidates, political parties, or political committees subject to the contribution limits set forth in this chapter;

(2) contributed to a charity;

(3) contributed to the Secretary of State Services Fund; or

(4) liquidated using a combination of the provisions set forth in subdivisions (1)-(3) of this subsection.

(c) The “final report” of a political committee shall indicate the amount of the surplus and how it has been liquidated. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- ***Subchapter 3: CONTRIBUTION LIMITATIONS***

- **§ 2941. Limitations of contributions**

(a) In any election cycle:

(1)(A) A candidate for State Representative or for local office shall not accept contributions totaling more than:

(i) \$1,000.00 from a single source; or

(ii) \$1,000.00 from a political committee.

(B) Such a candidate may accept unlimited contributions from a political party.

(2)(A) A candidate for State Senator or for county office shall not accept contributions totaling more than:

(i) \$1,500.00 from a single source; or

(ii) \$1,500.00 from a political committee.

(B) Such a candidate may accept unlimited contributions from a political party.

(3)(A) A candidate for the office of Governor, Lieutenant Governor, Secretary of State, State Treasurer, Auditor of Accounts, or Attorney General shall not accept contributions totaling more than:

(i) \$4,000.00 from a single source; or

(ii) \$4,000.00 from a political committee.

(B) Such a candidate may accept unlimited contributions from a political party.

(4) A political committee shall not accept contributions totaling more than:

(A) \$4,000.00 from a single source;

(B) \$4,000.00 from a political committee; or

(C) \$4,000.00 from a political party.

(5) A political party shall not accept contributions totaling more than:

(A) \$10,000.00 from a single source;

(B) \$10,000.00 from a political committee; or

(C) \$60,000.00 from a political party.

(6) [Repealed.]

(b) A single source, political committee, or political party shall not contribute more to a candidate, political committee, or political party than the candidate, political committee, or political party is permitted to accept under this section.

(c) As used in this section:

(1) For a candidate described in subdivisions (a)(1)-(3) of this section, an “election cycle” means:

(A) in the case of a general or local election, the period that begins 38 days after the previous general or local election for the office and ends 38 days after the general or local election for the office for which that person is a candidate, and includes any primary or run-off election related to that general or local election; or

(B) in the case of a special election, the period that begins on the date the special election for the office was ordered and ends 38 days after that special election, and includes any special primary or run-off election related to that special election.

(2) For a political committee, political party, or single source described in subdivisions (4)-(6) of subsection (a), an “election cycle” means a two-year general election cycle. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 1, 2015; amended 2015, No. 30, § 31, eff. May 26, 2015.)

- **§ 2942. Exceptions**

The contribution limitations established by this subchapter shall not apply to contributions to a political committee made for the purpose of advocating a position on a public question, including a constitutional amendment. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2943. Limitations adjusted for inflation**

The contribution limitations contained in this subchapter shall be adjusted for inflation pursuant to the Consumer Price Index as provided in section 2905 of this chapter. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2944. Accountability for related expenditures**

(a) A related campaign expenditure made on a candidate’s behalf shall be considered a contribution to the candidate on whose behalf it was made.

(b) As used in this section, a “related campaign expenditure made on the candidate’s behalf” means any expenditure intended to promote the election of a specific candidate or group of candidates or the defeat of an opposing candidate or group of candidates, if intentionally facilitated by, solicited by, or approved by the candidate or the candidate’s committee.

(c)(1) An expenditure made by a political party or by a political committee that recruits or endorses candidates that primarily benefits six or fewer candidates who are associated with the political party or political committee making the expenditure is presumed to be a related expenditure made on behalf of those candidates, except that the acquisition, use, or dissemination of the images of those candidates by

the political party or political committee shall not be presumed to be a related expenditure made on behalf of those candidates.

(2) An expenditure made by a political party or by a political committee that recruits or endorses candidates that substantially benefits more than six candidates and facilitates party or political committee functions, voter turnout, platform promotion, or organizational capacity shall not be presumed to be a related expenditure made on a candidate's behalf.

(d) As used in this section, an expenditure by a person shall not be considered a "related expenditure made on the candidate's behalf" if:

(1)(A) All of the following apply:

(i) the expenditure was made in connection with a campaign event whose purpose was to provide a group of voters with the opportunity to meet a candidate;

(ii) the expenditure was made for:

(I) invitations and any postage for those invitations to invite voters to the event; or

(II) any food or beverages consumed at the event and any related supplies thereof; and

(iii) the cumulative value of any expenditure by the person made under this subsection does not exceed \$500.00 per event.

(B) For the purposes of this subdivision (1):

(i) if the cumulative value of any expenditure by a person made under this subsection exceeds \$500.00 per event, the amount equal to the difference between the two shall be considered a "related expenditure made on the candidate's behalf"; and

(ii) any reimbursement to the person by the candidate for the costs of the expenditure shall be subtracted from the cumulative value of the expenditures.

(2) All of the following apply:

(A) the expenditure is for an electioneering communication that promotes or supports all of the candidates who are named or pictured in it and no other candidates, and those candidates named or pictured:

(i) have filed or been nominated as described in subdivision 2901(1)(B) of this chapter for a legislative, county, or local office;

(ii) are on the same ballot for the same election; and

(iii) each make an expenditure for the electioneering communication of an equal amount in order to share the cost of the electioneering communication equally; and

(B) no other person has made an expenditure for the electioneering communication.

(e)(1) A candidate may seek a determination that an expenditure is a related expenditure made on behalf of an opposing candidate by filing a petition with the Superior Court of the county in which either candidate resides.

(2) Within 24 hours of the filing of a petition, the court shall schedule the petition for hearing. Except as to cases the court considers of greater importance, proceedings before the Superior Court, as authorized by this section, and appeals from there take precedence on the docket over all other cases and shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(3) The findings and determination of the court shall be prima facie evidence in any proceedings brought for violation of this chapter.

(f) The Secretary of State may adopt rules necessary to administer the provisions of this section. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2017, No. 50, § 65.)

- **§ 2945. Accepting contributions**

(a) A candidate, political committee, or political party accepts a contribution when the contribution is deposited in the candidate's, committee's, or party's campaign account or five business days after the candidate, committee, or party receives it, whichever comes first.

(b) A candidate, political committee, or political party shall not accept a monetary contribution in excess of \$100.00 unless made by check, credit or debit card, or other electronic transfer. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2946. Candidate's attribution to previous cycle**

A candidate's expenditures related to a previous campaign and contributions used to retire a debt of a previous campaign shall be attributed to the earlier campaign. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2947. Contributions from a candidate**

This subchapter shall not be interpreted to limit the amount a candidate may contribute to his or her own campaign. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2948. Prohibition on transferring contributions**

A candidate, political committee, or political party shall not accept a contribution that the candidate, political committee, or political party knows is not directly from the contributor but was transferred to the contributor by another person for the purpose of transferring the same to the candidate, political committee, or political party or otherwise circumventing the provisions of this chapter. It shall be a violation of this chapter for a person to make a contribution with the explicit or implicit understanding that the contribution will be transferred in violation of this section. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2949. Use of term "candidate"**

As used in this subchapter, the term “candidate” includes the candidate’s committee, except in regard to the provisions of section 2947 of this subchapter. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2950. State officers and State office candidates; contractor contribution restrictions**

(a) Contributor restrictions on contracting.

(1) If a person makes a contribution to a State officer or a candidate for a State office, or if his, her, or its principal or spouse makes such a contribution, that person shall not negotiate or enter into a sole source contract valued at \$50,000.00 or more or multiple sole source contracts valued in the aggregate at \$100,000.00 or more with that State office or with the State on behalf of that office within one year following:

(A) that contribution, if the contribution was made to the incumbent State officer; or

(B) the beginning of the term of the office, if the contribution was made to a candidate for the State office who is not the incumbent.

(2) The prohibition set forth in subdivision (1) of this subsection shall end after the applicable one-year period described in subdivision (1) or upon the State officer vacating the office, whichever occurs first.

(b) Contractor restrictions on contributions.

(1)(A) A person who enters into a sole source contract valued at \$50,000.00 or more or multiple sole source contracts valued in the aggregate at \$100,000.00 or more with the office of a State officer or with the State on behalf of that office, or that person’s principal or spouse, shall not make a contribution to a candidate for that State office or to that State officer.

(B) The candidate for State office or his or her candidate’s committee or the State officer shall not solicit or accept a contribution from a person if that candidate, candidate’s committee, or State officer knows the person is prohibited from making that contribution under this subdivision (1).

(2) The prohibitions set forth in subdivision (1) of this subsection shall be limited to a period beginning from the date of execution of the contract and ending with the completion of the contract.

(c) As used in this section:

(1) “Contract” means a “contract for services,” as that term is defined in 3 V.S.A. § 341.

(2) “Person’s principal” means an individual who:

(A) has a controlling interest in the person, if the person is a business entity;

(B) is the president, chair of the board, or chief executive officer of a business entity or is any other individual that fulfills equivalent duties as a president, chair of the board, or chief executive officer of a business entity;

(C) is an employee of the person and has direct, extensive, and substantive responsibilities with respect to the negotiation of the contract; or

(D) is an employee of a business entity whose compensation is determined directly, in whole or in part, by the award or payment of contracts by the State to the entity employing the employee. A regular salary that is paid irrespective of the award or payment of a contract with the State shall not constitute “compensation” under this subdivision (D). (Added 2017, No. 79, § 4, eff. Dec. 16, 2018.)

- ***Subchapter 4: REPORTING REQUIREMENTS; DISCLOSURES.***

- **§ 2961. Submission of reports to the Secretary of State**

(a)(1) The Secretary of State shall provide on the online database set forth in section 2906 of this chapter digital access to the form that he or she provides for any report required by this chapter. Digital access shall enable any person required to file a report under this chapter to file the report by completing and submitting the report to the Secretary of State online.

(2) The Secretary of State shall maintain on the online database all reports that have been filed digitally on it so that any person may have direct machine-readable electronic access to the individual data elements in each report and the ability to search those data elements as soon as a report is filed.

(b) Any person required to file a report with the Secretary of State under this chapter shall file the report digitally on the online database.

Notwithstanding the definition of “file” set forth in section 2103 of this title, such a report is required to be filed on or before the day provided in this chapter. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 15, 2015; amended 2015, No. 30, § 32, eff. May 26, 2015.)

- **§ 2962. Reports; general provisions**

(a) Any report required to be submitted to the Secretary of State under this chapter shall contain the statement “I hereby certify that the information provided on all pages of this campaign finance disclosure report is true to the best of my knowledge, information, and belief” and places for the signature of the candidate or the treasurer of the candidate, political committee, or political party.

(b) Any person required to file a report under this chapter shall provide the information required in the Secretary of State’s reporting form. Disclosure shall be limited to the information required to administer this chapter.

(c) [Repealed.] (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2015, No. 30, § 33, eff. May 26, 2015.)

- **§ 2963. Campaign reports; Secretary of State; forms; filing**

(a) The Secretary of State shall prescribe and provide a uniform reporting form for all campaign finance reports. The reporting form shall be designed to show the following information:

(1) the full name, town of residence, and mailing address of each contributor who contributes an amount in excess of \$100.00, the date of the contribution, and the amount contributed;

- (2) the total amount of all contributions of \$100.00 or less and the total number of all contributors making such contributions;
- (3) each expenditure listed by amount, date, to whom paid, for what purpose; and
- (A) if the expenditure was a related campaign expenditure made on a candidate's behalf:
- (i) the name of the candidate or candidates on whose behalf the expenditure was made; and
- (ii) the name of any other candidate or candidates who were otherwise supported or opposed by the expenditure; or
- (B) if the expenditure was not a related campaign expenditure made on a candidate's behalf but was made to support or oppose a candidate or candidates, the name of the candidate or candidates;
- (4) the amount contributed or loaned by the candidate to his or her own campaign during the reporting period; and
- (5) each debt or other obligation, listed by amount, date incurred, to whom owed, and for what purpose, incurred during the reporting period.
- (b)(1) The form shall require the reporting of all contributions and expenditures accepted or spent during the reporting period and during the campaign to date and shall require full disclosure of the manner in which any indebtedness is discharged or forgiven.
- (2) Contributions and expenditures for the reporting period and for the campaign to date also shall be totaled in an appropriate place on the form. The total of contributions shall include a subtotal of nonmonetary contributions and a subtotal of all monetary contributions.
- (3) The form shall contain a list of the required filing times so that the person filing may designate for which time period the filing is made.
- (4) Contributions accepted and expenditures spent after 5:00 p.m. on the third day prior to the filing deadline shall be reported on the next report. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2015, No. 30, § 34, eff. May 26, 2015.)

- **§ 2964. Campaign reports; candidates for State office, the General Assembly, and county office; political committees; political parties**

- (a)(1) Each candidate for State office, the General Assembly, or a two-year-term county office who has rolled over any amount of surplus into his or her new campaign or who has made expenditures or accepted contributions of \$500.00 or more during the two-year general election cycle and, except as provided in subsection (b) of this section, each political committee that has not filed a final report pursuant to subsection 2965(b) of this chapter, and each political party required to register under section 2923 of this chapter shall file with the Secretary of State campaign finance reports as follows:
- (A) in the first year of the two-year general election cycle, on July 1; and
- (B) in the second year of the two-year general election cycle:
- (i) on March 15;

(ii) on July 1 and August 1;

(iii) on September 1;

(iv) on October 1, October 15, and the Friday before the general election; and

(v) two weeks after the general election.

(2) Each candidate for a four-year-term county office who has rolled over any amount of surplus into his or her new campaign or who has made expenditures or accepted contributions of \$500.00 or more during the four-year general election cycle shall file with the Secretary of State campaign finance reports as follows:

(A) in the first three years of the four-year general election cycle, on July 1; and

(B) in the fourth year of the four-year general election cycle:

(i) on March 15;

(ii) on July 1 and August 1;

(iii) on September 1;

(iv) on October 1, October 15, and the Friday before the general election; and

(v) two weeks after the general election.

(b)(1) A political committee or a political party that has accepted contributions or made expenditures of \$1,000.00 or more during the local election cycle for the purpose of influencing a local election or supporting or opposing one or more candidates in a local election shall file with the Secretary of State campaign finance reports regarding that local election 30 days before, 10 days before, and two weeks after the local election.

(2) As used in this subsection, "local election cycle" means:

(A) in the case of a local election, the period that begins 38 days after the local election prior to the one for which the contributions or expenditures were made and ends 38 days after the local election for which the contributions or expenditures were made, and includes any primary or run-off election related to that local election; or

(B) in the case of a special local election, the period that begins on the date the special local election was ordered and ends 38 days after that special local election, and includes any special primary or run-off election related to that special local election.

(c) The failure of a candidate, political committee, or political party to file a report under this section shall be deemed an affirmative statement that a report is not required of the candidate, political committee, or political party under this section. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2015, No. 30, § 35, eff. May 26, 2015; 2019, No. 67, § 22, eff. June 17, 2019.)

- **§ 2965. Final reports; candidates for State office, the General Assembly, and county office; political committees; political parties; end-of-cycle reports for political committees and political parties**

(a) At any time, but not later than December 15 following the general election, each candidate required to report under the provisions of section 2964 of this subchapter shall file with the Secretary of State a “final report” that lists a complete accounting of all contributions and expenditures since the last report and liquidation of surplus and that shall constitute the termination of his or her campaign activities.

(b)(1) At any time, but not later than December 15 following the general election, each political committee or political party that has not filed a final report as set forth in subdivision (2) of this subsection shall file an end-of-cycle report that lists a complete accounting of all contributions and expenditures since the last report.

(2) At any time, a political committee or a political party may file a “final report” that lists a complete accounting of all contributions and expenditures since the last report and liquidation of surplus and that shall constitute the termination of its campaign activities. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2015, No. 30, § 36, eff. May 26, 2015.)

- **§ 2966. Reports by candidates not reaching monetary reporting threshold**

(a) Each candidate for State office, the General Assembly, or a two-year-term county office who was not required to report under the provisions of section 2964 of this subchapter shall file with the Secretary of State 10 days following the general election a statement that the candidate either did not roll over any amount of surplus into his or her new campaign or has not made expenditures or accepted contributions of \$500.00 or more during the two-year general election cycle.

(b) Each candidate for a four-year-term county office who was not required to report under the provisions of section 2964 of this subchapter shall file with the Secretary of State 10 days following the general election a statement that the candidate either did not roll over any amount of surplus into his or her new campaign or has not made expenditures or accepted contributions of \$500.00 or more during the four-year general election cycle. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2967. Additional campaign reports; candidates for State office and the General Assembly**

(a) In addition to any other reports required to be filed under this chapter, a candidate for State office or for the General Assembly who accepts a monetary contribution in an amount over \$2,000.00 within 10 days of a primary or general election shall report the contribution to the Secretary of State within 24 hours of receiving the contribution.

(b) A report required by this section shall include the following information:

(1) the full name, town of residence, and mailing address of the contributor; the date of the contribution; and the amount contributed; and

(2) the amount contributed or loaned by the candidate to his or her own campaign. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2968. Campaign reports; local candidates**

(a) Each candidate for local office who has rolled over any amount of surplus into his or her new campaign or who has made expenditures or accepted contributions of \$500.00 or more since the last local election for that office shall file with the Secretary of State campaign finance reports 30 days before, 10 days before, four days before, and two weeks after the local election.

(b) Within 40 days after the local election, each candidate for local office required to report under the provisions of subsection (a) of this section shall file with the Secretary of State a “final report” that lists a complete accounting of all contributions and expenditures since the last report and a liquidation of surplus and which shall constitute the termination of his or her campaign activities.

(c) The failure of a local candidate to file a campaign finance report under this section shall be deemed an affirmative statement that the candidate either did not roll over any amount of surplus into his or her new campaign or has not accepted contributions or made expenditures of \$500.00 or more since the last local election for that office. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2017, No. 129 (Adj. Sess.), § 1, eff. Dec. 14, 2018.)

- **§ 2969. Reporting of surplus maintenance by former candidates**

A former candidate who has maintained surplus by carrying it forward as provided in subdivision 2924(d)(1)(B) of this chapter but who is not otherwise required to file campaign reports under this chapter shall file a report of the amount of his or her surplus and any liquidation of it two weeks after each general election until liquidation of all surplus has been reported. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2970. Campaign reports; other entities; public questions**

(a) Any formal or informal committee of two or more individuals or a corporation, labor organization, public interest group, or other entity, not including a political party, that makes expenditures of \$1,000.00 or more during the election cycle for the purpose of advocating a position on a public question in any election shall file a report of its expenditures 30 days before, 10 days before, and two weeks after the election with the Secretary of State.

(b) As used in this section, “election cycle” means:

(1) in the case of a public question in a general or local election, the period that begins 38 days after the general or local election prior to the one in which the public question is posed and ends 38 days after the general or local election in which the public question is posed; or

(2) in the case of a public question in a special election, the period that begins on the date the special election for the public question was ordered and ends 38 days after that special election. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2971. Report of mass media activities**

(a)(1) In addition to any other reports required to be filed under this chapter, a person who makes expenditures for any one mass media activity totaling \$500.00 or more, adjusted for inflation pursuant to the Consumer Price Index as provided in section 2905 of this chapter, within 45 days before a primary, general, county, or local election shall, for each activity, file a mass media report with the Secretary of State and send a copy of the report to each candidate whose name or likeness is included in the activity without that candidate’s knowledge.

(2) The copy of the mass media report shall be sent by e-mail to each such candidate who has provided the Secretary of State with an e-mail address on his or her consent form and to any other such candidate by mail.

(3) The mass media report shall be filed and the copy of the report shall be sent within 24 hours of the expenditure or activity, whichever occurs first. For the purposes of this section, a person shall be treated as having made an expenditure if the person has executed a contract to make the expenditure.

(b) The report shall identify the person who made the expenditure; the name of each candidate whose name or likeness was included in the activity; the amount and date of the expenditure; to whom it was paid; and the purpose of the expenditure.

(c) If the activity occurs within 45 days before the election and the expenditure was previously reported, an additional report shall be required under this section.

[Subsection (d) as amended by 2015, No. 30, § 37; see also subsection (d) as contingently amended by 2013, No. 90 (Adj. Sess.), § 4 set out below.]

(d)(1) In addition to the reporting requirements of this section, an independent expenditure-only political committee that makes an expenditure for any one mass media activity totaling \$5,000.00 or more, adjusted for inflation pursuant to the Consumer Price Index as provided in section 2905 of this chapter, within 45 days before a primary, general, county, or local election shall, for each such activity and within 24 hours of the expenditure or activity, whichever occurs first, file an independent expenditure-only political committee mass media report with the Secretary of State and send a copy of the report to each candidate whose name or likeness is included in the activity without that candidate's knowledge.

(2) The copy of the mass media report shall be sent by e-mail to each such candidate who has provided the Secretary of State with an e-mail address on his or her consent form and to any other such candidate by mail.

(3) The report shall include all of the information required under subsection (b) of this section, as well as the names of the contributors, dates, and amounts for all contributions in excess of \$100.00 accepted since the filing of the committee's last report.

[Subsection (d) as contingently amended by 2013, No. 90 (Adj. Sess.), § 4; see also subsection (d) as amended by 2015, No. 30, § 37 set out above..]

(d) [Repealed.] (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2013, No. 90 (Adj. Sess.), § 4, cont. eff; 2015, No. 30, § 37, eff. May 26, 2015.)

- **§ 2972. Identification in electioneering communications**

(a) An electioneering communication shall contain the name and mailing address of the person, candidate, political committee, or political party that paid for the communication. The name and address shall appear prominently and in a manner such that a reasonable person would clearly understand by whom the expenditure has been made, except that:

(1) An audio electioneering communication paid for by a candidate does not need to contain the candidate's address.

(2) An electioneering communication paid for by a person acting as an agent or consultant on behalf of another person, candidate, political committee, or political party shall clearly designate the name and

mailing address of the person, candidate, political committee, or political party on whose behalf the communication is published or broadcast.

(b) If an electioneering communication is a related campaign expenditure made on a candidate's behalf as provided in section 2944 of this chapter, then in addition to other requirements of this section, the communication shall also clearly designate the candidate on whose behalf it was made by including language such as "on behalf of" such candidate.

(c)(1) In addition to the identification requirements in subsections (a) and (b) of this section, an electioneering communication paid for by or on behalf of a political committee or political party shall contain the name of any contributor who contributed more than 25 percent of all contributions and more than \$2,000.00 to that committee or party since the beginning of the two-year general election cycle in which the electioneering communication was made to the date on which the expenditure for the electioneering communication was made.

(2) For the purposes of this subsection, a political committee or political party shall be treated as having made an expenditure if the committee or party or person acting on behalf of the committee or party has executed a contract to make the expenditure.

(d) If it is not practicable to meet the identification requirements of this section within an electioneering communication that is broadcast over the Internet, such an electioneering communication shall contain a link that shall be clear and conspicuous and that, if clicked, takes the reader to a web page or social media page that provides all of the identification information as required by this section.

(e) The identification requirements of this section shall not apply to lapel stickers or buttons, nor shall they apply to electioneering communications made by a single individual acting alone who spends, in a single two-year general election cycle, a cumulative amount of not more than \$150.00 on those electioneering communications, adjusted for inflation pursuant to the Consumer Price Index as provided in section 2905 of this chapter. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2017, No. 129 (Adj. Sess.), § 1, eff. May 16, 2018.)

- **§ 2973. Specific identification requirements for radio, television, or Internet communications**

(a) In addition to the identification requirements set forth in section 2972 of this subchapter, a person, candidate, political committee, or political party that makes an expenditure for an electioneering communication shall include in any communication that is transmitted through radio, television, or online video, in a clearly spoken manner, an audio statement of the name and title of the person who paid for the communication and that the person paid for the communication.

(b) If the person who paid for the communication is not an individual, the audio statement required by this section shall include the name of that person and the name and title of the treasurer in the case of a political committee or political party or the principal officer in the case of any other person that is not an individual. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014; amended 2017, No. 50, § 66; 2017, No. 129 (Adj. Sess.), § 1, eff. May 16, 2018.)

- **Subchapter 5: PUBLIC FINANCING OPTION**

- **§ 2981. Definitions**

As used in this subchapter:

- (1) “Affidavit” means the Vermont campaign finance affidavit required under section 2982 of this chapter.
- (2) “General election period” means the period beginning the day after the primary election and ending the day of the general election.
- (3) “Primary election period” means the period beginning the day after primary petitions must be filed under section 2356 of this title and ending the day of the primary election.
- (4) “Vermont campaign finance qualification period” means the period beginning February 15 of each even-numbered year and ending on the date on which primary petitions must be filed under section 2356 of this title. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2982. Filing of Vermont campaign finance affidavit**

- (a) A candidate for the office of Governor or Lieutenant Governor who intends to seek Vermont campaign finance grants from the Secretary of State Services Fund shall file a Vermont campaign finance affidavit on the date on or before which primary petitions must be filed, whether the candidate seeks to enter a party primary or is an independent candidate.
- (b) The Secretary of State shall prepare a Vermont campaign finance affidavit form, informational materials on procedures and financial requirements, and notification of the penalties for violation of this subchapter.
- (c)(1) The Vermont campaign finance affidavit shall set forth the conditions of receiving grants under this subchapter and provide space for the candidate to agree that he or she will abide by such conditions and all expenditure and contribution limitations, reporting requirements, and other provisions of this chapter.
- (2) The affidavit shall also state the candidate’s name, legal residence, business or occupation, address of business or occupation, party affiliation, if any, the office sought, and whether the candidate intends to enter a party primary.
- (3) The affidavit shall also contain a list of all the candidate’s qualifying contributions together with the name and town of residence of the contributor and the date each contribution was made.
- (4) The affidavit may further require affirmation of such other information as deemed necessary by the Secretary of State for the administration of this subchapter.
- (5) The affidavit shall be sworn and subscribed to by the candidate. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2983. Vermont campaign finance grants; conditions**

- (a) A person shall not be eligible for Vermont campaign finance grants if, prior to February 15 of the general election year during any two-year general election cycle, he or she becomes a candidate by

announcing that he or she seeks an elected position as Governor or Lieutenant Governor or by accepting contributions totaling \$2,000.00 or more or by making expenditures totaling \$2,000.00 or more.

(b) A candidate who accepts Vermont campaign finance grants shall:

(1) not solicit, accept, or expend any contributions except qualifying contributions, Vermont campaign finance grants, and contributions authorized under section 2985 of this chapter, which contributions may be solicited, accepted, or expended only in accordance with the provisions of this subchapter;

(2) deposit all qualifying contributions, Vermont campaign finance grants, and any contributions accepted in accordance with the provisions of section 2985 of this chapter in a federally insured noninterest-bearing checking account; and

(3) not later than 40 days after the general election, deposit in the Secretary of State Services Fund, after all permissible expenditures have been paid, the balance of any amounts remaining in the account established under subdivision (2) of this subsection. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2984. Qualifying contributions**

(a) In order to qualify for Vermont campaign finance grants, a candidate for the office of Governor or Lieutenant Governor shall obtain during the Vermont campaign finance qualification period the following amount and number of qualifying contributions for the office being sought:

(1) for Governor, a total amount of no less than \$35,000.00 collected from no fewer than 1,500 qualified individual contributors making a contribution of no more than \$50.00 each; or

(2) for Lieutenant Governor, a total amount of no less than \$17,500.00 collected from no fewer than 750 qualified individual contributors making a contribution of no more than \$50.00 each.

(b) A candidate shall not accept more than one qualifying contribution from the same contributor and a contributor shall not make more than one qualifying contribution to the same candidate in any Vermont campaign finance qualification period. For the purpose of this section, a qualified individual contributor means an individual who is registered to vote in Vermont. No more than 25 percent of the total number of qualified individual contributors may be residents of the same county.

(c) Each qualifying contribution shall indicate the name and town of residence of the contributor and the date accepted and be acknowledged by the signature of the contributor.

(d) A candidate may retain and expend qualifying contributions obtained under this section. A candidate may expend the qualifying contributions for the purpose of obtaining additional qualifying contributions and may expend the remaining qualifying contributions during the primary and general election periods. Amounts expended under this subsection shall be considered expenditures for purposes of this chapter. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2985. Vermont campaign finance grants; amounts; timing**

(a)(1) The Secretary of State shall make grants from the Secretary of State Services Fund in separate grants for the primary and general election periods to candidates who have qualified for Vermont campaign finance grants under this subchapter.

(2) To cover any campaign finance grants to candidates who have qualified under this subchapter, the Secretary of State shall report to the Commissioner of Finance and Management, who shall anticipate receipts to the Services Fund and issue warrants to pay for those grants. The Commissioner shall report any such anticipated receipts and warrants issued under this subdivision to the Joint Fiscal Committee on or before December 1 of the year in which the warrants were issued.

(b) Whether a candidate has entered a primary or is an independent candidate, Vermont campaign finance grants shall be in the following amounts:

(1) For Governor, \$150,000.00 in a primary election period and \$450,000.00 in a general election period, provided that the grant for a primary election period shall be reduced by an amount equal to the candidate's qualifying contributions.

(2) For Lieutenant Governor, \$50,000.00 in a primary election period and \$150,000.00 in a general election period, provided that the grant for a primary election period shall be reduced by an amount equal to the candidate's qualifying contributions;

(3) A candidate who is an incumbent of the office being sought shall be entitled to receive a grant in an amount equal to 85 percent of the amount listed in subdivision (1) or (2) of this subsection.

(c) In an uncontested general election and in the case of a candidate who enters a primary election and is unsuccessful in that election, an otherwise eligible candidate shall not be eligible for a general election period grant. However, such candidate may solicit and accept contributions and make expenditures as follows: contributions shall be subject to the limitations set forth in subchapter 3 of this chapter, and expenditures shall be limited to an amount equal to the amount of the grant set forth in subsection (b) of this section for the general election for that office.

(d) Grants awarded in a primary election period but not expended by the candidate in the primary election period may be expended by the candidate in the general election period.

(e) Vermont campaign finance grants for a primary election period shall be paid to qualifying candidates within the first 10 business days of the primary election period. Vermont campaign finance grants for a general election period shall be paid to qualifying candidates during the first 10 business days of the general election period. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)

- **§ 2986. Monetary amounts adjusted for inflation**

The monetary amounts contained in sections 2983-2985 of this subchapter shall be adjusted for inflation pursuant to the Consumer Price Index as provided in section 2905 of this chapter. (Added 2013, No. 90 (Adj. Sess.), § 3, eff. Jan. 23, 2014.)