



**Friday, November 7, 2025, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR
REMOTELY via ZOOM**

When: Nov 7, 2025 02:00 PM Eastern Time (US and Canada)
Topic: Ordinance Committee Meeting

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1. Agenda

1.1. Motion to amend/adopt agenda

2. Adopt Draft Minutes

Subject	2.1. Adopt Draft Minutes from 10/16
Meeting	November 7, 2025 - Ordinance Committee Meeting - Friday, November 7, 2025, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	2. Adopt Draft Minutes
Department	Council and Board

Type

Recommended Action

3. Public Forum

Subject

3.1. Verbal Comments

Meeting

November 7, 2025 - Ordinance Committee Meeting - Friday, November 7, 2025, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category

3. Public Forum

Department

Council and Board

Type

4. Parking Ordinance Changes Discussion

Subject

4.1. Parking Ordinance Changes Discussion

Meeting

November 7, 2025 - Ordinance Committee Meeting - Friday, November 7, 2025, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category

4. Parking Ordinance Changes Discussion

Department

Council and Board

Type

Recommended Action

5. Financial Disclosure for Local Elected Officials

Subject

5.1. Financial Disclosure for Local Elected Officials

Meeting

November 7, 2025 - Ordinance Committee Meeting - Friday, November 7, 2025, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category

5. Financial Disclosure for Local Elected Officials

Department

Council and Board

Type

Recommended Action

6. Any Other Committee Business

Subject

6.1. Any Other Committee Business

Meeting

November 7, 2025 - Ordinance Committee Meeting - Friday, November 7, 2025, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category

6. Any Other Committee Business

Department

Council and Board

Type

Recommended Action

7. Adjournment

Subject	7.1. Motion to adjourn
Meeting	November 7, 2025 - Ordinance Committee Meeting - Friday, November 7, 2025, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	7. Adjournment
Department	Council and Board
Type	
Recommended Action	

Ordinance Committee
Thursday, October 16, 2025
Bushor Conference Room Conference Room
or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES

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

Staff Present: Kim Sturtevant (Assistant City Attorney), Erik Ramakrishnan (Assistant City Attorney), Hayley McClenahan (Assistant City Attorney), Katherine Schad (CAO), Laura Wheelock (DPW Technical Services Director)

Public Present: Allie Schachter, Evan Litwin, Sharon Bushor, SP

Meeting called to order at 4:32 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 October 3

Motion to adopt the draft minutes from October 3.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

Sharon Bushor: I support having 65 being the mandatory age of retirement for Class A employees. I don't think it is harmful to have to financial disclosure, but not entirely sure. It could be helpful to find conflicts of interest. I don't like that the public is cut out of the parking ordinance changes. I am okay with items 2-5 of the draft ordinance. I think the changes by the Department should have to go to the Commission and not be optional. I do think there should be changes for safety sake, but also keep the needs of the neighborhood in mind.

Evan Litwin (Ward Seven City Councilor): I have questions about the financial disclosure item. Lines 18-20 reference 24 VSA 1999. I do not see how the financial disclosure aligns with State law. I also think it is not appropriate to have this apply to the next elections in March as candidates are going to be declaring soon. I do not think this disclosure form will cover the

issues that Councilor Neubieser intends it to. Notably, Councilor Grant did not recuse herself from a contract that she was involved with when Ta-Nehisi Coates came to the Flynn and the Council Rules already require disclosure of such financial conflicts.

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

Katherine Schad (CAO) discussed the financial breakdown regarding this item. The document is available in the agenda packet on CivicClerk.

Councilor Carpenter said that 67 being the mandatory age makes sense as that is the age to collect full social security. She noted that many other public departments do not have a mandatory retirement age. She said she trusts the BFD to manage their staff.

Councilor Bergman said he would like to see the unions each provide an analysis and position from their perspective on the different age options available. He said that he does not think a mandatory retirement age is strictly necessary, and currently supports changing the mandatory age to 63 until hearing further from the unions. He said he would like to send the draft ordinance back to City Council for second reading with an age change to 63 and a request for further comment from the public safety unions.

Attorney McClenahan said that the comments forwarded to the Committee from the unions were specific and detailed and that they did not support raising the mandatory retirement age above 63.

Motion to refer the draft ordinance as proposed back to the full City Council for a second reading.

Motion by Councilor Barlow, Seconded by Councilor Kane.

Final Resolution: Motion Passes

Yes: Councilors Bergman, Barlow, Kane

No: Councilor Carpenter

Councilor Barlow clarified that he would like to know if there would be a hole in coverage between ages 63 and 65 and asked Katherine Schad to provide an update on that.

5. Parking Ordinance Changes Discussion

Attorney Ramakrishnan explained the proposed parking changes. The draft ordinance is available in the agenda packet on CivicClerk.

Councilor Carpenter asked about the title of the section regarding individuals with disabilities. She clarified that only people with the disabled parking placard or license plate are exempt. Attorney Ramakrishnan said he would reword that section's title.

Councilor Bergman said that he would prefer that if a change is made administratively to parking rules that the DPW Commission must be notified at their next scheduled meeting of that change.

The Commission would not need to act on that change at that meeting but would still be getting regular updates about administrative changes.

Laura Wheelock (City Engineer) said that notices of administrative changes would be sent to the DPW Commission when the change happens, and that having a timeframe of two regular meetings to get the change on the Commission's agenda would be more feasible.

Councilor Bergman said that the six hour window to close parking on a street is too short. Laura Wheelock said that DPW aims for a 72 hour notice period and 48 hours is standard. She continued that the six hour window is mostly because of the old meter hoods which are now largely replaced with the temporary yellow signs that allow for more specificity about when the parking spots are not usable.

The draft parking ordinances changes will be further discussed in a future Committee meeting.

6. Financial Disclosure Ordinance Discussion

Councilor Bergman said there are some questions already about this draft ordinance. One relates to the coverage of different elected officials like school board members and the other about when this ordinance would go into effect.

Councilor Carpenter said she would like the Committee to come out with two recommendations: one about disclosure and the other about codifying the Council's conflict of interest provisions.

Councilor Barlow said there should be an ethics complaint process for conflicts of interest or other ethical issues.

Allie Schachter (East District City Councilor) said she agrees with a two-pronged approach for disclosure and the strengthening of existing policies.

Councilor Bergman said that the disclosure form, as referred, is for candidates for office while the conflict of interest policies are only once a person has become a Councilor.

7. Any Other Committee Business

The next Ordinance Committee meeting is November 7th.

8. Adjournment

The meeting was adjourned at 6:39 PM.

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Public Works Commission
Public Hearing Dates: _____

In the Year Two Thousand Twenty-Five

First reading: _____

Referred to: _____

Rules suspended and placed in all stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

An Ordinance in Relation to

PARKING ENFORCEMENT

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

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

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

4 Parking enforcement officer: Means any city employee designated by the city pursuant to 23 V.S.A.
5 § 4(11)(B), as the same may be amended or renumbered from time to time.

6 Traffic commission: Means the public works commission.

7
8 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
9 hereby is amended by amending Sec. 23, thereof to read as follows:

10
11 *(a) and (b), as written.*

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

14 (1) to designate new no-parking areas, to change or modify the locations of existing no-
15 parking areas, or to make other changes affecting no-parking areas, including, without limitation, removals
16 that are necessitated by safety assessments, whenever the director or designee determines both that, (i) such
17 designation, change, or modification is necessary or convenient in response to a reasonable request from the
18 public or is warranted by changed circumstances or new data, and (ii) existing rules are substantially
19 inconsistent with regulations or safety guidelines published by the U.S. Access Board, the Federal Highways
20 Administration, the Vermont Agency of Transportation, or the American Association of State Highway and
21 Transportation Officials;

22 (2) to designate new accessible spaces or to change or modify the locations of existing
23 accessible spaces, whenever the director or designee determines both that, (i) such designation, change, or

24 modification is necessary or convenient to comply with federal and state disability access laws, and (ii)
25 existing parking rules are substantially inconsistent with the Public Right-of-Way Accessibility Guidelines,
26 or other relevant standards published by the United States Access Board;

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

35 (4) to prohibit right-hand turns against a traffic signal which is indicating red, whenever the
36 director or designee determines both that, (i) such prohibition is necessary or convenient in response to a
37 reasonable request from the public or is warranted by changed circumstances or new data, and (ii) existing
38 rules are substantially inconsistent with regulations or safety guidelines published by the U.S. Access Board,
39 the Federal Highways Administration, the Vermont Agency of Transportation, or the American Association
40 of State Highway and Transportation Officials, and

41 (5) to designate new school crossing guard locations, to change or modify the locations of
42 existing school crossing guard locations, or to make other changes affecting school crossing guard locations,
43 whenever the director or designee determines both that, (i) such designation, change, or modification is
44 necessary or convenient in response to a reasonable request from the school department or is warranted by
45 changed circumstances or new data, and (ii) existing rules are substantially inconsistent with regulations or
46 safety guidelines published by the U.S. Access Board, the Federal Highways Administration, the Vermont
47 Agency of Transportation, or the American Association of State Highway and Transportation Officials..

48 Such modifications shall become effective and enforceable immediately upon the posting of
49 reasonable signage directing motorists accordingly and shall remain in effect provided that notification is
50 sent to the traffic commission within its next two regularly scheduled meetings. Within a reasonable time
51 after providing the required notification to the commission, the public works director or designee shall
52 propose to the traffic commission a formal amendment to Appendix C to reflect the change. The failure to
53 do so shall not render the change invalid or unenforceable, but if the traffic commission rejects the change, it
54 shall cease to be effective.

55

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

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

63

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

66 (a), *as written.*

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

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

73

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

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

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

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

83 (9), *as written.*

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

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

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

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

92 (e) and (f), as written.

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

96
97 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
98 hereby is amended by amending Sec. 61, thereof to read as follows:

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

104
105 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
106 hereby is amended by amending Sec. 63, thereof to read as follows:

107 For the purpose of cleaning, clearing, oiling, repairing, surfacing a street, special events, parades, or
108 pruning or removing trees, or for parking encumbered pursuant to Section 27-33, the street department, parks
109 department, or police department may close such street or portion of a street to the parking of vehicles by
110 causing signs to be posted thereon in conspicuous locations and at reasonable intervals indicating the
111 prohibition of parking thereon. The signs shall be posted by 6:00 p.m. and the prohibition shall be effective
112 12:00 a.m. the following days indicated thereon, but not sooner than twenty-four (24) hours later. The signs
113 shall indicate in bold face "NO PARKING – TOW AWAY ZONE". Where individual parking space meters
114 are provided, such signage shall be provided in the form of parking meter hoods. Such prohibition shall

115 remain in effect until such signs are removed, and during the period when parking is so prohibited, no person
116 shall park a motor vehicle on any such street.

117

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

120 (a), as written.

121 (b) Nonmetered Parking Offenses:

122 (1) ~~Handicapped-Accessible~~ parking. The penalty for ~~handicapped~~ parking violations as set forth in
123 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~~
124 the same may be amended or renumbered from time to time.

125 (2) to (6), as written.

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

129 (8) and (9), as written.

130 (c), as written.

131

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

134 (a), as written.

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

139

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

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

145 (1), as written.

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

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

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

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

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

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

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

159 (vii) The vehicle is parked in any space designated a special parking space pursuant to section
160 29 of Appendix C to this code, as the same may be renumbered or amended from time to time.

161 (3) to (5), as written.

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

163

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

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

173

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

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

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

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

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

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

186 (d), *as written*.

187

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

190 (a) Any motor vehicle parked in violation of city ordinance upon any public highway of the city or at
191 the Burlington International Airport, including such ways, streets, alleys, lanes or other places as may be
192 open to the public, the owner of which has accumulated unpaid parking violations totaling two hundred
193 seventy-five dollars (\$275.00) or more, not including the amount attributable to the present violation, may be
194 removed and stored pursuant to this division. Thereupon, the vehicle may be reclaimed pursuant to Section
195 20-73. In order to reclaim the impounded vehicle, the owner shall pay charges for outstanding violations
196 such that the total amount owed in fines and fees pursuant to ordinance violations is reduced to less than two
197 hundred seventy five dollars (\$275.00), all outstanding removal charges previously assessed and the charges
198 imposed by this division for such removal and storage or until the requirements of Section 20-73(b)(1) have
199 been met. Fines shall not be avoided by the transference of title or registration, or the purchasing of a
200 different vehicle.

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

202

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

205 The board of public works commissioners is hereby authorized to establish zones to be known as
206 parking meter zones in all or part of such areas on the streets of the city as they may deem necessary. For

207 greater clarity, the term “parking meter zone” includes all on-street paid parking within the city, whether a
208 meter is physically present for each metered space. Nothing in this code or its appendices shall be construed
209 to prevent the city from using parking kiosks, other forms of multi-space metering, or web-based
210 applications, to collect parking fees, whether in parking meter zones or other city owned or operated parking
211 lots or garages.

212
213 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
214 hereby is amended by amending Sec. 84, thereof to read as follows:

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

220
221 (b) ~~Meters and/or multi-space meters~~Payment devices shall be placed upon the curb next to
222 individual parking spaces or in proximity of designated parking spaces, and shall be so constructed as to
223 accept payment as indicated by instructions upon the ~~meter~~device.

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

228
229 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
230 hereby is amended by amending Sec. 87, thereof to read as follows:

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

236 (b), as written.

237

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

240 20-95 ~~Disabled persons exempt from requirements~~ Exemptions for individuals with disabilities.

241 ~~Any person who is blind, who has an ambulatory handicap, or who is temporarily disabled with an~~
242 ~~ambulatory handicap shall be entitled to~~ Any person who is blind, or who has a permanent or temporary

243 ambulatory disability, may park without fee for an unlimited period in a parking zone which is restricted as
244 to the length of time parking is permitted. This section shall not apply to zones in which parking, standing or
245 stopping of all vehicles is prohibited, which are reserved for special vehicles, or where parking is prohibited
246 by any parking ban. As a condition to this ~~privilegeright~~, the vehicle shall display the ~~special handicapped~~
247 parking card, plate or placard issued by the state commissioner of motor vehicles as required in 23 V.S.A.
248 304a, or a ~~handicapped-similar~~ license plate, card or other identification issued by any other state.

249
250 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
251 hereby is amended by amending Sec. 101, thereof to read as follows:

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

255
256 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
257 hereby is amended by adding Sec. 110, thereof to read as follows:

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

262
263 And that Chapter 27, Streets and Sidewalks, of the Code of Ordinances of the City of Burlington be and
264 hereby is amended by amending Sec. 33, thereof to read as follows:

265 (a), *as written*.

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

268 (1) Construction, repair or maintenance work on abutting or nearby properties;

269 (2) Loading or unloading goods, people, materials or equipment, or the use of such
270 equipment, on abutting or nearby properties;

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

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

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

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

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

283 (d) to (f), as written.

284

285 * Material stricken out deleted.

286 ** Material underlined added.

287

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292

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

Resolution Relating to

FINANCIAL DISCLOSURE FOR LOCAL ELECTED OFFICIALS

RESOLUTION 6.5

Sponsor(s): Councilor Neubieser

Introduced: _____

Referred to: Ordinance
Committee

Action: _____

Date: 10/06/25

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

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

Title 17 : Elections

Chapter 049 : Nominations

Subchapter 004 : MISCELLANEOUS PROVISIONS

(Cite as: 17 V.S.A. § 2414)

§ 2414. Candidates for State and legislative office; disclosure form

[Subsection (a) effective until January 1, 2026; see also subsection (a) effective January 1, 2026 set out below.]

(a) Each candidate for State office, State Senator, or State Representative shall file with the officer with whom consent of candidate forms are filed, along with his or her consent, a disclosure form prepared by the State Ethics Commission that contains the following information in regard to the previous calendar year:

(1) Each source, but not amount, of personal income of the candidate and of his or her spouse or domestic partner, and of the candidate together with his or her spouse or domestic partner, that totals more than \$5,000.00, including any of the sources meeting that total described as follows:

(A) employment, including the employer or business name and address and, if self-employed, a description of the nature of the self-employment without needing to disclose any individual clients; and

(B) investments, described generally as "investment income."

(2) Any board, commission, or other entity that is regulated by law or that receives funding from the State on which the candidate served and the candidate's position on that entity.

(3) Any company of which the candidate or his or her spouse or domestic partner, or the candidate together with his or her spouse or domestic partner, owned more than 10 percent.

(4) Any lease or contract with the State held or entered into by:

(A) the candidate or his or her spouse or domestic partner; or

(B) a company of which the candidate or his or her spouse or domestic partner, or the candidate together with his or her spouse or domestic partner, owned more than 10 percent.

[Subsection (a) effective January 1, 2026; see also subsection (a) effective until January 1, 2026 set out above.]

(a) Each candidate for State office, county office, State Senator, or State Representative shall file with the officer with whom consent of candidate forms are filed, along with the candidate's consent, a disclosure form created and maintained by the State Ethics Commission that contains the following information in regard to the previous 12 months:

(1) each source, but not amount, of personal income of the candidate and of the candidate's spouse or domestic partner, and of the candidate together with the candidate's spouse or domestic partner, that totals more than \$5,000.00:

(A) including the candidate's employer or business name and address; and

(B) if self-employed, a description of the nature of the self-employment, including the names of any clients whose principal business activities are regulated by or that have a contract with any municipal or State office, department, or agency, provided that this information is known to the candidate or the candidate's domestic partner and that the disclosed information is not confidential information;

(2) any board, commission, or other entity that is regulated by law on which the candidate served and the candidate's position on that entity;

(3)(A) any company of which the candidate or the candidate's spouse or domestic partner, or the candidate together with the candidate's spouse or domestic partner, owned more than 10 percent; and

(B) the details of any loan made to or by any applicable company in subdivision (A) of this subdivision (3) that is not a commercially reasonable loan made in the ordinary course of business, including any borrower and lender;

(4) any company of which the candidate or the candidate's spouse or domestic partner, or the candidate together with the candidate's spouse or domestic partner, had an ownership or controlling interest in any amount, and in the previous 12 months the company had business before or with any municipal or State office, agency, or department;

(5) any lease or contract with the State held or entered into by:

(A) the candidate or the candidate's spouse or domestic partner; or

(B) a company of which the candidate or the candidate's spouse or domestic partner, or the candidate together with the candidate's spouse or domestic partner, owned more than 10 percent;

(6) a generalized description, but not amount, to the best of the candidate's knowledge, of the following investments held by a candidate or the candidate's spouse or domestic partner:

(A) individual stock holdings valued at \$25,000.00 or more, which a candidate exercises control over or has the ability to buy or sell, which shall be listed individually;

(B) interests in investment funds valued at \$25,000.00 or more that a candidate or the candidate's spouse or domestic partner has the ability to exercise control over the composition of assets within a fund, which shall be listed individually;

(C) interests in virtual currencies, as defined in 8 V.S.A. § 2500, valued at \$25,000.00 or more, which shall be listed individually;

(D) interests in trusts valued at \$25,000.00 or more, which shall be listed individually;

(E) municipal or State bonds issued in the State of Vermont valued at \$25,000.00 or more, which shall be listed individually; and

(F) the details of any loan valued at \$10,000.00 or more, made to the candidate or the candidate's spouse that is not a commercially reasonable loan made in the ordinary course of business; and

(7) the full name of the candidate's spouse or domestic partner.

[Subsection (b) effective until January 1, 2026; see also subsection (b) effective January 1, 2026 set out below.]

(b) In addition, if a candidate's spouse or domestic partner is a lobbyist, the candidate shall disclose that fact and provide the name of his or her spouse or domestic partner and, if applicable, the name of his or her lobbying firm.

[Subsection (b) effective January 1, 2026; see also subsection (b) effective until January 1, 2026 set out above.]

(b) In addition, if a candidate's spouse or domestic partner is a lobbyist, the candidate shall disclose that fact and provide the name of the candidate's spouse or domestic partner and, if applicable, the name of the lobbying firm.

[Subsection (c) effective until January 1, 2026; see also subsection (c) effective January 1, 2026 set out below.]

(c) In addition, each candidate for State office shall attach to the disclosure form described in subsection (a) of this section a copy of his or her most recent U.S. Individual Income Tax Return Form 1040; provided, however, that the candidate may redact from that form the following information:

- (1) the candidate's Social Security number and that of his or her spouse, if applicable;
- (2) the names of any dependent and the dependent's Social Security number; and
- (3) the signature of the candidate and that of his or her spouse, if applicable.

[Subsection (c) effective January 1, 2026; see also subsection (c) effective until January 1, 2026 set out above.]

(c) In addition, each candidate for State office shall attach to the disclosure form described in subsection (a) of this section a copy of the candidate's most recent U.S. Individual Income Tax Return Form 1040; provided, however, that the candidate may redact from that form the following information:

- (1) the candidate's Social Security number and that of the candidate's spouse, if applicable;
- (2) the names of any dependent and the dependent's Social Security number;
- (3) the signature of the candidate and that of the candidate's spouse, if applicable;
- (4) the candidate's street address; and
- (5) any identifying information and signature of a paid preparer.

[Subsection (d) effective until January 1, 2026; see also subsection (d) effective January 1, 2026 set out below.]

(d)(1) A senatorial district clerk or representative district clerk who receives a disclosure form under this section shall forward a copy of the disclosure to the Secretary of State within three business days of receiving it.

(2)(A) The Secretary of State shall post a copy of any disclosure forms and tax returns he or she receives under this section on his or her official State website. The forms shall remain posted on the Secretary's website until the date of the filing deadline for petition and consent forms for major party candidates for the statewide primary in the following election cycle.

(B) Prior to posting, the Secretary shall redact from a tax return the information permitted to be redacted under subsection (c) of this section, if the candidate fails to do so.

[Subsection (d) effective January 1, 2026; see also subsection (d) effective until January 1, 2026 set out above.]

(d)(1) A senatorial district clerk or representative district clerk who receives a disclosure form under this section shall forward a copy of the disclosure to the Secretary of State within three business days after receiving it.

(2)(A) The Secretary of State shall post a copy of any disclosure forms and tax returns the Secretary receives under this section on the Secretary's official State website. The forms shall remain posted on the Secretary's website until the date of the filing deadline for petition and consent forms for major party candidates for the statewide primary in the following election cycle.

(B) Prior to posting, the Secretary shall redact from a tax return the information permitted to be redacted under subsection (c) of this section, if the candidate fails to do so.

[Subsection (e) effective until January 1, 2026; see also subsection (e) effective January 1, 2026 set out below.]

(e) As used in this section:

(1) "Domestic partner" means an individual with whom the candidate has an enduring domestic relationship of a spousal nature, as long as the candidate and the domestic partner:

- (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.

(2) "Lobbyist" and "lobbying firm" shall have the same meanings as in 2 V.S.A. § 261.

[Subsection (e) effective January 1, 2026; see also subsection (e) effective until January 1, 2026 set out above.]

(e) As used in this section:

(1) "Commercially reasonable loan made in the ordinary course of business" means a loan made:

- (A) in the usual manner on any recognized market;
- (B) at the price current in any recognized market at the time of making the loan; or
- (C) otherwise in conformity with reasonable commercial practices among lenders typically dealing in the type of loan made.

(2) "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.

(3) "County office" means the office of assistant judge of the Superior Court, high bailiff, judge of Probate, sheriff, or State's Attorney.

(4) "Domestic partner" means an individual with whom the candidate has an enduring domestic relationship of a spousal nature, provided the candidate and the domestic partner:

- (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.

(5) "Lobbyist" and "lobbying firm" have the same meanings as in 2 V.S.A. § 261.

(6) "Investment fund" means a widely held investment fund that is publicly traded or available, including a mutual fund, regulated investment company, common trust fund maintained by a bank or similar financial institution, pension or deferred compensation plan, and any other pooled investment fund. (Added 2017, No. 79, § 3, eff. Jan. 1, 2018; amended 2019, No. 67, § 10; 2023, No. 171 (Adj. Sess.), § 1, eff. January 1, 2026.)

Title 17 : Elections

Chapter 049 : Nominations

Subchapter 004 : MISCELLANEOUS PROVISIONS

(Cite as: 17 V.S.A. § 2415)

§ 2415. Failure to file; penalties

(a) If any disclosure required of a candidate for State office, county office, State Senator, or State Representative by section 2414 of this title is not filed in the time and manner set forth in sections 2356, 2361, and 2402 of this title, the candidate for State office, county office, State Senator, or State Representative shall be addressed as follows:

(1) The State Ethics Commission, after notification by the Office of the Secretary of State of the names of delinquent filers, shall issue a notice of delinquency to the candidate for State office, county office, State Senator, or State Representative for any disclosure required of a candidate for State office, county office, State Senator, or State Representative by section 2414 of this title that is not filed in the time and manner set forth in sections 2356, 2361, and 2402 of this title.

(2) Following notice of delinquency sent by the State Ethics Commission to the candidate for State office, county office, State Senator, or State Representative, the candidate shall have five working days from the date of the issuance of the notice to cure the delinquency.

(3) Beginning six working days from the date of notice, the delinquent candidate for State office, county office, State Senator, or State Representative shall pay a \$10.00 penalty for each day thereafter that the disclosure remains delinquent; provided, however, that in no event shall the amount of any penalty imposed under this subdivision exceed \$1,000.00.

(4) Notwithstanding subdivision (3) of this subsection (a), the State Ethics Commission may reduce or waive any penalty imposed under this section if the candidate for State office, county office, State Senator, or State Representative demonstrates good cause, as determined by the State Ethics Commission and in the sole discretion of the State Ethics Commission.

(b) The Commission shall send a notice of delinquency to the email address provided by the candidate for State office, county office, State Senator, or State Representative in the candidate's consent of candidate form.

(c) The State Ethics Commission may avail itself of remedies available under the Vermont Setoff Debt Collection Act, as set forth in 32 V.S.A. chapter 151, subchapter 12, to collect any unpaid penalty.

(d)(1) A candidate for State office, county office, State Senator, or State Representative who files a disclosure with intent to defraud, falsify, conceal, or cover up by any trick, scheme, or device a material fact, or, with intent to defraud, make any false, fictitious, or fraudulent claim or representation as to a material fact, or, with intent to defraud, make or use any writing or document knowing the same to contain any false, fictitious, or fraudulent claim or entry as to a material fact shall be considered to have made a false claim for the purposes of 13 V.S.A. § 3016.

(2) Pursuant to 3 V.S.A. § 1223 and section 2904a of this title, complaints regarding any candidate for State office, county office, State Senator, or State Representative who fails to properly file a disclosure required under this subchapter may be filed with the State

Ethics Commission. The Executive Director of the State Ethics Commission shall refer complaints to the Attorney General or to the State's Attorney of jurisdiction for investigation, as appropriate. (Added 2023, No. 171 (Adj. Sess.), § 6, eff. June 10, 2024.)

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 polices 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