



**Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall
OR REMOTELY via ZOOM**

When: Dec 18, 2025 04:30 PM Eastern Time (US and Canada)
Topic: Ordinance Committee Meeting

Join from PC, Mac, iPad, or Android:

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+13052241968,,94094768514#,,,,*257738# US

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+1 253 215 8782 US (Tacoma)

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+1 360 209 5623 US

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Webinar ID: 940 9476 8514

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1. Agenda

1.1. Motion to amend/adopt agenda

2. Adopt Draft Minutes

Subject	2.1. Adopt Draft Minutes from 11/20
Meeting	December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	2. Adopt Draft Minutes
Department	Council and Board
Type	

Recommended Action

Subject **2.2. Adopt Draft Minutes from 12/5**
Meeting December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 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 December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category 3. Public Forum
Department Council and Board
Type

4. ZA-26-01 Technical Changes and Corrections

Subject **4.1. ZA-26-01 Technical Changes and Corrections**
Meeting December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category 4. ZA-26-01 Technical Changes and Corrections
Department Council and Board
Type
Recommended Action

5. Fuel Purchase Ordinance Discussion

Subject **5.1. Fuel Purchase Ordinance Discussion**
Meeting December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category 5. Fuel Purchase Ordinance Discussion
Department Council and Board
Type
Recommended Action

Subject **5.2. Fuel Purchase Ordinance Executive Session**

Meeting December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category 5. Fuel Purchase Ordinance Discussion

Department Council and Board

Type

Recommended Action Executive Session to receive confidential attorney-client communications for the purpose of providing professional legal services to the Committee
 Motion 1: Move that the Ordinance Committee find that premature general public knowledge of legal advice would clearly place the City at a substantial disadvantage;
 Motion 2: Based upon that finding, move that the Ordinance Committee go into executive session to receive confidential attorney-client communications.
 1 VSA §313(a)(1)(F).

6. Private Parking Lot Terms and Rates Ordinance Discussion

Subject 6.1. Private Parking Lot Terms and Rates Ordinance Discussion

Meeting December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category 6. Private Parking Lot Terms and Rates Ordinance Discussion

Department Council and Board

Type

Recommended Action Executive Session to receive confidential attorney-client communications for the purpose of providing professional legal services to the Committee
 Motion 1: Move that the Ordinance Committee find that premature general public knowledge of legal advice would clearly place the City at a substantial disadvantage;
 Motion 2: Based upon that finding, move that the Ordinance Committee go into executive session to receive confidential attorney-client communications.
 1 VSA §313(a)(1)(F).

Subject 6.2. Private Parking Lot Terms and Rates Executive Session

Meeting December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category 6. Private Parking Lot Terms and Rates Ordinance Discussion

Department Council and Board

Type

Recommended Action Executive Session to receive confidential attorney-client communications for the purpose of providing professional legal services to the Committee
 Motion 1: Move that the Ordinance Committee find that premature general public knowledge of legal advice would clearly place the City at a substantial disadvantage;
 Motion 2: Based upon that finding, move that the Ordinance Committee go into executive session to receive confidential attorney-client communications.
 1 VSA §313(a)(1)(F).

7. Financial Disclosure Ordinance Discussion

Subject **7.1. Financial Disclosure Ordinance Discussion**
Meeting December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category 7. Financial Disclosure Ordinance Discussion
Department Council and Board
Type
Recommended Action

8. Any Other Committee Business

Subject **8.1. Any Other Committee Business**
Meeting December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category 8. Any Other Committee Business
Department Council and Board
Type
Recommended Action

9. Adjournment

Subject **9.1. Motion to adjourn**
Meeting December 18, 2025 - Ordinance Committee Meeting Agenda - Thursday, December 18, 2025, 4:30 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category 9. Adjournment
Department Council and Board
Type
Recommended Action

Ordinance Committee
Thursday, November 20, 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), Bill Ward (Director of DPI)

Public Present: Evan Litwin (City Councilor), Sharon Bushor

Meeting called to order at 2:02 PM.

1. Adopt the Agenda
1.1 Adopt the Agenda

Motion to Adopt Agenda.

Motion by Councilor Carpenter, Seconded by Councilor Barlow.

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Draft Minutes
2.1 Adopt Draft Minutes from November 7th.

No minutes available to adopt.

3. Public Forum

Sharon Bushor: I am unsure about the financial disclosure ordinance. I think the information like employer could be helpful for the City Attorney's Office for helping decide on a conflict of interest. If disclosure is not put into the ordinance it could also go in the Council rules.

4. Fuel Purchase Ordinance Discussion

Move that the Ordinance Committee find that premature general public knowledge of legal advice regarding Agenda Items 4 and 5 would clearly place the City at a substantial disadvantage.

Motion by Councilor Barlow, Seconded by Councilor Carpenter

Final Resolution: Motion Passes

Yes: Unanimous

Based upon that finding, move that the Ordinance Committee go into executive session to receive confidential attorney-client communications for Agenda Items 4 and 5. 1 VSA §313(a)(1)(F).

Motion by Councilor Barlow, Seconded by Councilor Carpenter

Final Resolution: Motion Passes
Yes: Unanimous

Motion to come out of Executive Session.
Motion by Councilor Barlow, Seconded by Councilor Carpenter
Final Resolution: Motion Passes
Yes: Unanimous

Councilor Carpenter inquired who requires the debit card hold, the gas station itself, the bank, or the fuel company? Bill Ward (Director of DPI) said he can research the issue. He continued that there are 13 gas stations in the City and he could inform managers of a potential hearing about this issue and see if they have comments.

Councilor Barlow inquired if it might be a bank processor rather than the gas station itself. Evan Litwin (City Councilor) said that, from his understanding, the gas station sets the amount of the hold and the bank/processor determines the hold time for that amount. He continued that large banks usually process the transactions more quickly. Evan Litwin also said that if a customer prepays with a debit card with their PIN then there is no hold.

Councilor Bergman asked for an update on the legal matters discussed and set a date and time for a hearing in the future.

Evan Litwin said that Dave Hartnett, a previous City Councilor, was a gas station manager for a long time and was willing to discuss this issue.

Councilor Bergman moved to take up the issue again on December 18th.

5. Private Parking Lot Terms and Rate Discussion

This agenda item was discussed in executive session as noted above and not discussed otherwise in the meeting.

6. Financial Disclosure Ordinance Discussion

Councilor Barlow said his position is that the state legislator form given as an example is not right for the City and that the City could have a different form that asks for different information.

Councilor Carpenter said she was interested in having a candidate disclosure form that would have candidates declare any conflicts of interest they might have rather than being concerned only with financials.

The Committee will examine the draft form and make changes in a future meeting.

7. Adjournment

The meeting was adjourned at 5:26 PM.

Ordinance Committee
Friday, December 5, 2025
Bushor Conference Room Conference Room
or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES

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

Staff Present: Kim Sturtevant (Assistant City Attorney), Erik Ramakrishnan (Assistant City Attorney), Bill Ward (Director of DPI), Sarah Morgan (Planning), Jackie Esperti (Director of Parking Services)

Public Present: Sharon Bushor

Meeting called to order at 2:01 PM.

1. Adopt the Agenda
1.1 Adopt the Agenda

Motion to Adopt Agenda.

Motion by Councilor Kane, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Draft Minutes
2.1 Adopt Draft Minutes from November 7th.

Motion to Adopt the Draft Minutes from 11/7.

Motion by Councilor Kane, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

Sharon Bushor: There are some small corrections to be made on ZA-26-01. In the SEID memo there is a reference to people not wanting to go to physical stores anymore. I don't think that's true. I don't support only building residential buildings in the SEID and there should be retail and other commercial space. I also think the City is not doing enough to support affordable housing and should update the IZ ordinance.

4. Parking Ordinances Changes; BCO

Attorney Ramakrishnan and Parking Director Esperti went over the draft changes of the parking ordinance. The draft ordinance is available on CivicClerk.

Motion to ask City staff to draft a memo outlining the necessary ordinance changes to 20-55(g) of the BCO, and to have the Ordinance Committee sponsor the draft ordinance as written, and to refer the draft ordinance back to the full City Council with the recommendation to place the ordinance in all stages of adoption.

Motion by Councilor Carpenter, Seconded by Councilor Kane.

Final Resolution: Motion Passes

Yes: Unanimous

Motion to report back to the full City Council that the Ordinance Committee has concluded there is no need for an ordinance change to the section regarding no parking, but rather that a new departmental policy will be developed to ensure proper public notice of parking closures.

Motion by Councilor Bergman, without objection.

5. Sidewalk Interference Ordinance; BCO Chapter 27, Art. 1

Attorney Ramakrishnan explained the rationale for the ordinance change to Chapter 27-21. The draft ordinance is available on CivicClerk.

Motion to approve the change in Chapter 27-21 that will allow all municipal employees that are authorized to issue municipal complaints to issue tickets relating to sidewalk interference.

Motion by Councilor Carpenter, Seconded by Councilor Kane.

Final Resolution: Motion Passes

Yes: Unanimous

Councilor Bergman said he is fine with increasing the fine fee, but only for sidewalk interference and not for all the other violations in articles I, III, IV, and V. He continued that he would like to see smaller fees that grow each time DPI would have given warnings.

All councilors agreed that more time is needed to decide on further changes to fee amounts.

Motion to remove the draft ordinance change that raised the lower end of the fee penalty from \$50 to \$250, to refer the draft ordinance back to the full City Council, and to keep jurisdiction over this ordinance for changes in the future.

Motion by Councilor Carpenter, Seconded by Councilor Kane.

Final Resolution: Motion Passes

Yes: Unanimous

6. Zoning Amendment ZA-26-01 Technical Changes and Corrections

Sarah Morgan (Planning) gave a presentation on the draft changes in the zoning amendment. ZA-26-01 is available on CivicClerk.

All councilors agreed to return to ZA-26-01 on December 18th.

7. Unlawful Entry into a Motor Vehicle Ordinance; BCO 21-25(b)

Councilor Bergman asked the City Attorney's Office to ask BPD for more information on this issue and how the ordinance might help them.

Motion to refer the draft ordinance back to the full City Council with a recommendation for adoption, and that the memo accompanying the ordinance contain requested information from BPD.

Motion by Councilor Carpenter, Seconded by Councilor Kane.

Final Resolution: Motion Passes

Yes: Unanimous

8. Any Other Committee Business

The next Ordinance Committee Meeting is on December 18th.

9. Adjournment

The meeting was adjourned at 4:04 PM.



City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401
Phone: (802) 865-7194
www.burlingtonvt.gov/plan

TO: Burlington City Council
FROM: Sarah Morgan, AICP, Principal Planner
Charles Dillard, AICP, Director of City Planning
DATE: November 19, 2025
RE: Proposed ZA-26-01 Technical Amendments and Minor Revisions

This memo is intended to provide an overview about the set of proposed changes included in ZA-26-01, which was warned for a Public Hearing by the Planning Commission during its meeting on September 23rd.

1. Overview & Background

The revisions proposed in ZA-26-01 include technical corrections to the ordinance as well as minor revisions to standards related to the South End Innovation District.

Following the Planning Commission meeting on September 23rd, proposed changes to the planBTV Downtown Code regarding fences were removed to be discussed as their own amendment (ZA-26-02) and are not included as part of ZA-26-01.

3. Technical Corrections

In collaboration with the Department of Permitting and Inspections, this amendment includes a number of technical amendments, which are included and outlined in Section 4c of this memo.

2. Minor revision related to the South End Innovation District

The proposed amendment to the SEID Ground Floor Entries standards addresses a primary challenge that has arisen in reviewing ongoing development plans in the overlay. These entry standards were based on a desire for highly-activated ground floors, particularly those occupied by retail uses. However, local and national trends continue to demonstrate reduced viability of retail and non-residential uses, particularly those in ground floor podiums that are costly to build. As such, the ground floor standards should be amended, both to facilitate greater amounts of private entries into ground floor residential uses on Primary Frontages, and to acknowledge the aforementioned concerns regarding retail viability. Furthermore, the amendment proposes to eliminate the requirement for ground floor entries on Secondary Frontages to extend flexibility to site development and to facilitate marketable residential ground floor uses on these less prominent streets.

Finally, City staff has encountered several site-specific challenges related to topographical and infrastructural conditions that make meeting the current standards challenging. For example, Lakeside Avenue, long proposed as a Secondary Frontage in the first phase of the SECORD project, is approximately eight feet below the developable portion of the parcel. As the ROW width, particularly as it crosses under the railroad, does not accommodate a sidewalk, the requirement to locate ground floor entries along this Frontage is not reasonable. Similar challenges have been seen at other locations in the SEID.

Ultimately, this proposed amendment will increase flexibility in the SEID and allow for much-needed housing within a larger South End that continues to see successful business activity in existing buildings.

4. Proposed Amendment: ZA-26-01

a) Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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b) Purpose Statement

The proposed changes in ZA-26-01 all aim to support greater flexibility within current zoning regulations to accommodate development needs and seeks to correct several errors in the CDO, enhancing clarity and consistency in administration for both staff and applicants.

c) Proposed Amendment

1. Amendments to Article 3: Applications, Permits, and Project Reviews

- Revises Sec. 3.1.2 (c) 11. to apply to “Buildings, as defined in Article 13” instead of “structures”.
- Amends Table 3.5.2-1 Zoning Districts (Major Impact) to reflect changes made under the Neighborhood Code, including the creation of the Residential Corridor district.
- Amends Sec. 3.5.3 (c) Major Impact Exemptions to reflect the elimination of minimum parking standards under ZA-22-07.

2. Amendments to Article 4: Zoning Maps and Districts

- Corrects footnote reference in Table 4.4.2-1
- Amends Sec. 4.4.2 (d) 3. B. to reflect the changes made under ZA-25-04, including referring to Senior Housing as Housing for Older Persons and Individuals with Disabilities.
- Modifies Table 4.4.5-1 Lot Size, Frontage, Setback, & Lot Coverage Standards in Residential Districts:
 - Corrects a footnote reference in the column related to Lot Coverage.
 - Deletes and reserves Footnote 8, which is now irrelevant given the standard related maximum required front yard setback.
- Corrects reference made in Sec. 4.4.5 (d) 2. B. Encroachment to the Waterfront Setback
- Corrects reference made in Sec. 4.4.5 (d) 4. D. Additional Unit on lot or within Owner-Occupied Single Detached Dwelling
- Amends Tables 4.4.5-6 Housing for Older Persons and Individuals with Disabilities Bonus and Table 4.4.5-7 Maximum Intensity, Lot Coverage and Building Heights with Bonuses to include the Residential Corridor District.
- Amends Table 4.5.6-2 Frontage & Activation Standards to reflect changes proposed in Sec.4.5.6(c)2.D.
- Amends Sec. 4.5.6 (c) 2. D. SEID Ground Floor Entries to facilitate greater amounts of private entries into ground floor residential uses on Primary Frontages, and to acknowledge the aforementioned concerns regarding retail viability.

3. Amendments to Article 5: Citywide General Regulations

- Amends Sec. 5.3.5 (a) to remove reference to Sec. 5.2.3 (b) 10, which was eliminated under ZA-25-04.

4. Amendments to Article 6: Development Review Standards

- Corrects reference made in Sec. 6.2.2. (m) Landscaping, Fences, and Retaining Walls

5. Amendments to Article 7: Signs

- Amends Sec. 7.1.1 Authority and Intent to clarify that signs of advertising features not expressly permitted in this ordinance are prohibited.
- Amends Sec. 7.1.4 Historic Marker Exemptions to incorporate Freestanding Yard signs.

6. Amendments to Article 9: Inclusionary and Replacement Housing

- Amends Sec. 9.1.5 Applicability to remove reference to Adaptive Reuse.
- Amends table under Sec. 9.1.12 Additional Density and Other Development Allowances to align with changes made via the Neighborhood Code.
- Amends Sec. 9.2.10 (b) to remove reference to conditional use and incorporate the loss of non-residential uses.

7. Amendments to Article 11: Planned Development

- Corrects typo in the reference to Table 11.1.5-2, which previously referenced a non-existent table.
- Amends Footnotes 1 in Table 11.1.5-2 Residential District Planned Unit Development Setback Standards to clarify that Residential Special Uses are exempt from the requirement of 50ft rear setbacks for buildings greater than 5,000ft² in the Residential Low and Residential Medium Intensity Districts.
- Amends Table 11.1.5-2 Residential District Planned Unit Development Setback Standards to indicate that the Residential – Special Uses listed in Table 4.4.5-2 are is also exempt from Footnotes 1 and 2.

8. Amendments to Article 13: Definitions

- Moves the definition for “Building” in Article 14 to Article 13 to consolidate definitions.
- Deletes definitions for “Elderly Housing”, “Housing, Senior”, and “Senior Housing” to reflect changes made in ZA-25-04, where Housing for Older Persons uses the definition established under the Fair Housing Act.
- Simplifies the definition of “Planned Unit Development” and references Article 11 for specific provisions.

d) Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme:	Dynamic	Distinctive	Inclusive	Connected
Land Use:	Conserve	Sustain	Grow	

Compatibility with Proposed Future Land Use & Density

The proposed amendment is consistent with the Land Use and Density related policies of planBTV. As frequently discussed with the Planning Commission, the rise in housing costs and slow pace of construction are some of the biggest challenges related to housing in Burlington. The “Dynamic” theme prioritizes innovative solutions that are environmentally, economically, and socially sound, echoing this amendment’s need to support greater flexibility within current zoning regulations to accommodate development needs.

Additionally, many of these amendments are primarily and are intended to clarify for the public and staff the standards and processes regulating development and growth across the city.

Impact on Safe & Affordable Housing

This amendment has no direct impact on safe and affordable housing, except in that it corrects errors and provides greater flexibility and clarity for applicants.

Planned Community Facilities

This amendment has no direct impact on planned community facilities, except in that it corrects errors and provides greater clarity.

h) Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process					
Draft Amendment prepared by Staff 9/18/25	Presentation to & discussion by Commission: 9/23/25	Approve for Public Hearing 9/23/25	Public Hearing 11/13/25	Approved & forwarded to Council 11/13/25	
City Council Process					
First Read, Referral to Ordinance Committee, and Warn Public Hearing 12/1/2025	Ordinance Committee discussion	Ordinance Committee recommend	Second Read	Public Hearing	Council Approval & Adoption

Motion: Waive the reading, refer ZA-26-01 to the Ordinance Committee and warn for a public hearing before the City Council on January 12, 2026.

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Office of City Planning,
Planning Commission

Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all

In the Year Two Thousand Twenty-Five

An Ordinance in Relation to

stages of passage:

CDO—Technical Amendments and Minor Revisions
ZA-26-01

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

1 That Appendix A, Comprehensive Development Ordinance of the Code of Ordinances of the City of Burlington be and
2 hereby is amended by: amending Sec. 3.1.2 (c) Exemptions, Table 3.5.2-1 Zoning Districts, Sec. 3.5.3 (c),
3 Exemptions; Corrects a footnote referenced in Table 4.4.2-1 Dimensional Standards and Density; Amends Sec. 4.4.2
4 (d) 3. B. Senior Housing; Deletes and reserves footnote 8 in Table 4.4.5-1, Lot Size, Frontage, Setback, and Lot
5 Coverage Standards in Residential Districts; Corrects reference in Sec. 4.4.5. (d) 2. B.; Corrects and clarifies Sec.
6 4.4.5. (d) 4. D.; Amends Table 4.4.5-6 Housing for Older Persons and Individuals with Disabilities Bonus and Table
7 4.4.5-7 Maximum Intensity, Lot Coverage and Building Heights with Bonuses; Amends Table 4.5.6-2 Frontage and
8 Activation Standards and Sec. 4.5.5 (c) 2. C. Ground Floor Entries; Amends Sec. 5.3.5 (a), Changes and Modifications,
9 to remove reference to Sec. 5.2.3 (b) 10; Corrects reference made to Sec. 5.2.6 (d) under Sec. 6.2.2 (m); Amends Sec.
10 7.1.1 Authority and Intent and Sec. 7.1.3 (h) Historic Marker; Removes reference to Adaptive Reuse under Sec. 9.1.5
11 (b); Aligns table in Sec. 9.1.12 Additional Density and Other Development Allowances to reflect base allowances
12 amended under ZA-25-02; Amends Sec. 9.2.10 (c); Corrects a reference to Table 11.1.5-2 in Article 11; Amends
13 reference to and the Footnotes 1 and 2 in Table 11.1.5-2 Residential District Planned Unit Development Setback
14 Standards; modifies Article 13 by deleting definitions for "Elderly Housing", "Housing, Senior", and "Senior
15 Housing", moves the definition for "Building" from Article 13, amends the definition for Planned Unit Development,
16 and amends the definition of "Building" in Section 14.8, Glossary, thereof to read as follows:

Article 3: APPLICATIONS, PERMITS, AND PROJECT REVIEWS

PART 1: GENERAL PROVISIONS AND ZONING PERMITS

3.1.2 Zoning Permit Required

23 Except for that development which is exempt from a permit requirement under Sec. 3.1.2(c) below, no development
 24 may be commenced within the city without a zoning permit issued by the administrative officer including but not
 25 limited to the following types of exterior and interior work:

26 (a - b) *As Written*

27 (c) **Exemptions**

28 The following shall be exempt from the requirements of this Ordinance and shall not be required to obtain a zoning
 29 permit:

30 1. – 10. *As Written*

31 11. All ~~structures~~Buildings, as defined in Article 13, of 24 square feet or less and no taller than 15 feet, as long as
 32 they are located in compliance with applicable setbacks. This exemption is limited to 1 such structure, or
 33 multiple structures in aggregate up to 24 square feet, per property. This exemption does not apply to properties
 34 located within the Special Flood Hazard Area.

35 12. – 21. *As Written*

36 (d) *As written*

37 ***

38 **Article 3: APPLICATIONS, PERMITS, AND PROJECT REVIEWS**

39 ***

40 **PART 5: CONDITIONAL USE AND MAJOR IMPACT REVIEW**

41 ***

42 **Sec. 3.5.2 Applicability**

43 (a) **Conditional Use Review** – *As Written*

44 (b) **Major Impact Review**

45 Major Impact Review shall be required for the approval of all development involving any one or more of the
 46 following:
 47

Table 3.5.2-1 Zoning Districts					
	Downtown Mixed Use and Form Districts	Neighborhood Mixed Use, Institutional, Enterprise, Residential Corridor	Residential- Medium DensityIntensity, Residential – High DensityIntensity	Residential- Low DensityIntensity	RCO-A, RCO-C, RCO-RG, UR
Dwelling Units	Creation of fifty (50) or more dwelling units	Creation of twenty-five (25) or more dwelling units	Creation of ten (10) or more dwelling units	Creation of five (5) or more dwelling units	NA
Land Subdivision	NA	NA	Creation of ten (10) or more lots;	Creation of five (5) or more lots	NA
Non-residential or Mixed Use Development	A development footprint ¹ of fifty thousand (50,000) sf or more, or the creation of one hundred thousand (100,000) sf or more of gross floor area.	A development footprint ¹ of twenty thousand (20,000) sf or more, or the creation of forty thousand (40,000) sf or more of gross floor area.	A development footprint ¹ of eight thousand (8,000) sf or more, or the creation of fifteen thousand (15,000) sf or more of gross floor area.	A development footprint ¹ of five thousand (5,000) sf or more, or the creation of ten thousand (10,000) sf or more of gross floor area.	Creation of five thousand (5,000) sf or more of gross floor area ²

¹ Development Footprint: total area of impervious coverage – buildings and parking.

² Farm structures are exempt per 10 VSA 6001.

48 In addition, Major Impact Review shall also be required for multiple projects undertaken by the same applicant or
 49 responsible party within any consecutive twelve (12) month period on the same or adjacent property that in the
 50 aggregate equal or exceed the above criteria.

51 **Sec. 3.5.3 Exemptions**

52 Major Impact Review shall not be required for applications involving one or more of the following:

- 53 (a) Temporary structures that do not otherwise involve a conditional use;
- 54 (b) Rehabilitation that does not expand the floor area of an existing building or the structural capacity of existing
 55 development;
- 56 (c) Projects that do not result in a change of use ~~or increased parking demand~~;
- 57 (d) Subsurface site improvements including but not limited to underground utility lines and subsurface drainage
 58 ways; and,
- 59 (e) Projects where the scope and authority of municipal regulation is limited by statute pursuant to 24 VSA 4413.

60 ***

61 **Article 4: ZONING MAPS AND DISTRICTS**

62 ***

63 **PART 4: BASE ZONING DISTRICT REGULATIONS**

64 ***
 65

66 **Sec. 4.4.2 Neighborhood Mixed Use Districts**

67 (a) Purpose – *As Written*

68 (b) Dimensional Standards and Density:

69 The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from
 70 property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.2 -1 Dimensional Standards and Density						
Districts	Max. Intensity (floor area ratio ¹)	Max. Lot Coverage	Minimum Building Setbacks (feet)			Building Height (feet)
			Front ³	Side	Rear	
NAC	2.0 FAR	80% ⁴	0	0 ²	0 ²	Min: 22', 2 stories Max: 35
NMU	2.0 FAR	80%	0 ⁵	0 ²	0 ²	Min: 22', 2 stories Max: 35
NAC-Riverside	2.0 FAR	80%	0	0 ²	0 ²	Min: 22', 2 stories Max: 35
NAC-CR	2.0 FAR	60%	Min. 0 ⁷ Max. 20 ⁷	10 ⁶	20 ⁶	Min: 22', 2 stories Max: 65'

1 – 2. *As Written*
 3. Structures shall be setback a minimum of 12-feet from the curb on a public street.
 4. Exceptions to maximum lot coverage are provided in (d)2.
 5. Notwithstanding footnote-4_3, the NMU district at the intersection of Pine St. and Flynn Avenue shall have a minimum front yard setback of 10 feet.
 6 – 7. *As Written*

71 (c) Permitted and Conditional Uses – *As Written*

72 (d) District Specific Regulations

73 1. – 2. *As Written*

74 3. *Development Bonuses/Additional Allowances*

75 A. *Inclusionary Housing – As Written*

76 B. **Senior Housing Housing for Older Persons and Individuals with Disabilities**

77 A maximum of an additional 10-feet of building height, and corresponding FAR, may be permitted at the
 78 discretion of the DRB in the NAC and NAC-Riverside districts where no less than twenty-five per cent
 79 (25%) of the total number of onsite units are reserved for projects including exclusively housing for Older
 80 Persons (as defined by the federal Fair Housing Act), housing for Individuals with Disabilities (as defined by
 81 the federal Americans with Disabilities Act), or a mixture exclusively thereof low-moderate income senior
 82 households as defined by state or federal guidelines, including no less than ten percent (10%) reserved for
 83 low income households. The total gross floor area dedicated to the senior housing housing for older persons
 84 and individuals with disabilities shall be equivalent to the gross floor area resulting from the additional
 85 allowance. Increased lot coverage allowance for senior housingsuch projects in these districts shall be the
 86 same as for inclusionary housing (see Sec. 9.1.12)

87 C. **Maximum Bonus:** --*As written*

90 **Sec. 4.4.5 Residential Districts**

91 (a) **Purpose** – *As Written*

92 (b) **Dimensional Standards**

93 The intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property
 94 boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.5-1 Lot Size, Frontage, Setback, and Lot Coverage Standards in Residential Districts					
District	Min. Lot Frontage ^{2,3,4,5} (linear feet)	Setbacks ^{1,6,7,8,9}			Lot Coverage ^{1,2} 10
		Front	Side	Rear	
Residential Low (RL)	30'	Min: Avg. of front setback 2 adjacent lots on both sides +/- 5 feet Max required: 25 ft	Min: 10% of lot width or avg. of side setback of 2 adjacent lots on both sides Max required: 20 ft	20 ft.	45%
Residential Medium (RM)				15 ft.	55%
Residential High (RH)	N/A	80%			
Residential Corridor (RC)	N/A	Min required: 5 ft Max permitted: 20 ft			80%

1 – 7: *As Written*
 8. ~~Reserved For properties in the RL and RM zones with frontage along Lake Champlain or the Winooski River, the front yard setback shall not be required to exceed 50 feet.~~

9. *As Written* - An additional ten per cent (10%) lot coverage may be permitted for accessory residential features per (d) 2C below.

95 **Table 4.4.5-2 Principal & Secondary Structures Massing and Placement Standards in Residential Districts**
96 *As written*

97 **(c) Permitted and Conditional Uses – *As written***

98 **(d) District Specific Regulations**

99 The following regulations are district-specific exceptions, bonuses, and standards unique to the residential districts.
100 They are in addition to, or may modify, city-wide standards as provided in Article 5 of this ordinance and district
101 standards as provided above.

102 **1. Additional Residential Development Permitted – *As written***

103 **2. Exceptions to Dimensional Standards**

104 **A. Encroachment into Side Setback for Residential Driveways – *As written***

105 **B. Encroachment into the Waterfront Setback**

106 The following exceptions to the required waterfront setback for Lake Champlain and the Winooski River
107 established under ~~Sec. 4.5.4: Article 4, Table 4.4.5-1, footnotes 7 and 8.~~

108 (i) and (ii) *As written*

109 **C. - D. *As written***

110 **3. Exception for Neighborhood Commercial Uses – *As written***

111 **4. Miscellaneous Standards**

112 **A. – C. *As written***

113 **D. Additional Unit on lot or within Owner-Occupied Single Detached Dwelling**

114 Where an existing Principal Structure in any Residential Zoning District contains only an owner-occupied
115 Single Detached Dwelling, and an applicant proposes to add a single additional dwelling unit within the
116 Principal Structure or within a detached Secondary Structure on the same lot as the owner-occupied home,
117 the application shall be subject to administrative review and approval according to Sec.3.2.7 (a) 13, and
118 exempt from paying impact fees, according to Sec. 3.3.13, ~~except where otherwise required.~~

119 **5. Residential Development Bonuses**

120 The following exceptions to maximum allowable residential standards in Tables 4.4.5-1 and 4.4.5-2 may be
121 approved in any combination subject to the maximum limits set forth in Table 4.4.5-6 at the discretion of the
122 DRB. Any bonuses that are given pursuant to this ordinance now or in the future shall be regarded as an
123 exception to the limits otherwise applicable.

124 **A. Housing for Older Persons and Individuals with Disabilities Bonus**

125 Residential development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by
126 the DRB for projects including exclusively housing for Older Persons (as defined by the federal Fair
127 Housing Act), housing for Individuals with Disabilities (as defined by the federal Americans with
128 Disabilities Act), or a mixture exclusively thereof provided the following conditions are met:

129 (i) – (iii) *As Written*

District	Maximum Lot Coverage	Maximum Development Intensity	Maximum Height
RL	55%	1.5 FAR	4 stories, 50 ft
RM	65%	1.75 FAR	
RH, RC	90%	2.0 FAR	5 stories, 62 ft.

B. Residential Conversion Bonus – As written

C. Limitations on Residential Development Bonuses:

For projects where the conditions of more than one applicable bonus listed above and under Sec. 5.4.8 (e) are met, and where any applicable development allowances per Article 9 are utilized, the applicant may use the most permissive exemption to the underlying lot coverage or residential intensities applicable.

In no case shall any development bonuses and allowances granted, either individually or in combination, enable a building to exceed the maximum development intensity, lot coverage, and building height permitted in any district as defined below:

Table 4.4.5-7: Maximum Intensity, Lot Coverage and Building Heights with Bonuses

District	Maximum FAR*	Maximum Height	Maximum Lot Coverage*
RL	1.5 FAR	50-feet	55%
RM	1.75 FAR	50-feet	65%
RH, RC	2.0 FAR	62-feet	90%

*- or 125% of the pre-application gross floor area or coverage of the qualifying principal building as may be applicable per Table 5.4.8-1 Historic Building Rehabilitation Bonus

(c) Effective Date – As Written

Article 4: ZONING MAPS AND DISTRICTS

PART 5: OVERLAY ZONING DISTRICT REGULATIONS

Sec. 4.5.6 South End Innovation District Overlay

(a) – (b) – As written

(c) District Specific Regulations

Table 4.5.6-1 SEID Dimensional Standards & Density As written

1. Dimensional Standards & Density – As Written

154

Table 4.5.6-2: Frontage and Activation Standards

Frontage Type	Min lot frontage occupied by buildings ^{1,2}	Percent of ground floor building frontage containing non-residential uses ¹	Ground floor level entries required
Primary	80% min	80% min	Every 60' min
Secondary	70% min	20% min or 500 sq. ft. whichever is greater	N/A

1. Measured linearly.
 2. A courtyard on a building façade adjacent to a street or Public Path, with minimum dimensions 12 feet minimum and 35 feet maximum, shall be counted in the calculation of frontage to satisfy this requirement.

155

2. Frontage and Ground Floor Activation Standards

156

A – B. – *As Written*

157

C. Ground ~~Floor-Level~~ Entries: At least one ground ~~level floor public~~ entry into a building or interior courtyard or open space, not including service doors, is required each 60' linear feet along a Primary frontage of each building façade fronting on a Street, Public Path or open space on the same lot.

158

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161

3. – 4. *As written*

162

163

Article 5: CITYWIDE GENERAL REGULATIONS

164

165

PART 3: NON-CONFORMITIES

166

167

Sec. 5.3.5 Nonconforming Structures

168

(a) Changes and Modifications

169

Nothing in this Part shall be deemed to prevent normal maintenance and repair or structural repair, or moving of a non-complying structure pursuant to any applicable provisions of this Ordinance.

170

171

Any change or modification to a nonconforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:

172

173

1. Such a change or modification may reduce the degree of nonconformity and shall not increase the nonconformity except as provided below.

174

175

Within the residential districts, and subject to Development Review Board approval, existing nonconforming single family homes and community centers (existing enclosed spaces only) that project into side and/or rear

176

177 yard setbacks may be vertically expanded so long as the expansion does not encroach further into the setback
178 than the existing structure. Such expansion shall be of the existing nonconformity (i.e. setback) and shall:

- 179 i) Be subject to conformance with all other dimensional requirements (i.e. height, lot coverage, density and
180 intensity of development);
- 181 ii) Not have an undue adverse impact on adjoining properties or any public interest that would be protected
182 by maintaining the existing setbacks; and,
- 183 iii) Be compatible with the character and scale of surrounding structures.

184 Existing accessory buildings of 15 feet in height or less shall not exceed 15 feet tall as expanded.

185 ~~Within all districts, and subject to the Development Review Board approval, structures for the purpose of~~
186 ~~creating an ADU may be constructed on lots with legally non-conforming lot coverage per Sec.5.2.3 (b) 10.~~

187 2. – 3. *As written*

188 (b) *As written*

190 **Article 6: DEVELOPMENT REVIEW STANDARDS**

194 **PART 2: SITE PLAN DESIGN STANDARDS**

196 ***Sec. 6.2.2 Review Standards***

197 (a) – (l) *As written*

198 **(m) Landscaping, Fences, and Retaining Walls**

199 Landscaping shall be used to beautify the development site and to provide specific functions and benefits to the
200 uses and buildings on the site. These include but are not limited to stormwater retention and erosion control, winter
201 windbreaks and summer shade, recreational and habitat corridors, buffers and screening of parking areas, and
202 creating privacy for and from adjacent property.

203
204 Existing trees shall be retained and incorporated into a landscape plan to the extent possible, and existing trees to
205 be retained shall be protected during construction in accordance with specifications provided by the city arborist.
206 Contiguous green space, both within the site and with adjacent properties, should be provided on a site whenever
207 possible and be designed to provide wildlife travel corridors and habitat preservation, as well as enabling
208 recreational access. If open space is intended to be publicly accessible, it shall be designed to maximize
209 accessibility for all individuals including the disabled, encourage social interaction, and facilitate ease of
210 maintenance. Along the street edge, landscaping shall be used to provide a visual buffer into parking areas from
211 the public street and reinforce the streetscape.

212
213 The selection of plant materials and planting sites should create a sustainable landscape, and consideration shall be
214 given to factors such as hardiness, salt tolerance, disease resistance, invasiveness, root and canopy spread,
215 underground and overhead utilities, soil conditions, and microclimates. The use of native plant materials is
216 encouraged, and the use of plants considered invasive by VT Agency of Agriculture shall be prohibited. For more
217 information on sustainable landscapes, applicants are encouraged to consult Planting Sustainable Landscapes: A
218 Guide for Plan Reviewers prepared for the Vermont Department of Forests Parks and Recreation by the Vermont
219 Chapter of the American Society of Landscape Architects.

220

New or replacement street trees shall be provided consistent with the city’s Street Tree Master Plan. All proposed street trees shall be selected and planted in accordance with specifications provided by the city arborist.

223

Fences may be placed within the required setback along a property line, but shall be setback sufficiently to provide for the maintenance of both sides of the fence without entering onto the adjacent property and shall present a finished side to the adjoining property and public street. Fences placed within a clear sight triangle shall adhere to the standards of Sec. 5.2.6 (ed). Styles, materials, and dimensions of the proposed fence shall be compatible with the context of the neighborhood and the use of the property.

229

Retaining walls greater than 5 feet tall shall incorporate textured surfaces, terracing, and/or vegetation to avoid long monotonous unarticulated expanses and to minimize adverse visual impacts to neighboring properties. As with fences, retaining wall styles, materials, and dimensions shall be compatible with the context of the neighborhood and use of the property.

234

(n) – (o) As written

236

237

Article 7: SIGNS

238

PART 1: GENERAL PROVISIONS

239

Sec. 7.1.1 Authority and Intent

240

These regulations are enacted under the provisions of 24 V.S.A. Section 4411 with the intent to ensure that all Signs and advertising features:

242

(a) – I. As written

Any sign or advertising feature not expressly permitted by this ordinance shall be prohibited.

244

245

Sec. 7.1.3 Exemptions

246

Repainting, refacing, repair, or change of lettering, logo, or colors using the same materials within an existing permitted Sign frame shall be exempt from the requirements of this Article and allowed without the requirement to obtain a new zoning permit.

249

The following types of Signs are permitted in all parts of the city, and shall also be exempt from the requirements of this Article and the necessity to obtain a permit:

250

(a) – (g) As written

(h) *Historic Marker*: A non-illuminated sign, either a Wall Sign sixteen square feet or less in size or a Freestanding Yard sign of 14 square feet or less and 12 feet tall or less, commemorating the historic significance of a building or site.

252

(i) – (j) As written

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Article 9: INCLUSIONARY AND REPLACEMENT HOUSING
PART 1: INCLUSIONARY ZONING

258

Sec. 9.1.5 Applicability

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This ordinance provision shall apply to any development of five or more residential units in a single structure. Multiple developments or projects by the same applicant or responsible party within any consecutive twelve (12) month period that in the aggregate equal or exceed the above criteria shall be subject to these regulations. Except as otherwise provided in this ordinance, these regulations shall apply in the instances specified below.

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264
265

(a) The creation of five (5) or more residential units through new construction and/or substantial rehabilitation of existing structures, including the development of housing units utilizing development provisions other than those specified in Sec 9.1.5 (b).

266
267

(b) Where units are created using the ~~Adaptive Reuse or~~ Residential Conversion criteria pursuant to the provisions of Art 4, Sec 4.4.5, this article shall be applicable when at least ten (10) or more dwelling units are created.

268

(c) – (d) *As written*

269

270

Sec. 9.1.12 Additional Density and Other Development Allowances

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272

All covered projects shall be entitled to increases in the development allowances of the underlying zoning district in accordance with the provisions of this section.

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(a) Any covered project shall be entitled by right to an increase in the maximum lot coverage density/intensity, and, where applicable, height allowed for the lot(s) on which the project is located when all required Inclusionary Units are constructed on the same lot, or lots subject to Article 11 Planned Development. Calculations for these entitlements shall be based on the following tables:

277

278

Table 9.1.12-1 Additional Density and Other Development Allowances

Zoning District	Maximum Units/Acre	Maximum FAR	FAR/Height	Maximum Lot Coverage
RH, RC	46	2.0 FAR	5 Stories, 62 ft. 12' height set back 10' along street facade ¹	92 <u>90</u> %
RM	25	1.75 FAR	n/a 4 Stories, 50 ft.	48 <u>65</u> %
RM-W	25		12' height set back 10' along street facade¹	72%
RL, RL-W	8.75	1.5 FAR	4 Stories, 50 ft. n/a	44 <u>55</u> %
FD6, FD5	n/a	0.5 FAR	0.5 FAR	100%
NMU, NAC, NAC-R	n/a	0.5 FAR	0.5 FAR+12' height set back 10' along street facade	92%
NAC-CR	n/a	0.5 FAR	0.5 FAR+12' height set back 10' along street facade	72%
E-LM-SEID	n/a	0.25 FAR	0.25 FAR	n/a

¹ In the ~~RH and RM-W Neighborhood Mixed Use-residential~~ zones an additional 12 feet of building height shall be allowed by right only for an additional 5% of inclusionary housing units provided in excess of the minimum requirements of Sec. 9.1.8.

279 (b) – (d) *As written*

280 ***

281 **Article 9: INCLUSIONARY AND REPLACEMENT HOUSING**

282 ***

283 **PART 2: HOUSING PRESERVATION AND REPLACEMENT/DEMOLITION AND CONVERSION**

284 ***

285 **Sec. 9.2.10 Exemptions**

286 This article shall not be applicable to:

287 (a) – (b) *As written*

288 (c) The demolition, loss, or conversion to a nonresidential use of a single attached or detached housing unit or
 289 duplex that is occupied by the owner as his or her primary residence for the twelve-(12) month period
 290 preceding the date of application for ~~conditional-use~~ approval. Nor shall this section be applicable in its
 291 replacement requirement to that portion of a multi-unit building of three (3) units or more that is occupied by
 292 the owner as his or her primary residence for the thirty-six-(36) month period preceding the date of application
 293 for ~~conditional-use~~ approval. Any exemption allowed under this provision shall be void if the owner sells any
 294 of the applicable units within twenty-four (24) months of the date of ~~conditional-use~~ approval; and,

295 (d) *As written*

296 ***

298 **Article 11: PLANNED DEVELOPMENT**

299 **Part 1: PLANNED UNIT DEVELOPMENT**

300 ***

301 **Sec. 11.1.5 Residential District Planned Unit Developments.**

302 **(a) Dimensional Standards**

303 Unless otherwise stated, Planned Unit Development standards are required to follow the underlying district
304 dimensional standards.

- 305 1. A Planned Unit Development with Project Size of less than 0.5 acres and consisting of a Pocket Neighborhood or
- 306 Rowhouse project, shall be allowed, subject to underlying standards in Sec. 4.4.5(d)1.
- 307 2. A Planned Unit Development with Project Size of 0.5 acres or more shall be allowed, subject to the standards
- 308 established below in Table 11.1.5 -1 and Table 11.1.5-2.

309 **Table 11.1.5-1 Residential District Planned Unit Development Intensity Standards – As written**

310 The Development Review Board may exempt Planned Unit Developments existing as of January 1, 2024 from any standard in
311 Table 11.1.35-2.

312 **Table 11.1.5-2 Residential District Planned Unit Development Setback Standards**

District	Setback				Front Internal ROW ³	Rowhouse Party Wall Boundary (Lot or Building)
	Project Periphery			Side		
	Rear ¹	Front ²				
RL	20 ft.	Avg. of front setback 2 adjacent lots on both sides +/- 5 feet	Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less	0' Min 20' Max	0 ft.	
RM	15 ft.					Max Required: 20'
RH		Min Required: 5' Max Required: 20'				
RC						

- 316 1. Buildings with a footprint greater than 5,000 sq. ft. must be set back at least 50 feet from any adjacent Lot not within the PUD
- 317 and located in an RL or RM district. However, this footnote shall not apply to the Residential - Special Uses specified in
- 318 footnote 6 of Table 4.4.5-2.
- 319 2. Buildings fully contained in the RL and RM districts with a footprint greater than 5,000 sq. ft. must have a front project
- 320 periphery setback of at least 50 feet. This footnote does not apply to any building that partially occupies any portion of a lot
- 321 zoned RC, nor does it apply to Residential – Special Uses specified in footnote 6 of Table 4.4.5-2.
- 322 3. Front setbacks shall be measured from the edge of the Right-of-Way that is fully internal to the project, to which the building
- 323 draws its frontage. Buildings must be at least 10' from the curb or edge of a public Right-of-Way if no curb exists, except
- 324 where the ROW is a Public Path, in which case the building must be at least 5' from the edge of the Public Path.

325 ***

326 **Article 13: DEFINITIONS**

327 ***

328 **Sec. 13.1.2 Definitions.**

329 For the purpose of this ordinance certain terms and words are herein defined as follows:

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Unless defined to the contrary in Section 4303 of the Vermont Planning and Development Act as amended, or defined otherwise in this section, definitions contained in the building code of the City of Burlington, Sections 8-2 and 13-1 of the Code of Ordinances, as amended, incorporating the currently adopted edition of the American Insurance Association's "National Building Code" and the National Fire Protection Association's "National Fire Code" shall prevail.

Additional definitions specifically pertaining to Art. 14 planBTV: Downtown Code can be found in Sec. 14.8, and shall take precedence without limitation over any duplicative or conflicting definitions of this Article.

Building: Not synonymous with Structure; man-made construction completely enclosed by a roof, window, doors and solid exterior walls, and designed, built, or occupied as a shelter of enclosure for persons, animals, or property.

~~**Elderly Housing:** See Housing, Senior.~~

~~**Housing, Senior:** Housing that is designed for, and is occupied primarily by, those persons fifty-five (55) years of age or older.~~

~~**Planned Unit Development:** A development plan for one or more lots, tracts, or parcels to be developed as a single, integrated entity. See Article 11 for specific provisions. One or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose any authorized combination of density or intensity transfers or increases, as well as the mixing of land uses. This plan, as authorized, may deviate from bylaw requirements that are otherwise applicable to the area in which it is located with respect to lot size, bulk, or type of dwelling or building, use, density, intensity, lot coverage, parking, required common open space, or other standards, pursuant to the authority and limitations set forth in the comprehensive master plan and 24 V.S.A. §4417 as amended.~~

~~**Senior Housing:** See Housing, Senior~~

Article 14 PlanBTV Downtown Code

Section 14.8: Glossary

This Section provides definitions for certain terms found in this Article 14. Additional definitions are to be found in Article 13 of the BCDO.

The following terms, as used in this Article 14, shall have the following meanings:

~~**Building:** not synonymous with Structure; man-made construction completely enclosed by a roof, window, doors and solid exterior walls, and designed, built, or occupied as a shelter of enclosure for persons, animals, or property. See definition for "Building" in Article 13.~~

* Material stricken out deleted.

** Material underlined added.

373 Planning/KS/ Ordinances 2026/ZA-26-01 Technical Corrections and Minor Revisions
374 CDO Sections 3.1.2(c); Table 3.5.2-1; Sec 3.5.3(c); Table 4.4.2-1, Sec. 4.4.2 (d) 3 B; Table 4.4.5-1; Sec. 4.4.5(d) 2 B; Sec 4.4.5 (d) 4 D; Table
375 4.4.5-6; 4.4.5-7; Table 4.5.6-2; Sec 4.5.6 (c)2 C; Sec 5.3.5(a); Sec 6.2.2 (m); Sec 7.1.1; Sec 7.1.3; Sec 9.1.5; Table Sec 9.1.12; Sec 9.2.10 (c);
376 Table 11.1.5-2; Article 13; and Sec. 14.8.
377 CCOC 12/16/25

Resolution Relating to

**CONSUMER CHOICE AND DISCLOSURE FOR FUEL
PURCHASES MADE WITH DEBIT CARDS**

RESOLUTION 6.3

Sponsor(s): Councilors Litwin, Singh, Traverse

Introduced: 09/08/25

Referred to: _____

Action: adopted; amended version

Date: 09/08/25

Signed by Mayor: 09/09/25

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, consumer protection regulations in the State of Vermont emphasize transparency in
2 commercial transactions to ensure that consumers have access to clear and accurate information regarding the
3 terms of their purchases; and

4 WHEREAS, many fueling stations implement a policy of holding funds beyond the actual purchase
5 price of fuel when customers use debit cards, which may temporarily limit access to funds for consumers and
6 cause financial inconvenience; and

7 WHEREAS, consumers may remain unaware of these holds and their potential impact on available
8 account balances, which may lead to unintended overdraft fees, declined transactions, or other financial
9 hardships; and

10 WHEREAS, requiring fueling stations to post clear and permanent signage disclosing their debit card
11 hold policies will enhance transparency, empower consumers to make informed decisions, and align with
12 Burlington’s commitment to consumer protection and fair business practices;

13 NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Burlington respectfully
14 requests the Ordinance Committee and City Attorney review whether or not to update our relevant ordinances
15 as follows:

- 16 1. All fueling stations operating within the City of Burlington that have debit card fund hold policies are
17 hereby required to post clear, conspicuous, and permanent signage on each individual fuel pump
18 disclosing the following information:
 - 19 a. The exact amount or possible maximum that may be held;
 - 20 b. The maximum duration for which such funds may be held;
 - 21 c. An option to go inside and prepay with PIN to avoid such holds if that is an option available to
22 the consumer;
- 23 2. Fueling stations may include additional language on their signage referring customers to their
24 individual banking institutions for further questions regarding specific bank policies;

* * * * *

DISTRIBUTION:

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

ORIGINAL

RESOLUTION RELATING TO

.....
.....
.....

Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

Vol. Page

* * * * *

- 25 3. The City of Burlington shall empower the Department of Permitting and Inspections to respond to
26 consumer complaints if a fueling station does not comply with this policy and may establish and
27 enforce a reasonable fine and any inspection or administrative fees;
- 28 4. The City of Burlington shall empower the Department of Permitting and Inspections to revoke the
29 operator’s permit to operate and order the closure of a lot that fails to come into compliance repeatedly,
30 which will not be lifted until they demonstrate full compliance to the satisfaction of the Department of
31 Permitting and Inspections; and
- 32 5. Provide for a period of 90 days after the effective date of the ordinance for fueling stations to come
33 into compliance and further allow for a one-time courtesy warning to come into compliance for an
34 additional 60 days.

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EL/Resolutions 2025/Consumer Choice and Disclosure for Fuel Purchases Made with Debit Cards
9/4/25

* * * * *

ORIGINAL

DISTRIBUTION:

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

RESOLUTION RELATING TO

Consumer Choice And Disclosure For Fuel Purchases Made With Debit Cards

.....

.....

Adopted by the City Council

September 8, 2025

[Signature] Clerk

Approved Sept 9, 2025

[Signature] Mayor

Attest:

Vol. Page

* * * * *

Resolution Relating to

**CONSUMER CHOICE AND DISCLOSURE OF PARKING
TERMS & RATES IN PRIVATELY OWNED LOTS**

RESOLUTION 6.4

Sponsor(s): Councilors Litwin, Singh, Traverse

Introduced: 09/08/25

Referred to: _____

Action: adopted; amended version

Date: 09/08/25

Signed by Mayor: 09/09/25

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, the Burlington City Council strives to uphold best practices in consumer choice and
- 2 disclosure in all aspects of commerce operating in the City of Burlington; and
- 3 WHEREAS, privately-operated parking lots have grown in recent years in the City of Burlington and
- 4 do not match City of Burlington parking rates; and
- 5 WHEREAS, the City of Burlington and City Council have received feedback from members of the
- 6 public and visitors of Burlington that differences between privately-operated parking lots and publicly-
- 7 operated parking lots are not clear to the [driving] consumer; and
- 8 WHEREAS, privately-owned parking lot operators may not be honoring Vermont’s free public
- 9 parking for those displaying handicapped parking permits; and
- 10 WHEREAS, hourly parking rates are not clearly and conspicuously posted on visible signage to the
- 11 driving public and consumers often do not see the rate until they have already parked and are standing at the
- 12 payment kiosk;
- 13 NOW, THEREFORE, BE IT RESOLVED that the Burlington City Council respectfully requests the
- 14 Ordinance Committee and City Attorney’s Office to review new ordinance language that accomplishes the
- 15 following and to draft any appropriate language to address the issues raised in Committee deliberations:
- 16 1. Requires privately-owned parking lot operators to include the words “privately-owned” to appear
- 17 on signage visible from the roadway;
- 18 2. Requires privately-owned parking lot operators to clearly and visibly disclose parking rates at the
- 19 roadway in a manner that would inform the consumer prior to entering and parking;
- 20 3. Requires privately-owned parking lot operators using dynamic or changing pricing models to
- 21 clearly and visibly disclose that and the maximum possible rate the consumer could pay at the
- 22 roadway in a manner that would inform the consumer prior to entering and parking;
- 23 4. Requires privately-owned parking lot operators to post clear and conspicuous signage that if they
- 24 intend to charge customers displaying handicapped parking permits to park that they must inform
- 25 drivers that they may park for free on the street or in City-owned lots; and

* * * * *

DISTRIBUTION:

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

.....
.....
.....

ORIGINAL

RESOLUTION RELATING TO

Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

Vol. Page

* * * * *

- 26 5. Provide for a period of 90 days after the effective date of the ordinance for privately-owned
27 parking lot operators to come into compliance and further allow for a one-time courtesy warning to
28 come into compliance for an additional 60 days.

29

30

31

32

*EL/Resolutions 2025/Consumer Choice and Disclosure of Parking Terms & Rates in Privately Owned Lots
9/4/25*

* * * * *

ORIGINAL

DISTRIBUTION:

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

RESOLUTION RELATING TO

Consumer Choice And Disclosure Of Parking Terms & Rates In Privately Owned Lots

.....

.....

Adopted by the City Council

September 8 25

Brady Kelly Clerk

Approved..... Sept 9 20 25

Quincy Mayor

Vol. Page

* * * * *

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.)

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

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.

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)		
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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.

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.)

**Candidates for ~~Vermont Statewide~~ Burlington City Council ...
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~~5~~.

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).

Commented [KSI]: \$5,000 or more? %?

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)		
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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.

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

From: Jonathan Chapple-Sokol

Date: November 8, 2025

Re: Sources of Revenue Not Considered in State Financial Disclosure Form

Per the conversation at yesterday's Ordinance Committee meeting, here are the sources I came up with that seem to me to be sensible to include in a disclosure policy. I would not call the list comprehensive, and I don't know if these items can even be legally asked for, but the list should give the general idea.

A stronger definition of personal income, that includes all resources for living: Wages, Investments, Services, Support (and their sources, so that if I, for example, provided a service or gift to a candidate, then my sources of income should be reported), if they exceed a cash value threshold, including:

- Gifts, monetary and other (cash equivalent)
- Tuition, housing, living expenses provided by family member (or anyone, and including grant/fellowships)
- Other housing support
- Services freely provided (child care, house maintenance/cleaning,...)
- Alimony/Child Support
- Gifted trips

**Candidates for Burlington City Council ...
Financial Disclosure Form for 202_**

Who must file: 17 V.S.A. § 2414(a) requires that each candidate for Burlington City Council Statewide office and each candidate for ? complete and file this financial disclosure form.

Commented [KS1]: Will need to change

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 20235.

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).

Commented [KS2]: \$5,000 or more? %?

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)		
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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.