

Can you help us draft an article for the town warning to ask the voters to... ?

This is probably the most common inquiry received by the VLCT Municipal Law Center at this time of the year. Although the subject of the troublesome article varies with each caller, the feeling is the same – *it's not easy writing a clear, concise and accurate question!* This year, we thought it might be helpful if we offered some sample articles about specific topics in advance. Here goes!

➤ **Town Budget**

Shall the voters authorize a total general fund expenditure for operating expenses of \$_____, of which \$_____ shall be raised by taxes, \$_____ by non-tax revenues, and \$_____ by prior year surplus?

➤ **Use of Surplus Reserve Funds**

Shall the voters authorize the use of the balance of the Landfill Closure Fund, in the amount of \$_____, as a Capital Reserve Fund for the purchase of highway equipment?

➤ **Special Appropriations (social service organizations, etc.)**

Unless petitioned by the voters, the selectboard has the option of wording these appropriation requests either as separate and distinct articles, or lumped together. For example:

Example 1

Article 7. Shall the voters appropriate \$500.00 to be raised by taxes in support of The Center for Disabled Race Horses?

Article 8. Shall the voters appropriate \$7,500.00 to be raised by taxes in support of Homes for the Disenfranchised?

or

Example 2

Article 7. Shall the voters appropriate \$8,000.00 to be raised by taxes to the following organizations as shown:

The Center for Disabled Race Horses.....\$ 500.00

Homes for the Disenfranchised.....\$7,500.00

➤ **Elimination of the Office of Auditor**

Shall the voters authorize the elimination of the Office of Town Auditor, with future audits to be provided by a certified public accountant, and all other auditor duties performed by others as directed by the selectboard? (NOTE: Requires paper ballot.) 17 V.S.A. § 2651b.

➤ **Restricting Constable's Law Enforcement Authority**

Shall the voters prohibit the town constable (first and second) from exercising any law enforcement authority without having first successfully completed a course of training under 20 V.S.A. Chapter 151? 24 V.S.A. § 1936a.

➤ **Replacing Elected Constables with Appointed Constables**

Shall the voters authorize the selectboard to appoint a first constable, and if needed a second constable? (NOTE: This question must be voted by Australian ballot.) 17 V.S.A. § 2651a.

➤ **Tax Installment Payments**

Shall the voters authorize payment of real and personal property taxes to the Town Treasurer in two installments, with the due dates being August 15 and November 15?

➤ **Interest on Overdue Taxes with Each Installment**

Shall the voters authorize collection of interest on overdue taxes from the due date of each installment in the amount of 1% per month or fraction thereof for the first three months and thereafter 1 ½% per month or fraction thereof? 32 V.S.A. § 4873.

➤ **Setting the Town Clerk's Compensation** (32 V.S.A. § 1224)

Note: Municipal clerks are compensated for their services through specified statutory fees. However, the voters do have the authority to change the way the clerk is paid by establishing a specific annual salary - either in addition to, or in lieu of, the statutory fees allowed. Many towns have done this. Here's how the question should be asked:

Salary in Lieu of Fees

*Shall the town compensate the town clerk by paying an annual salary of \$_____ **in lieu of** any statutory fees allowed under 32 V.S.A. § 1401?*

or

Salary in Addition to Fees

*Shall the town compensate the town clerk by paying an annual salary of \$_____ **in addition to** any statutory fees allowed under 32 V.S.A. § 1401?*

➤ **Adopting or Amending Zoning Bylaws in a Rural Town**

Shall the voters adopt the zoning bylaws approved by the Town of _____ selectboard on January 00, 2000? (NOTE: This question must be voted by Australian ballot.) 24 V.S.A. § 4404.

➤ **Specific Capital Asset Purchase** (24 V.S.A. §1786a)

Shall the voters authorize the selectboard to borrow, through debt instruments other than bonds, not more than \$_____ for a term not to exceed five (5) years for the purchase of a two-ton dump truck? (NOTE: If the term of the loan will exceed five years, a bond vote by Australian ballot is required.)