

## CHART OF INCOMPATIBLE OFFICES

Can a Person Hold Both of These Offices?	Auditor	Selectperson	Town Manager <sup>5</sup>	Town Treasurer	Assistant Treasurer	Election Official & Candidate (Australian Ballot)	Election Official & Candidate (Not Australian Ballot)	Municipal Library Trustee
<b>Auditor</b>	—	No <sup>2</sup>	No <sup>2</sup>	No <sup>2</sup>	No	No, If Opposed	No	No <sup>2</sup>
<b>Selectperson</b>	No <sup>2</sup>	—	No	No	No	No	No	Yes
<b>School Director</b>	No <sup>2</sup>	Yes	No	No	No	No, If Opposed	No	Yes
<b>Town Manager</b>	No <sup>2</sup>	No	—	No	Yes	No	No	No
<b>Town Treasurer</b>	No <sup>2</sup>	No	No	—	N/A	No, If Opposed	No	No
<b>Assistant Treasurer</b>	No	No	Yes	N/A	--	N/A	N/A	No
<b>Town Clerk</b>	No <sup>2</sup>	Yes	No	Yes	Yes	Yes	No	Yes
<b>Assistant Clerk</b>	No	Yes	Yes	Depends <sup>1</sup>	Yes	N/A	N/A	Yes
<b>Town Agent</b>	Yes	No	No	Yes	Yes	No, If Opposed	No	Yes
<b>First Constable</b>	No <sup>2</sup>	No	No	Yes	Yes	Yes	No	Yes
<b>Road Commissioner</b>	No <sup>2</sup>	Yes	N/A <sup>4</sup>	Yes	Yes	No, If Opposed	No	Yes
<b>Cemetery Commissioner</b>	No <sup>2</sup>	Yes	No	No	No	No, If Opposed	No	Yes
<b>Trustee of Public Funds</b>	No <sup>2</sup>	Yes	No	Yes	Yes	No, If Opposed	No	Yes
<b>Lister</b>	Yes	No	No	Yes	Yes	No, If Opposed	No	Yes
<b>Assessor</b>	Yes	No	No	Yes	Yes	Yes	Yes	Yes
<b>Collector of Current Taxes</b>	No <sup>2</sup>	No	Yes <sup>6</sup>	Yes	Yes	Yes	Yes	Yes
<b>Delinquent Tax Collector</b>	No <sup>2</sup>	No	Yes <sup>6</sup>	Yes	Yes	No, If Opposed	No	Yes
<b>Justice of the Peace</b>	Yes	Yes	No	Yes	Yes	Yes	No	Yes

- 1 If the record of orders drawn by the selectboard is made by an assistant clerk, the assistant clerk shall not be the town treasurer, or the spouse or assistant of the treasurer. 24 V.S.A. § 1622.
- 2 An auditor shall not be the spouse of, or assistant to, any of the following officers: town clerk, town treasurer, selectperson, trustee of public funds, town manager, water commissioner, sewer system commissioner, sewer disposal commissioner, cemetery commissioner, first constable, road commissioner, collector of current or delinquent taxes, or town district school director. 17 V.S.A. § 2647.
- 3 No person shall serve as an election official in any election in which their name appears on a ballot of the Australian ballot system as a candidate for any office unless they are the only candidate for that office, or unless the office for which they are a candidate is that of moderator, justice of the peace, town clerk, treasurer, ward clerk, or inspector of elections. When an Australian ballot is not used, a person shall not serve as an election official during the election to fill any office for which they are a nominee. 17 V.S.A. § 2456.
- 4 In the town manager form of government, the town manager performs all duties conferred by law upon the town road commissioner, so this position no longer exists once the manager form of government is adopted. 12 V.S.A. § 1236(5).
- 5 A town manager cannot hold any elective office in town. 17 V.S.A. § 2647(a)(4).
- 6 While the governing statute includes that a manager cannot hold another elected office, the voters can authorize the town manager to collect all taxes due the town. 24 V.S.A. § 1236(10).