

A “special” town meeting is a meeting of a town held on some day other than its annual meeting and which can be initiated upon the application of five percent of the voters or by the selectboard when it deems it necessary. 17 V.S.A. § 2643(a).

STEP 1: DETERMINE WHETHER TO CALL A SPECIAL TOWN MEETING

- Selectboard may call a special town meeting whenever it deems necessary; and
- Selectboard must call a special town meeting upon the valid petition of 5% of the registered voters if the subject of the petition is one over which the voters have been given authority by Vermont State law.

A selectboard is legally required to present a petitioned article on a town meeting warning only if the article “set[s] forth a clear right which is within the province of the town meeting to grant or refuse through its vote.” *Clift v. City of South Burlington*, 2007 VT 3, ¶16. In other words, the petition must address an issue over which the Vermont Legislature has specifically granted authority to the voters. Some examples of voters’ authority to petition for a special town meeting include overriding ordinances approved by the selectboard (24 V.S.A. § 1973), filling vacancies in elective offices (24 V.S.A. § 962), and approving the conveyance of town real estate (24 V.S.A. § 1061(a)(2)). *Call VLCT Municipal Assistance Center or Town Attorney to determine if a petition is one that must acted upon.*

STEP 2: DETERMINE IF THE VOTE REQUIRES AUSTRALIAN BALLOTING

- Depending on the reason for the special town meeting, voting by Australian ballot may be required, even for a town that has not previously adopted this type of voting. Some votes by Australian ballot also require a public information meeting preceding the vote, pursuant to 17 V.S.A. § 2680(g).

STEP 3: SCHEDULE THE MEETING

- **Meeting to rescind or reconsider:** If the meeting is being called because there has been a voter-backed petition to rescind or reconsider an article previously voted upon, the special meeting to reconsider must occur within 60 days of the submission of the petition.
- **Meeting for other purpose:** If the meeting is being called for a purpose other than reconsideration, the Selectboard has 60 days from the date of receipt of a petition to warn the date on which the meeting will be held. The meeting must be held not less than 30 nor more than 40 days from the date it is warned.
- **Canceling the meeting:**
 - Selectboard may cancel a special town meeting called by them.
 - Selectboard may not cancel a special meeting that has been called upon petition of 5% of the voters unless a voter who withdraws his/her name from the petition prior to the warning being signed by a majority of the Selectboard drops the % of voters below 5%.

STEP 4: DRAFT THE WARNING FOR THE MEETING

- The warning must include all of the following information:
 - Date and time of the meeting;

- Location of polling place or places;
 - Nature of the meeting or election; and
 - By separate articles, specifically indicate the business to be transacted, including the offices to be elected and the questions to be voted upon. *See VLCT’s Model Town Meeting Articles (<https://www.vlct.org/municipal-assistance/municipal-topics/town-meeting>) or contact the VLCT Municipal Assistance Center for assistance.*
- The original warning must be:
 - Signed by a majority of the selectboard (*or by the town clerk if all selectboard positions are vacant*); and
 - Filed with the clerk and recorded before being posted.

STEP 5: DRAFT OR OBTAIN THE REQUIRED “NOTICE AND INSTRUCTIONS FOR VOTERS”

- The posted notice that accompanies the warning shall include all of the following:
 - Information on voter registration;
 - Information on early or absentee voting; and
 - Other appropriate information.
- The VT Secretary of State’s Office has sample notices on their website: <https://www.sec.state.vt.us/elections/town-meeting-local-elections/town-meeting-warnings.aspx>

STEP 6: POST AND PUBLISH THE WARNING AND NOTICE.

- Special town meeting warning and notice must be posted not less than 30 nor more than 40 days before the meeting:
 - In or near the town clerk’s office;
 - In at least two public places in town (but if the town has multiple polling places which are not all in the same building, the warning and notice must be posted in at least two public places within each voting district and in or near the town clerk’s office); and
 - On the town’s website if it actively updates its website on a regular basis.
- Special town meeting warning and notice must also be published in a newspaper of general circulation in the town at least 5 days before the special town meeting.