# Policies and Ordinances

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# Policies and Ordinances

## Policies

A policy is a course of action, guiding principle, procedure, or strategy that is adopted by a municipal public body (e.g., a selectboard or board of library trustees). Policies are executive in nature and are oriented inwards to guide internal decision-making processes. Generally, policies apply to employees, town facilities or the public body itself.

A policy is designed to influence and determine decisions in the course of conducting certain municipal affairs. Policies should establish clear-cut, orderly, and systematic methods for handling certain administrative duties and internal town operations. They should be flexible enough to meet changing situations and conditions, yet conditions yet provide enough consistency and continuity in making decisions to ensure predictability.

Although policies generally do not have regulatory enforcement authority as compared to ordinances, policies nevertheless are useful in that they clearly define a municipality's standards and set reasonable expectations for the applicable municipal topic.

## Ordinances

An ordinance is a legislative act by the legislative body of a municipality (selectboard, council, aldermen, trustees). Black's Law Dictionary defines an ordinance as "[a]n

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authoritative law or decree; specif[ically], a municipal regulation, esp[ecially] one that forbids or restricts an activity." Black's Law Dictionary (10th ed. 2014). In contrast to a policy, which governs internal operations, an ordinance is "an expression of municipal will affecting the conduct of the inhabitants generally, or of a number of them under some general designation." City of Barre v. Perry & Scribner, 82 Vt. 301 (1909).

Municipal ordinances carry the state's authority and have the same effect within the municipality's limits as a state statute. Once adopted according to statutory process, they become legally enforceable local laws. A municipal ordinance is designated either as a civil or criminal offense and may carry a fine or penalty of up to $800. A civil ordinance is generally enforced in the Vermont Judicial Bureau, the court that has statewide jurisdiction over civil violations.

## Statutory Authority

Local control, however, exists in Vermont exclusively by permission from the Vermont General Assembly. Because Vermont is a Dillon's Rule state, municipalities have only those powers and functions specifically authorized by the Vermont Legislature, and such additional functions as may be incident, subordinate, or necessary to the exercise thereof. Therefore, municipalities may only adopt ordinances and policies on matters that the legislature has authorized.

A statute giving authority for local control will either be self-executing or enabling. A self-executing statute confers upon municipalities the immediate authority to act without first adopting an ordinance. For example, under 24 V.S.A. § 2201(b)(opens in a new tab), municipalities are given the power to issue penalties for certain solid waste violations whether or not an ordinance is first adopted. On the other hand, a statute granting only enabling authority means the municipality must first adopt an ordinance

pursuant to 24 V.S.A. §§ 1972(opens in a new tab) et seq. before it can exercise control over the matter.

## Examples of Policies and Ordinances

Municipal authority to make local law derives from state statute or municipal charter. The subjects of local legislation are varied and scattered throughout many different titles of the Vermont Statutes Annotated. The location of most municipal authority is located in 24 V.S.A. § 2291(opens in a new tab). This statute includes 28 different provisions that authorize municipalities to assert local control on a specific matter. Some of the more common ordinances located in this statute include the authority to regulate dogs, solid waste, parking, and speeding. Titles 19 and 23 that focus on highways and motor vehicles respectively are other locations within state law that offer options for municipal regulation.

Examples of municipal policies include a personnel policy authorized under 24 V.S.A. § 1121(opens in a new tab) that establishes provisions of employment, leave time, health benefits, and work conduct; a highway maintenance policy that articulates how and when class 4 highways are maintained or plowed; and a purchasing policy that sets standards for bidding on certain municipal expenditures.

## What Are the Procedures for Adopting a Policy Versus an Ordinance?

Because a policy is administrative in nature rather than regulatory, it is relatively simple to adopt. Generally, all that is required for adoption is a majority vote by the legislative body of a municipality or other board in favor of the policy at a duly noticed meeting under the Open Meeting Law (1 V.S.A. §§ 310 (opens in a new tab)et seq.).

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Adopting an ordinance requires closely following the statutorily prescribed procedures set forth in 24 V.S.A. §§ 1972(opens in a new tab) et seq., which include posting the ordinance and publishing it in a local newspaper. It is important to follow these procedures, as failure to adhere to them may result in an invalid ordinance. In re Bill, 168 Vt. 439 (1998). To help member municipalities in this regard, VLCT has created an Ordinance Adoption, Amendment, or Repeal Toolkit (Ordinance Resources below) that details all the statutorily required steps for adopting an ordinance.

## What Should We Use: A Policy or an Ordinance?

When weighing whether to put a rule or procedure into the form of either a policy or an ordinance, consider these key questions:

• What is the intended purpose and scope of the proposed rule?

• What is the specific municipal topic or issue?

• Is there enabling statute that would allow enactment of an ordinance?

• What is the most effective and appropriate method of enforcing the rule or procedure?

The answer may be evident immediately – for example, if the conclusion is that there is no legislative authority given to your municipality to enact an ordinance on the topic.

Remember that policies generally do not have the authority to provide for penalties or fines. For this reason, policies are a better fit for when a municipality wants to explain an internal administrative process or direct the behavior of municipal officials.

On the other hand, if your goal is to "describe a permanent rule of conduct … [that] creates liability or affects the people of a municipality in an important or material

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way," an ordinance should be adopted. Herbert v. Mendon, 159 Vt. 255 (1992).

# Policies

# Ordinances

# Vermont's Open Meeting Law

**Required Training Reminder:**

Certain new and returning municipal officers such as chairs of local legislative bodies, town or city managers, and mayors are required to take the Secretary of State's Open Meeting Law training (recorded) every year.

## Open Meeting Law Changes 2025

**Open Meeting Law resources have been updated to reflect revisions to the law from the 2025 legislative session.** Text of Bill(opens in a new tab)

**January 1, 2025 -** New Open Meeting Law training requirements took effect

**June 9, 2025** - Act 51 (2025) changes took effect.

- **Require the posting of meeting recordings when the minutes are posted, as opposed to when the minutes are approved**
- **Change the definition of "undue hardship"**
- **Add an exception to the law's recording requirements for non-advisory public bodies' site inspections or field visits**
- **Allow meeting notices to be posted in a neighboring town if there are not enough public places within the municipality's borders**
- **Require meeting agendas to include sufficient details on the specific business to be discussed and details on proposed executive session, if included**

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- **Add a requirement to vote to exit executive session (not just enter it)**
- **Add two allowances for executive session (one being cybersecurity if jeopardizing public safety)**
- **Defines "disturbs any lawful assembly or meeting of persons" for purposes of managing meetings, consistently with our past guidance.**

## General Information

In Act 133 (2024) and Act 51 (2025), the Legislature made permanent changes to the Open Meeting Law. They are summarized in the resources below, which include a webinar that incorporates the 2024 changes. Note that the VLCT webinar is ***not the required annual training*** offered by the Secretary of State. Beginning January 1, 2025, the law requires annual OML training for State chairs of non-advisory ("decision-making") bodies and for local chairs of legislative bodies, municipal managers, and mayors.

**Access the Vermont Secretary of State's required training, here: Open Meeting Law Training**(opens in a new tab)

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Transparency is an essential element of open and democratic government. In Vermont, the primary means of providing transparency are the State's open meeting law, 1 V.S.A. §§ 310-314(opens in a new tab), and the public records law, 1 V.S.A. §§ 315-320(opens in a new tab). These laws implement the command of Chapter I, Article 6 of the Vermont Constitution that officers of government are "trustees and servants" of the people and are "at all times, in a legal way, accountable to them."

The Open Meeting Law clearly emphasizes the openness of and accessibility to government. It declares that "All meetings of a public body are declared to be open to the public at all times, except as provided in section 313 of this title [on executive sessions]." 1 V.S.A. § 312(a)(opens in a new tab). The Open Meeting Law and its requirements are meant to empower the public to play an effective role as not only an active participant in government but also a check on it as well.

Every municipal board, council, commission and committees (legally defined as "public bodies") of a municipality is required to comply with the Open Meeting Law. The Law applies when there is (1) a quorum of a public body; (2) involved in a discussion or taking action; and (3) the subject matter of the discussion is one over which the body has authority or responsibility.

Scroll down to view our current Open Meeting Law Resources.

## Open Meeting Law Basics

## Hybrid and Remote Meetings

## Procedures and Effective Meetings

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# Ethics and Conflicts of Interest

**ANNOUNCEMENT: THE STATE ETHICS COMMISSION IS OFFERING MUNICIPAL SERVICES AS OF 09/28/2026**

For assistance call 802-828-7187 or email ethicscommission@vermont.gov. For more information refer to the Vermont State Ethics Commission(opens in a new tab) website.

**Act 171**

Act 171 became law on June 10, 2024 and drastically changes the ethical regulatory landscape for municipalities. It removes municipal authority to enact conflict of interest prohibitions tailored to address the specific needs, concerns, size, and values of their municipalities and replaces that authority with a new, top-down, one size fits all, statewide Municipal Code of Ethics.

**All provisions of Act 171 took effect on January 1, 2025, with two exceptions:**

1. The repeal of existing municipal ethics statutes (24 V.S.A. §§ 1984 and 2291(20)) took effect upon passage June 10, 2024.
2. New ethics training requirements took effect on September 30, 2025

## New Contact for Guidance and Advisory Opinions: Vermont State Ethics Commission

Since the legislature gave the State Ethics Commission the authority to provide guidance and advice (including advisory opinions) to municipalities, we are directing all municipal officers to contact the States Ethics Commission regarding any ethics questions they may have.

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### Guidance

Municipal officers subject to the statewide Municipal Code of Ethics may request ethics guidance from the Executive Director as it relates to that person's duties. Guidance is non-binding and confidential unless the recipient chooses to disclose it. 3 V.S.A. § 1225(a). The State Ethics Commission can be reached at 802-828-7187 or ethicscommission@vermont.gov(opens in a new tab).

### Advisory Opinions

Municipal officers subject to the statewide Code of Ethics may request an advisory opinion from the Executive Director regarding the requester's ongoing or prospective conduct.

Advisory opinions are in writing, do not contain any individual's personally identifying information, and are posted on the Commission's website within 30 days of issuance. In preparing an advisory opinion, the Executive Director may seek comment from parties interested in the subject under consideration. To request an advisory opinion, complete the request form on the State Ethics Commission's website (see upper left) and return it to ethicscommission@vermont.gov(opens in a new tab).

## New Municipal Ethics Requirements

Please review the following new ethics requirements carefully and direct questions and comments to the Vermont State Ethics Commission.

### Municipal Ethics Code Posting

Municipalities must post the **Municipal Code of Ethics** on their websites or make such information available upon request if the municipality has no website. The posting must include the following:

1. A copy of the Municipal Code of Ethics. You can find Word and PDF versions of the Municipal Code of Ethics for download on the State of Vermont's Ethics Commission's Municipal Ethics (upper left)
2. Procedures adopted by the municipality for the investigation and enforcement of complaints that allege a municipal officer has violated the Municipal Code of Ethics
3. Any supplemental or additional ordinances, rules, and personnel policies regarding ethics adopted by a municipality.

## Municipal Whistleblower Protection Required Posting

Every agency, department, and office of a municipality must post and display notices of protected employee whistleblower protection in a prominent and accessible location in the workplace. VLCT has developed a Whistleblower Protection Posting(opens in a new tab) (also posted below) that municipalities may use to comply with this requirement.

## Staff & Officer Designees

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Required designees:

1. Each municipality's legislative body (e.g. selectboard, city council, village trustees, etc.) must designate either an employee or one of its own members to serve as its ethics liaison to the State Ethics Commission (within 30 days of January 1, 2025) and notify the Commission in writing within 30 days of any newly designated liaison.
2. Assign a municipal officer or body (i.e. "Designated Complaint Recipient") to receive complaints alleging violations of the Municipal Code of Ethics.

## Training Requirements: Municipal Officers and Board Members

**Initial ethics training requirement:**

- Required specified officers* to complete State Ethics Commission approved ethics training on or before September 30, 2025.
- Requires new officers* to complete State Ethics Commission approved ethics training within 120 days of their election or appointment.
- The State Ethics Commission has posted an online training ethics video to satisfy the training requirement on its website: https://ethicscommission.vermont.gov/training.

**Continuing ethics training requirements:**

Requires all specified officers below to retake training **every three years** after

their initial training.

**List of Officers Required to Take Training:**

- Chief Administrative Officers
- Town or City Managers
- Mayors
- Legislative bodies (all members)
- Quasi-judicial body members (Boards of Civil Authority, Boards of Abatement, Development Review Boards, etc.).

## Records & Retention

Municipalities must:

- Record and retain complaints received, and the disposition of each complaint made against a municipal officer for the duration of their service (plus a minimum of five years after service has ended).
- Promptly provide the State Ethics Commission with a summary of complaints received and the outcome of each upon request, excluding any personally identifiable information (PII).
- Create and maintain records of municipal officers who have taken ethics training.

**Sample Complaint and Training Tracking Forms**

Municipalities may use the following resources as reference or templates for their own tracking forms.

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- State Ethics Commission sample complaint(opens in a new tab) and training tracking sheets(opens in a new tab) are available on the Ethics Commission website.
- VLCT Model Ethics Complaint created a form for use by municipalities to assist with processing and retaining complaints.

### Create Investigation & Enforcement Process

Requires every municipality to create processes for investigation and enforcement of alleged violations by ordinance, personnel policy, or rule. VLCT MAC has developed a model ethics ordinance to assist municipalities in creating this process (below).

## Additional Highlights of Act 171

**Ethics Commission Authority & Whistleblower Protections**

- Authorizes the Executive Director of the State Ethics Commission to provide advisory opinions and guidance, upon written request, to municipal officers related to governmental ethics.
- Requires the Executive Director of the State Ethics Commission to refer any ethics complaints received about municipal officers to the municipality's designated ethics liaison for investigation and enforcement by the municipality.
- Creates a new whistleblower protection for municipal employees that is nearly identical to that which protects state employees. See VLCT's sample

Whistleblower Protection Posting.

**Notes on Conflicts in Municipal Purchasing & Contracting**

- Federal regulations require that real or apparent conflicts of interest which may arise in the context of municipal purchases and contracting are addressed.
- If the municipality does not already have a separate conflict of interest policy, it should be addressed in the body of a purchasing policy. See the VLCT Model Purchasing Policy (below).

**Scroll down to see and access these and other VLCT resources. Links to other resources are also available in the upper left-hand corner of this page.**

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# Finance

Whether it is budgeting for a future capital project or accounting for the previous fiscal year's expenditures, prudent financial management is crucial to maintaining sound municipal operations so you can deliver the programs and services that matter most to your citizens and ensure the long-term health and stability of your community.

There are many local officials who play important roles in their municipality's financial landscape, from legislative body members to treasurers, department heads to finance and accounting staff and auditors. No matter what financial role you serve in, VLCT has resources, tools, and opportunities to learn and grow your skills to help you navigate it with greater ease. We even have a Government Finance Specialist on our team to answer your questions, and to provide guidance and solid advice.

Capital Planning
Budgeting
Auditing
Model Financial Policies
Internal Financial Controls Checklist
Municipal Tax Rate Calculator
Debt Capacity Calculator
Elected Auditors Handbook
Helpful Links
Have a Question?
Vermont Town Treasurers Handbook
Local Option Tax

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### Training & Learning Opportunities

VLCT offers members lots of ways to build their knowledge and capacity. One of these ways is through our many live trainings. We recognize that you are busy and often are not available when our trainings are offered, The best part is that all are recorded and these recordings, along with any training materials, are posted on our website through our online Store. So learn on your own time when its best for you. Here are a few opportunities for you consider hosted by VLCT's Municipal Operations Support team:

Money Matters: Recordings and Resources

Muni Mornings with Kathleen: Recordings and Resources

Grants & Funding Chat Recordings and Resources

Build a Better Project: Recordings and Resources

Grant Basics Recordings and Resources

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# Property Taxes

Every year, the listers (or the appointed assessor if there has been a vote to eliminate the office of Lister) prepare the town's "grand list," which is a list of all of the real property and taxable personal property in the town and the appraised valuation of that property. Any aggrieved person who disagrees with the listers' appraisal can request a hearing before the listers. 32 V.S.A. § 4221(opens in a new tab). If they are not satisfied with the written decision the listers issue following that hearing, they may appeal to the Board of Civil Authority (BCA). 32 V.S.A. § 4404(a). 32 V.S.A. § 4404(a) (opens in a new tab). The BCA for each town consists of the town clerk, the selectboard, and the justices of the peace. 24 V.S.A. § 801(opens in a new tab).

The BCA must hold a hearing and conduct a site inspection of every parcel of property that is the subject of an appeal. 32 V.S.A.§ 4404(c)(opens in a new tab). The BCA may sustain, increase, or decrease the value of the property set by the listers. 32 V.S.A § 4409(opens in a new tab). A decision issued by the BCA may be appealed to the State Appraiser or to Superior Court. 32 V.S.A.§ 4461(opens in a new tab).

Listers and BCA meetings and hearings are subject to Open Meeting Law requirements. Please check out our extensive digital library of Open Meeting Law resources.

For more information on municipal property tax assessment appeals, please refer to our recorded trainings and downloadable resources below.

## VLCT Free Property Tax Assessment and Appeals Training Sessions

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***These sessions are generously supported with funding from the Vermont Department of Taxes***

VLCT is offering free property tax assessment and appeals training sessions this spring. Sessions are for Board of Civil Authority Members (selectboards, clerks, treasurers, and justices of the peace), listers, and assessors.

**Reappraisal Towns 2026**

Officers of municipalities going through townwide reappraisals for 2026 are strongly encouraged to attend one of the live evening Effective Property Tax Assessment Appeals webinar sessions or our all-day hybrid Property Tax Assessment and Appeals event.

Check our 2026 Reappraisal Towns page to see if your municipality is on the town-wide reappraisal list for 2026 and to learn more about these upcoming training sessions. *Members may also refer to our Training and Events Calendar(opens in a new tab) page to register.*

# Town Meeting

| 2026 Town Meeting Deadlines | Date |
|---|---|
| Last day to distribute Annual Auditor's Report *(unless the town has voted to give notice of the report's availability)* | Saturday, February 21, 2026 |
| Town Meeting Day | Tuesday, March 3, 2026 |

## VLCT Town Meeting Resources

Vermont town meeting is direct democracy practiced in its purest form. It is the key to town government, as voters determine the town business for the coming year.

VLCT's Municipal Assistance Center (MAC) has current online resources on a variety of town meeting topics for your Town Meeting Day preparation needs. **Refer to the resources at the bottom of this page**. In addition, our downloadable **Municipal Calendar** (opens in a new tab)includes additional related dates. Each town office received an updated print poster in July 2025.Contact info@vlct.org if your office did not receive the calendar.

*Scroll to the bottom of the page to view other important Municipal Calendar deadlines.*

| VLCT Resources Are Grouped into the Following Categories: (scroll down) |
|---|
| **General Resources:** Quick Guide; Models for Articles & Warnings; Auditor's Report, Voter-Backed Petitions, and Vacancies FAQs. |
| **Australian Ballot Voting:** Legal Requirements, ABV Info Sheet, ABV Checklist |
| **Special Town Meetings:** Quick Guide, Model Ordinance Adoption Warning |

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# General Elections Information and Resources for the Public

If you are looking for general information on elections, election results, or running for local office, please call 802-828-2363 or visit the Vermont Secretary of State's Office, Elections Division's website. The Elections Division also maintains an elections calendar.

# General

# Australian Ballot Voting

# Special Town Meetings

# Roads and Trails

Town highways and trails are under the general supervision and control of the selectboard of the town in which they are located. The selectboard has the authority to regulate or restrict the use of highways and trails.

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# Human Resources Consultation Program

Navigating the employment relationship can be a complicated undertaking for leaders, especially in public sector employment. The web of workplace laws, regulations, contractual obligations, and policies all affect your leadership of a successful team.

**PACIF's Human Resources Consultation Program provides valuable partnership and guidance to members in order to understand and implement best workplace practices.** These PACIF membership services include:

- Advising on day-to-day HR questions
- Providing referrals to experienced counsel and other resources
- Training managers, supervisors, and governing bodies on HR principles and best practices
- Identifying areas of operational risk from an HR perspective and recommending mitigation strategies

PACIF's EPL Referrals are a popular part of the HR program. We arrange for qualifying members to have a no-cost consultation about employment practices with Vermont employment attorneys.

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## Ask Your HR Questions

**Reach VLCT PACIF's HR experts! Use the button below to ask your HR questions.**

Submit Your HR Question

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Please use the button above to submit your request. The form ensures we receive all the necessary details upfront, allowing our staff to respond promptly and efficiently.

*You can also reach PACIF's HR experts by email at EPLReferral@vlct.org or simply give us a call.*

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Workplace Matters Presentations and Resources

Recruitment and Hiring

Compensation and Benefits

Creating a Fair and Inclusive Workplace

Management and Supervision

# Land Use

Municipal land use planning is the process of assessing current conditions in a community, envisioning a desired future, and charting a course toward that future. It involves multiple stakeholders, including property and business owners, elected and appointed municipal officials, renters, and even visitors. Planning encompasses many activities, including adopting town plans and municipal bylaws, capital budgeting, development review, and enforcement. Plans are implemented using regulatory tools such as zoning bylaws and subdivision regulations.

The Vermont Legislature first provided municipalities the opportunity to undertake local land use planning in the 1920s; see Title 24, Chapter 117(opens in a new tab), which contains the municipal planning and development laws. Since then, the Legislature has passed extensive enabling legislation that allows communities to conduct a wide range of activities related to local land use planning and regulation.

## Act 47

Most recently, the Housing Opportunities Made for Everyone (HOME) Act (Acts 47 (opens in a new tab) and 81(opens in a new tab), 2023) amends Title 24, Act 250, and other laws related to land use planning and development regulations. Its purpose is to encourage increased housing development. For more information, please visit the Vermont Agency of Commerce and Community Development (ACCD) website with resources that provide more information on the HOME Act(opens in a new tab).

## Roles & Responsibilities

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Municipal land use planning and administration involves various town officials. Most municipal officials have distinct roles that are delineated both by statute and by function. Within the local land use system, there are legislative, quasi-judicial, and administrative functions. Depending on the town's structure, the following players are typically involved in municipal land use administration: the administrative officer ("zoning administrator"), planning commission, appropriate municipal panel (development review board, or zoning board of adjustment and planning commission), and the legislative body. Some municipalities have a robust professional planning staff, if the demand requires it and the resources exist to support the positions. Other municipalities are supported entirely by the efforts of their part-time volunteer community. Regional planning commissions exist to support both.

## Resources

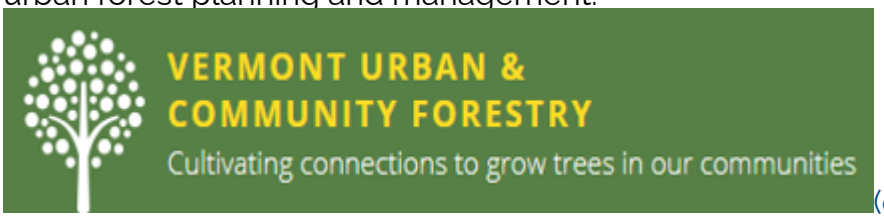
We are excited to announce that the Zoning Administrator Handbook is updated as of May 2025! Partners at Regional Planning Commissions and Vermont state agencies are working to update the remaining resources and have moved them to the Vermont Association of Planning and Development Agencies(opens in a new tab) webpage.

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# Tree Law

The Vermont Legislature updated the laws governing trees in public ways and places with the enactment of Act 171, which took effect in November 2020. The Act makes substantial changes to Vermont's tree laws, including defining the term "shade tree" and increasing the role of municipal officers in the oversight and maintenance of trees in public ways and places. Other amendments define how trees may be removed and the methods by which they are managed on both public and private land. 24 V.S.A Ch. 67. Please also review "New Tree Warden Laws in Effect" about Act 171, first published in the May/June edition of the VLCT Journal.

VLCT and the Vermont Urban and Community Forestry Program have compiled information to assist municipal officials in navigating their new legal roles and responsibilities related to trees and roadside vegetation. Tree wardens, highway staff, local committees, and governance boards will find the following reference materials extremely valuable as they navigate expanded responsibilities related to tree and urban forest planning and management.



(opens in a new tab)

The Vermont Urban and Community Forestry Program is a joint compact between the Vermont Department of Forests, Parks and Recreation and the UVM Extension. They have a webpage specifical for Municipal Assitance. The mission of the program is "[t]o lead citizens, businesses, and governments in understanding the value of urban and community forests and to promote civic responsibility for and participation in the stewardship of these resources for this and future generations." To that end, the program provides training, and financial assistance and a myriad of resources to assist

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with the effective stewardship of community forests.

# Technology & Cybersecurity

Proper technology use and information security are paramount concerns for all manner of business and governmental entities. Finding technical assistance, identifying and tracking assets, understanding municipal needs and costs associated with implementing new technology, and understanding how to set up these systems can be daunting for municipalities.

Organizations that maintain large stores of records and personally identifiable information (PII) – such as social security numbers, financial information, or personnel records – are at significant risk of security breaches, internet scams, and ransomware (malicious software that blocks access to a computer system until a sum of money is paid) threats.

To assist members with these issues, VLCT and VLCT PACIF have created and compiled technology-related guidance, resources, training, and support for members. Follow the links below for internal and external resources to help you develop and improve your municipality's technology infrastructure and security. Contact us at 1-800-649-7915 or info@vlct.org(opens in a new tab) if you have questions, requests, or ideas about how VLCT can further assist with your technology efforts.

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