

## **CHAPTER V. DEPARTMENTS AND BOARDS**

### **ARTICLE I. DEPARTMENT OF BUILDING AND HOUSING**

#### **Sec. 501. Creation and organization.**

For the purpose of coordinating and integrating the inspection services and allied services of the city, and to provide proper and effective administration of building, electrical, plumbing, fire prevention, housing and zoning laws of the city and state within the city, the city council shall, by ordinance, create a department to be designated the department of buildings and housing, and prescribe its powers, duties and functions. Within the department shall be:

- (a) The building inspector who shall be the administrative head of the department subject, at all times, to the control and direction of the city manager
- (b) The inspector of electrical wiring;
- (c) The plumbing inspector;
- (d) Any other inspector or officer of the city designated by the city council.

### **ARTICLE II. DEPARTMENT OF CEMETERIES AND PARKS**

#### **Sec. 502. Creation and organization.**

For the purpose of coordinating and integrating the management and control of all city parks and cemeteries and all other lands as may from time to time be turned over to the city for park or cemetery purposes, the city shall, by ordinance, create a department to be designated the department of cemeteries and parks, and prescribe its powers, duties and functions. (Amend. of 3-1-11)

[Secs. 503 & 504 deleted through Amend. of 3-1-11]

### **ARTICLE III. POLICE DEPARTMENT**

#### **Sec. 505. Established.**

The city council may establish a police department for the city subject to control and supervision of the city manager and may, by ordinance, determine of what officers and members of the department may consist, prescribe the time and modes of their appointment and removal, define their powers, duties, and periods of service, fix their compensation, and make such other regulations regarding their conduct and government as the city council may deem expedient. All police officers shall have authority to serve anywhere within the state and return processes in criminal causes returnable within the state, and for such duties shall be allowed the fees provided by law to sheriffs for similar services, which fees shall belong to the city and be paid into the city treasury, whenever such policemen shall be under pay from the city. The police officers shall

have the power of constables in all matters arising under the criminal and police laws of the state and the police regulations of the city. Such officers shall not serve civil process. (Amend. of 3/7/89, 4/21/93, 11/07/06)

**Sec. 506. {Reserved.}**

**Editor's note**--A charter amendment of March 1, 1983 deleted Sec.506 in its entirety. Said section pertained to parking violations and derived from the charter of the city as adopted on March 6, 1979.

**ARTICLE IV. WATER DEPARTMENT**

**Sec. 507. Creation.**

The City of Barre is authorized and empowered to provide a suitable supply of water for the city, and the inhabitants that may live along or near its line of pipes in other municipalities, against fire and for sanitary, domestic, and general industrial uses, beneficial to the public; to establish water rates and the compensation for the use of water, and regulate the use of the same; to acquire by gift or purchase and to take, as the convenience and necessity of the inhabitants require, the lands, water, water privileges, rights and property of any person, company, or corporation within the limits of the city and any other municipality in the state, except such waters as are in actual use by other municipalities and fire districts for fire, domestic, sanitary or other purposes at the time of the passage of this act, also excepting the Brush Brook watershed in the Town of Williamstown, and to establish and maintain reservoirs, aqueducts, water pipes, hydrants, or any other apparatus or buildings necessary for such purposes upon, in and through the lands of any person, company or corporation, on making compensation therefor, and to lay and establish its pipes, mains, aqueducts in and on the public highways in the city and municipalities, and also to purchase or take lands or other property that may be necessary and convenient to protect said water supply against contamination. The general care and supervision of the city water system, its extension and maintenance shall be vested in the city manager and shall be subject to the ordinances and resolutions of the city council.

**Sec. 508. Condemnation.**

The taking of lands for use pursuant to this article shall be in accordance with the state statutes.

**Sec. 509. Borrowing.**

The water department and sewer department may borrow such money from time to time, as may be necessary to enable the department to carry on the work of adequately supplying the city with water and sewer facilities. Any amount borrowed shall be considered to be in anticipation of revenues, and shall be subject to the approval of the council, without the need of authorization by the voters.

**ARTICLE V. FIRE/AMBULANCE DEPARTMENT**

**Sec. 510. Established.**

The city council may establish and operate a fire/ambulance department for the city, subject to the control and supervision of the city manager and may, by ordinance, determine of what officers and members this department may consist, prescribe the time and mode of their appointment and removal, define their powers, duties and periods of service, fix their compensation and make such other regulations regarding their conduct and government as they deem expedient. The city may procure and hold such land, buildings, furniture, engines, ambulances and other apparatus as may be necessary for the purpose of the fire and ambulance department, and the city council may, by ordinance, make regulations regarding the use, control and preservation thereof. The city council may contract with surrounding and nearby towns, villages and fire and or ambulance districts, for the use of part or parts of the facilities and equipment of the fire/ambulance department to assist such towns and villages in case of emergency; provided, however, that no assistance shall be rendered to any town or village that does not satisfy within sixty (60) days any obligation to the city for any such past service rendered. (Amend. of 3/7/89, 4/21/93, 11/07/06)

**ARTICLE VI.**

Sec. 511. Reserved. (as deleted by Amend. 5/4/17)

**ARTICLE VII. BOARD OF HEALTH****Sec. 512. Formation; duties.**

The board of health shall consist of the health officer and three (3) legal voters of the city. The health officer shall be the secretary and executive officer of the board, and shall hold office for three years, and until a successor is appointed. The board of health created as herein provided shall be for the city in lieu of the local board of health provided for by the Vermont Statutes and shall have all the powers vested in local boards of health for the preservation of health and abatement of nuisances and the removal of other causes injuriously affecting health, and shall have powers to adopt such rules and regulations as they deem wise for the regulation of the work of the board and concerning health in the city. Said board shall be subject, at all times, to the direction of the city manager. All rules and regulations of said board, when the same are approved by the city manager and duly published as herein prescribed for ordinances, shall have the force and effect of ordinances of the city. Any person who shall refuse to obey a lawful order of such board shall be punished not more than five hundred dollars (\$500.00). Said board shall make in duplicate a record of all its doings and reports and a copy of such shall be placed on file with the city clerk. (amended 3/5/96)

**Sec. 513. Rules and regulations.**

Reserved. (as deleted 3/5/96).

**Sec. 514. Licenses.**

Reserved. (as deleted 3/5/96).

## **ARTICLE VIII. BOARD OF CIVIL AUTHORITY**

### **Sec. 515. Formation.**

The city council and the justices of the peace elected, qualified and residing in the city, shall constitute the board of civil authority. The board of civil authority and the assessor, the latter of whom shall have no vote, shall be the board for the abatement of taxes of the city. The city clerk shall be the clerk of said boards. (Amend of 11/3/98)

## **ARTICLE IX. BOARD OF SCHOOL COMMISSIONERS**

### **Sec. 516. Powers and duties.**

(a) Except as otherwise provided, the school commissioners, elected as herein before provided, shall have the same duties, powers and liabilities prescribed for school directors of town school districts. They shall compose the board of school commissioners of the City of Barre School District, with the same duties, powers and liabilities of the board of school directors of a town school district. The board of school commissioners shall consist of seven members; each serving a term of three years. (Amend. of 3/2/10)(Amend. of 5/17/16)

(b) The board of school commissioners shall have the care and custody of all the property belonging to, or used for, the public schools located in the city. Payments due or to become due on bonds and interest thereon, used by the city of Barre for school purposes, shall be paid by the City of Barre School District.

(c) No later than 45 days prior to the annual meeting date each year, the board of school commissioners shall present to the city council its budget requests for the next fiscal year. (Amend. of 05/10/05)

(d) The board shall appoint from among its members, a clerk who shall have the same duties and responsibilities as prescribed by statute. (Amend. of 3-2-82)

### **Sec. 517. Appointment of superintendent and principal; compensation; term.**

The school commissioners shall annually appoint a superintendent of schools and a principal of high schools and shall fix their compensation which shall be paid by the school commissioners in the same manner as other expense for the support of schools; and for cause of incapacity, negligence or misconduct, they may remove such officers and shall by appointment fill any vacancy in such office arising from any cause. The superintendent shall perform all such duties in connection with the public schools of the city as shall be assigned him by the board of school commissioners and as may be prescribed by law. He shall annually report to the city council such statistics as are required by law and such other information as the school commissioners shall direct.

## **ARTICLE X. DEPARTMENT OF ASSESSMENT**

### **Sec. 518. Creation.**

There shall be a department of assessment, which shall consist of a chief assessor and such assistants as are deemed to be necessary by the city manager with the approval of the council. The chief assessor and assistant shall be appointed and may be removed by the city manager subject to approval of the council.

### **Sec. 519. Powers and duties.**

The department of assessment, shall have the same powers, discharge the same duties, proceed in the discharge thereof in the same manner, and be subject to the same liabilities as are prescribed for listers or the board of listers under the laws of this state, except as herein otherwise provided.

### **Sec. 520. Reappraisal.**

At least every five (5) years the department shall review, or cause to be reviewed, their appraisals of all real property in the city which is subject to taxation and conduct a reappraisal of all such properties when necessary to conform their appraisals to the standards for appraising established by the laws of this state.

### **Sec. 521. {Reserved.}**

[Article XI, Secs. 522 through 525, was deleted through Amend. 3-1-11]

## **ARTICLE XII. HOUSING BOARD OF REVIEW AND GOVERNANCE OF SECURITY DEPOSITS**

### **Sec. 526. Housing Board of Review.**

There is created for the City of Barre a housing board of review. The board shall consist of five (5) members who shall be appointed by the City Council. The members of the board shall be composed of two (2) landlords, two (2) renters and one (1) homeowner. Each member of the board shall serve for a term of three (3) years. A board member may be re-appointed after their term expires. (Amend of 3/1/94, 11/3/98)

### **Sec. 527. Powers.**

The housing board of review shall have the power to decide disputes related to security deposits, as outlined in 24 V.S.A. **SS 5001-5008**. (Amend. of 3/1/94, 11/07/00)

**Sec. 528. Security Deposits.**

A landlord may require a security deposit equivalent to no more than one (1) month's rent for the rental, lease or occupancy of a rental unit as a dwelling. Interest equivalent to a Vermont passbook savings account shall be paid on the deposit and the total amount shall be returned to the tenant upon the termination of a leasing or rental agreement. However, all or part of the deposit can be held against damage beyond normal wear and tear to the premises which is attributable to the tenant, against nonpayment of rent, against nonpayment of utility or other charges which the tenant was required to pay directly to the landlord, and against expenses required to remove from the rental unit articles abandoned by the tenant. (Amend. of 3-1-94)