



-- BENNINGTON --

T O W N      C H A R T E R

REVISED TO INCORPORATE AMENDMENTS

March 2005

AN ACT TO PROVIDE A CHARTER FOR THE TOWN OF BENNINGTON

1 It is hereby enacted by the General Assembly of the State of  
2 Vermont:

3     Sec. 1. RATIFICATION

4     The amendments to the Charter of the Town of Bennington, as  
5     approved by the voters on June, 1991, September, 1994, and March,  
6     2003, are ratified.

7  
8     Sec. 2. PREAMBLE

9     The people of Bennington reaffirm faith in Government of the  
10    people, by the people, and for the people and describe this  
11    government in a Charter with provision to review and amend. The  
12    Charter of the Town of Bennington reflects concern to improve the  
13    quality of life for all people.

14  
15    POWERS OF THE TOWN

16    Sec. 101. General law applies

17    [a] All provisions of the Constitution and laws of the state  
18    relating to towns and villages shall apply to the Town of  
19    Bennington, except as modified by this act;

20    [b] The Town of Bennington shall have all the powers and functions  
21    conferred upon towns and villages by the Constitution and general  
22    laws of this state and shall also have all implied powers necessary  
23    to implement such powers and functions;

24    [c] The powers and functions conferred upon the Town of Bennington  
25    by this act shall be in addition to the powers and functions  
26    conferred upon the town by laws now in force or hereafter enacted.  
27    Nothing in this act shall be construed as a limitation upon such  
28    powers and functions.

30 Sec. 102. Additional Town powers

31 In addition to powers otherwise conferred by law, the Town of  
32 Bennington is authorized to adopt, amend, repeal and enforce  
33 ordinances:

34 [a] relating to collection and removal of garbage, ashes, rubbish,  
35 refuse, waste and scrap by the town and establishment of rates to  
36 be paid to the town for such service;

37 [b] relating to construction and alteration of public and private  
38 buildings and the use thereof, including establishment of minimum  
39 standards for plumbing, heating and wiring, so as to prevent  
40 hazardous and dangerous conditions, fires and explosions by  
41 precautionary regulations and inspection;

42 [c] relating to the use of fire arms in settled areas;

43 [d] relating to the packaging, marketing and handling of produce  
44 and other foodstuffs;

45 [e] relating to the prevention of pollution of streams, ponds, and  
46 other waterways within the Town.

47

48 Sec. 103. Initiative: Advisory Votes

49 The voters of the Town have the power to petition for a non-binding  
50 advisory vote to reflect public sentiment. Such petition shall be  
51 signed by at least five (5) percent of the voters of the Town and  
52 shall state that it is advisory only. The Select Board, upon  
53 receipt of such a petition, shall place the article on the warning  
54 for the next Town meeting or any other Town election.

55

56 Sec. 104. Recall

57 [a] The voters of the Town may recall any of the elected Town  
58 officers listed in Chapter 2 of this Charter.

59 [b] A recall petition, clearly stating cause, signed by at least  
60 thirty (30) percent of the legal voters of the Town, and bearing  
61 their addresses, shall be filed with the Select Board within  
62 fifteen (15) calendar days of its issue. The Select Board upon  
63 receipt of a valid petition shall, after sixty (60) calendar days,  
64 hold a special election, with voting by Australian Ballot, to  
65 consider the recall of an elected Town Officer. When such a  
66 petition is approved by a majority of two-thirds of the ballots  
67 cast at such special election. The officer named in the petition  
68 shall thereupon cease to hold his/her office, and the office shall  
69 be considered vacant until filled by a special election to be held  
70 within sixty (60) days.

71 [c] A recall petition shall not be brought against an individual  
72 more than once during his/her term of office.

73

74

75 Chapter 2

76 OFFICERS

77 Sec. 201. Elective officers

78 [a] The elective officers of the town shall be:

79 [1] Seven Select Board Members elected from the Town at large  
80 at a duly warned Annual Town Meeting;

81 [2] a Town Clerk;

82 [3] a Treasurer;

83 [4] a Moderator.

84 [b] All elective officers shall hold office for a three year term.  
85 The term shall expire the first day of April following the Annual  
86 Town Meeting.

87

88 Sec. 202. Appointive officers

89 [a] The Select Board Members shall annually appoint a constable  
90 and other officers required by law or this act, including a board  
91 of not less than three nor more than five Listers to serve for such  
92 terms as the Select Board Members decide, but not less than one nor  
93 more than five years, such appointments to be made as vacancies  
94 occur in the elected Board of Listers.

95 [b] The Select Board Members may create such appointive officers  
96 not provided for by this act or required by law as they deem to be  
97 in the best interest of the Town.

98

99 Sec. 203. Compensation

100 [a] Compensation paid to the Select Board Members shall be set by  
101 the voters at Town Meeting.

102 [b] Subject subsection [a] of this section the Select Board  
103 Members shall fix the compensation to all elective officers and of  
104 all officers appointed by the Select Board.

105 [c] The Town Manager, under policies approved by the Select Board  
106 Members, shall fix the compensation of all other officers and  
107 employees whose compensation is not fixed by the Select Board  
108 pursuant to subsection [b] of this section.

109

110

Chapter 3

SELECT BOARD

Sec. 301. Select Board Members, the legislative body

The Select Board shall constitute the legislative body of the Town of Bennington and shall have all powers and authority necessary for the performance of the legislative function.

Sec. 302. Additional powers of Select Board Members to adopt ordinances.

In addition to powers otherwise conferred by law, the Select Board Members are authorized to adopt, amend, repeal and enforce ordinances:

[a] regulating the parking and operation of motor vehicles; including, despite any contrary provisions of law, the establishment of speed zones wherein the limit is less than 20 miles per hour, all as may be required by the safety and welfare of the inhabitants of the Town;

[b] relating to regulation, licensing and prohibition of the storage and accumulation of junk cars, garbage, ashes, rubbish, refuse, waste and scrap, and collection, removal and disposal of such materials;

[c] relating to registration and regulation of bicycles;

[d] relating to the keeping of dogs, cats and other domestic animals in settled areas.

Sec. 303. Further powers of Select Board Members

In addition to powers otherwise conferred by law, the Select Board

138 Members shall also have the power to:

139 [a] organize and from time to time reorganize, the Fire Department  
140 under the supervision of a coordinating committee formed by the  
141 Select Board from its members; such department shall be a volunteer  
142 department and the Select Board shall have authority to continue  
143 any existing contract with a volunteer fire department or to enter  
144 on behalf of the Town into contracts with other volunteer fire  
145 departments to provide additional fire protection to the  
146 inhabitants;

147 [b] create departments not now existing for the performance of  
148 municipal services;

149 [c] create commissions and committees not now existing and appoint  
150 the members thereof;

151 [d] provide for and shall provide on an annual basis an independent  
152 audit of all Town financial records by a certified public  
153 accountant;

154 [e] inquire into the conduct of any officer, commission or  
155 department and investigate any and all municipal affairs;

156 [f] discharge all duties heretofore devolving on the Town agent by  
157 general law and hire attorneys on behalf of the Town;

158 [g] establish an adequate number of polling places within the town  
159 as required for the convenience of the Town voters and without  
160 regard to election district boundaries, to the end that election  
161 expenses may be lessened and confusion among the voters as to the  
162 proper place for them to vote may be avoided; however, one such  
163 polling place shall be in North Bennington and the central polling  
164 place shall be within the boundaries of the former Village of

165 Bennington.

166

167 Sec. 304. Organization of Select Board

168 [a] Forthwith after the annual meeting of the town, the Select  
169 Board Members shall organize and elect a chair and vice-chair;

170 [b] The chair of the board or in his/her absence, the vice-chair,  
171 shall preside at all meetings of the board and such presiding  
172 officer shall be a voting member of the board;

173 [c] When a vacancy occurs on the Select Board, except as provided  
174 in Section 104, the remaining members may fill the vacancy by  
175 appointment of a registered voter of the Town, such appointment to  
176 be for the period until the next annual meeting, when the voters of  
177 the district shall fill the vacancy;

178 [d] The board shall fix the time and place of its regular meetings  
179 to be held at least twice a month;

180 [e] The presence of four members shall constitute a quorum.

181

182

183 Chapter 4

184 TOWN MANAGER

185 Sec. 401. Appointed by Selectors

186 The Selector Board Members shall appoint a Town Manager for an  
187 indefinite term, and upon such conditions as they may determine.

188

189 Sec. 402. Manager nonpartisan

190 [a] The Manager shall be chosen solely on the basis of his/her  
191 executive, administrative and professional qualifications.



192 [b] The Manager shall not take part in the organization or  
193 direction of a political party, serve as a member of a party  
194 committee, nor be a candidate for election to any public office.

195

196 Sec. 403. Oath and Bond

197 Before entering upon his duties, the Manager shall be sworn to the  
198 faithful performance of his duties by the Town Clerk and shall give  
199 a bond to the Town in such amount and with such sureties as the  
200 Select Board Members may require.

201

202 Sec. 404. Duties for Manager

203 [a] The Manager shall be the chief executive officer of the Town  
204 and shall carry out the policies established by the Select Board,  
205 to whom the Manager shall be responsible;

206 [b] The Manager shall attend all meetings of the Select Board,  
207 except when his compensation or removal is being considered, shall  
208 keep the Select Board Members informed of the financial condition  
209 and future needs of the Town, and shall make such other reports as  
210 may be required by law, requested by the Select Board Members or  
211 deemed by him to be advisable;

212 [c] He shall perform all other duties prescribed by this act,  
213 required by law, or resolution of the Select Board Members.

214 [d] The Manager shall be an ex-officio member of all standing  
215 committees except the Zoning Board, but may not vote;

216 [e] The Manager shall prepare an annual budget, submit it to the  
217 Select Board Members and be responsible for its administration  
218 after adoption;

219 [f] The Manager shall compile for general distribution at the end  
220 of each fiscal year a complete report on the finances and  
221 administrative activities of the Town for the year;

222 [g] The Manager shall provide to the Select Board a monthly  
223 financial statement, with a copy to the Town Treasurer;

224 [h] The Manager shall perform all duties now conferred by law on  
225 the road commissioner within all areas of the Town, except within  
226 such villages as may vote not to surrender their charters under  
227 this act, notwithstanding the provisions of 24 V.S.A. S 1236(5);

228 [i] The Manager shall perform all duties now conferred by law on  
229 the collector of delinquent taxes;

230 [j] The Manager, under policies approved by the Select Board  
231 Members, shall be the general purchasing agent of the Town and  
232 purchase all equipment and supplies and contract for services for  
233 every department;

234 [k] The Manager shall be responsible for the system of accounts;

235 [l] The Manager shall be responsible for the operation of all  
236 departments, including without limitation by specification the  
237 Police and Fire Departments;

238 [m] The Manager, under policies approved by the Select Board  
239 Members, shall have exclusive authority to appoint, fix the  
240 salaries of, suspend and remove, all officers and employees except  
241 those who are elected or who are appointed by Select Board Members.  
242 When the managership is vacant, this authority shall be exercised  
243 by the Select Board;

244 [n] The Manager may, when advisable or proper, delegate to  
245 subordinate officers and employees of the Town, any duties

246 conferred upon him.

247

248 Sec. 405. Compensation

249 The Manager shall receive such compensation as may be fixed by the  
250 Select Board Members.

251

252 Sec. 406. Removal

253 [a] On ninety days written notice, the Manager may be removed  
254 without cause by a majority of the Select Board Members so voting  
255 at a meeting called for the purpose of voting on removal. During  
256 the ninety day period, the Manager may be suspended with pay;

257 [b] The Select Board Members may adopt at any time a resolution  
258 stating their intention to remove the Manager and the reasons  
259 therefore, a copy of which shall be sent to the Manager. The  
260 Manager may, within ten days after such notice is sent, request a  
261 hearing which hearing shall be held by the Select Board Members not  
262 less than ten days nor more than twenty days from the date of such  
263 request, after which the Select Board Members may dismiss the  
264 Manager. If no request for a hearing is filed in accordance with  
265 the foregoing, the Select Board Members may dismiss the Manager  
266 immediately. During the period after the resolution of intention  
267 is adopted and until the Manager's dismissal, he or she may be  
268 suspended with pay.

269

270

271 Chapter 5

272 TAXATION

273 Sec. 501. Taxes

274 Taxes shall be assessed by the Town based on the fair market value  
275 of real and personal property, in accordance with State Law.

276

277 Sec. 502. Discounts Elimination

278 At such time as the discounts given on the tax rate to those who do  
279 not have water or sewer provided by or available from the Town may  
280 be eliminated, all costs of operation, and previously incurred  
281 debt, shall be paid from funds established for those purposes and  
282 funded by user fees, as may be established from time to time, by  
283 the Select Board, and applied against users of water and sewer  
284 services only.

285

286 Sec. 503. Fair market value of real estate.

287 [a] In the event that the fair market value of real estate is  
288 materially changed because of total or partial destruction of , or  
289 damage to the property; or because of alterations, additions or  
290 other capital improvements, the taxpayer may appeal as provide by  
291 law;

292 [b] When the fair market value of real estate is finally  
293 determined by appeal to the Board of Listers or to the Board of  
294 Civil Authority, then the value so fixed shall be the fair market  
295 value of such real estate for the year in which the appeal is  
296 taken;

297 [c] When the fair market value of real estate is finally  
298 determined by a state board or appraisers or by a court having  
299 jurisdiction, then the value so fixed shall be the fair market

300 value of such real estate for the year for which such appeal is  
301 taken and for the ensuing two (2) years, unless the taxpayer's  
302 property is altered materially; is damaged; or if the town in which  
303 it is located has undergone a complete revaluation of all taxable  
304 real estate, in the event of which, such fair market value may be  
305 changed.

306

307 Sec. 504. Special assessments

308 Despite any contrary provision in general law, the Select Board  
309 Members may in their sole discretion make a special assessment upon  
310 real estate for the installation or construction of a public  
311 improvement, such special assessment to be such proportion of the  
312 total cost of such improvement as the benefit to a parcel of real  
313 estate bears to the total benefit resulting to the public in  
314 general.

315

316 Sec. 505. Tax Within Bennington Fire District No. 1

317 The tax assessed by the Town on the Grand List shall be reduced  
318 with respect to real estate in the Bennington Fire District No. 1.  
319 This reduction shall be in direct proportion to the amount of the  
320 tax assessed by the Town which is used by the Town to provide fire  
321 protection services to property not included in the Bennington Fire  
322 District No. 1.

323 The purpose of this amendment is to make substantially uniform the  
324 taxes assessed throughout the Town for fire protection furnished by  
325 all fire departments in the Town. This tax reduction shall remain  
326 in effect until such time as the Bennington Fire District No. 1

327 dissolves itself or merges with the Town of Bennington, in  
328 accordance with the Charter of the Town of Bennington.

329

330 Sec. 506. CREATION AND DISSOLUTION OF BENNINGTON DOWNTOWN DISTRICT

331 [a] There is hereby created in the Town of Bennington a special  
332 district to be known as the Bennington Downtown Improvement  
333 District (District) which shall be that area set forth on a map  
334 approved by the voters of Bennington and filed with the Town Clerk.  
335 The area of the District may be changed upon a majority vote of the  
336 legal voters at an annual or special meeting duly warned.

337

338 Sec. 507. PURPOSES AND POWERS

339 The District is created for the general purpose of maintaining and  
340 improving the economic, social, cultural and environmental vitality  
341 and quality of the Town of Bennington (in particular, the District  
342 created by this article); to promote the Town and the District as  
343 a regional retail, commercial and service center; and to serve as  
344 an advocate for the orderly development of the District in order to  
345 encourage expansion of the retail, commercial and service base of  
346 the District and the Town by attracting new business and  
347 investment.

348 The rights, powers and duties of the District, shall be exercised  
349 by the Select Board, and shall be broadly construed to accomplish  
350 the purposes set forth above and shall include the following:

351 [a] To advertise and promote the Improvement District.

352 [b] To represent the interests of the District.

353 [c] To receive and expend contributions, grants and income.

- 354 [d] To expend funds as provided for in the budget or as  
355 otherwise approved.
- 356 [e] To manage and maintain public spaces and to assume or  
357 supplement the services and maintenance heretofore  
358 provided to the District by the Town as recommended to  
359 and approved by the Select Board.
- 360 [f] To acquire and dispose of property on behalf of the Town.
- 361 [g] To install and make public improvements.
- 362 [h] To improve, manage, and regulate public parking  
363 facilities and vehicular traffic within the District.
- 364 [i] To enter into contracts as may be necessary or convenient  
365 to carry out the purposes of this act.
- 366 [j] To regulate, lease, license, establish rules and fees and  
367 otherwise manage the use of public spaces within the  
368 District.
- 369 [k] To plan for the orderly development of the District in  
370 cooperation with the Town Planning Commission.
- 371 [l] To do all other things necessary or convenient to carry  
372 out the purposes for which this District was created.

373

374 Sec. 508. ANNUAL BUDGET

375 The Town Manager shall submit each year an operating budget of  
376 anticipated expenditures and revenues to the Select Board  
377 for approval for the next fiscal year. In the event the Select  
378 Board does not approve the budget as submitted, the Select Board  
379 shall return the budget forthwith to the Town Manager with its  
380 recommendations for the Town Manager's reconsideration.

381 Appropriations other than from contributions, grants and income  
382 shall be raised solely through District Taxes which shall be  
383 assessed and collected as a tax on property as provided for in  
384 Section 509 of this Charter. The Select Board may borrow money in  
385 anticipation of District Taxes.

386

387 Sec. 509. DISTRICT TAXES

388 [a] District Taxes are charges levied upon the owners of taxable  
389 properties located in the District, excepting properties used  
390 exclusively for residential purposes, which taxes shall be used to  
391 defray the expenses incurred in connection with the operation,  
392 maintenance and repair of the District.

393 [b] The District Tax for each property in the District subject to  
394 the tax shall be based upon a rate on each one hundred dollars of  
395 listed value of the property as adjusted under subsection [c] of  
396 this section. The tax rate shall be determined by dividing the  
397 amount to be raised by taxes, by the total value of the taxable  
398 properties on the grand list, as adjusted, located in the District  
399 which are subject to the District Tax under this article.

400 The District Tax shall be set by the Select Board upon approval of  
401 the budget by the Select Board and notice in writing thereof shall  
402 be given to owners of record as of April 1 of each year of property  
403 so assessed, or to their agents or attorneys, stating therein the  
404 amount of such District Taxes, and such Taxes shall be due and  
405 payable to the Town Treasurer when normal Town and School Taxes are  
406 due. The Town Treasurer shall collect unpaid District Taxes as  
407 provided for the collection of taxes in the Charter. District



408 Taxes shall be a lien on the properties when assessed and until the  
409 tax is paid or the lien is otherwise discharged by operation of  
410 law.

411 [c] In the case of any property used for both residential and  
412 nonresidential purposes within the District as of April 1, the  
413 Board of Listers (Board) shall adjust the listed value for the  
414 purposes of determining the District Tax under this section to  
415 exclude the value of that portion of the property used for  
416 residential purposes. The Board shall determine the adjusted grand  
417 list value of the business portion of the property and give notice  
418 of the same as provided under Chapter 131 of Title 32 of the  
419 Vermont Statutes. Any property owner may file a grievance with the  
420 Board and appeal the decision of the Board as provided for under  
421 Chapter 131 of Title 32 of the Vermont Statutes; however, the  
422 filing of an appeal of the determination of the Board and pendency  
423 of the appeal shall not vacate the lien on the property assessed,  
424 and the District taxes must be paid and continue to be paid as they  
425 become due.

426

427 Sec. 3. EFFECTIVE DATE

428 This act shall take effect from passage.

429

430

431

## Chapter 6

432

### ZONING

433

Sec. 601. Ordinances continue in effect

434

If at the time this act becomes effective as the Charter of the

435 Town of Bennington there is in force in any village or other area  
436 of the Town a Zoning Ordinance, including billboard zoning, such  
437 ordinance shall continue in force within the area for which it was  
438 originally enacted. Each such ordinance shall be a valid and legal  
439 ordinance within such area and the same shall be and become a valid  
440 and legal zoned area with such districts as are provided for in  
441 said ordinance.

442

443 Sec. 602. Ordinances of villages not merging.

444 The Zoning Ordinance in force within any village in the Town shall  
445 continue within the control of such village and the officials  
446 appointed to administer the same within such village shall continue  
447 in office pursuant to law until such time as said village ceases to  
448 exist and becomes a part of Town.

449

450 Sec. 603. Administration of ordinance of villages which merge

451 When such villages cease to exist as aforesaid, the Town  
452 legislative body, board of adjustment, and administrative officer  
453 shall have jurisdiction of and administer zoning in said village  
454 area as a separate zoned area in accordance with the provisions of  
455 the ordinance in force therein and the general law. If no town  
456 administrative officer and board of adjustment have then been  
457 appointed by the legislative body, that body shall forthwith make  
458 such appointment.

459

460 Sec. 604. Comprehensive Town Ordinance

461 The billboard zoning ordinance enacted for the area outside the

462 villages in the Town shall continue to be administered by the Town  
463 officials having charge of zoning. When such officials acquire  
464 jurisdiction of the Zoning Ordinance in other zoned areas as herein  
465 provided, said ordinances, together with said billboard zoning  
466 ordinance, shall be deemed to be part of a general town zoning  
467 ordinance duly and legally enacted in accordance with a  
468 comprehensive plan. Such general ordinance shall be subject to  
469 repeal, amendment or alteration by the Town under the application  
470 provisions of law.

471

472

473

#### Chapter 7

474

#### WATER SYSTEM

475 Sec. 701. Town powers

476 The Town may make, alter and repeal ordinances relating to  
477 management, operation, maintenance, replacement and extension of a  
478 town water system and may fix, and from time to time alter water  
479 rates, insofar as such ordinances and water rates are not in  
480 conflict with the deeds of gift to the Village of Bennington and  
481 Village of North Bennington.

482

483

484

#### Chapter 8

485

#### MISCELLANEOUS

486 Sec. 801. Severability

487 If any provision of this act is for any reason held invalid, such  
488 invalidity shall not affect the remaining provision which can be

489 given effect without the invalid provision. To this end, the  
490 provisions of this act are declared to be severable.

491

492 Sec. 802. Merger of municipalities within Town

493 [a] Any municipality with the Town of Bennington which votes to  
494 surrender its existing Charter and dissolve under this act, shall  
495 cease to exist as a corporate body and political entity on the  
496 January 1st next succeeding, unless such vote becomes final or  
497 after October 1st in any year, in which event the municipality  
498 shall cease to exist as a corporate body and political entity on  
499 the March 1st next succeeding;

500 [b] All assets of any municipality which surrender its existing  
501 Charter or dissolves under this act shall become the property of  
502 the Town of Bennington on the day such municipality ceases to exist  
503 under subsection [a] of this section;

504 [c] All liabilities of any municipality which surrenders its  
505 existing Charter or dissolves under this act that are outstanding  
506 obligations of such municipality on the day it ceases to exist  
507 under subsection [a] of this section, including but not limited to  
508 the bonded indebtedness of such municipality shall become  
509 liabilities of the Town of Bennington on the day such municipality  
510 ceases to exist under subsection [a] of this section.

511

512 Sec. 803. Method of adoption; time; voting

513 [a] A majority of the qualified voters of the Village of Old  
514 Bennington voting by ballot at a meeting duly warned for the  
515 purpose, may at any time vote to surrender the Charter of said

516 village and merge with the Town of Bennington under the terms of  
517 this act by voting in the affirmative on an article substantially  
518 as follows:

519 "To determine by ballot whether the Village of Old  
520 Bennington will surrender its existing Charter and merge  
521 with the Town of Bennington under the provisions of No.  
522 83 of the Acts of 1966 entitled an Act to Provide a  
523 Charter for the Town of Bennington.";

524 [b] A majority of the qualified voters of the Village of North  
525 Bennington voting by ballot at a meeting duly warned for the  
526 purpose may at any time vote to surrender the Charter of said  
527 village and merge with the Town of Bennington under the terms of  
528 this act by voting in the affirmative on an article substantially  
529 as follows:

530 "To determine by ballot whether the Village of North  
531 Bennington will surrender its existing Charter and merge  
532 with the Town of Bennington under the provisions of No.  
533 83 of the Acts of 1966 entitled An Act to Provide a  
534 Charter for the Town of Bennington.";

535 [c] A majority of the qualified voters of the Bennington Fire  
536 District No. 1, voting by ballot at a meeting duly warned for the  
537 purpose may at any time vote to dissolve said fire district and  
538 merge with the Town of Bennington under the terms of this act by  
539 voting in the affirmative on an article substantially as follows:

540 "To determine by ballot whether the Bennington Fire  
541 District No. 1 will dissolve and merge with the Town of  
542 Bennington under the provisions of No. 83 of the Acts of

543                   1966 entitled An Act to Provide a Charter for the Town of  
544                   Bennington.";

545       [d] A meeting to consider an affirmative vote under any of the  
546       foregoing sections shall be held only upon petition of not less  
547       than five percent of the qualified voters of the municipality filed  
548       with the legislative body thereof within twenty days after such  
549       affirmative vote requesting a meeting to vote on an article  
550       substantially as follows:

551                   "To determine by ballot whether the (insert municipality)  
552                   will confirm its vote of (insert date) in favor of No. 83  
553                   of the Acts of 1966 entitled An Act to Provide a Charter  
554                   for the Town of Bennington."

555       [e] If any municipality votes under subsection (d) of this section  
556       to reconsider an affirmative vote, such municipality may at any  
557       time thereafter hold a meeting in accordance with subsections [a],  
558       [b], and [c] of this section to vote again on this act.

559       [f] An affirmative vote by any municipality shall become final and  
560       conclusive when a petition to reconsider is not filed in accordance  
561       with subsection [d] of this section or when a meeting to reconsider  
562       is held under subsection [d] of this section and the vote at such  
563       a meeting confirms the affirmative vote.

564       [g] Absentee Balloting. Voting by absentee ballot shall be  
565       permitted at any meeting held under this section.

566

567       Sec. 804. The Clerk of the Town of Bennington shall notify the  
568       Secretary of State of the vote of any meeting held under section  
569       803 of this act within ten days after the meeting.

570 Sec. 805. Existing water systems; succession by Town  
571 [a] If the Village of North Bennington ceases to exist in  
572 accordance with Section 2 of this act, the Town shall succeed to  
573 all the rights, title, interest, privileges, duties and obligations  
574 of said village under a deed of gift from Laura H. Jennings, dated  
575 March 3, 1924.

576

577 Sec. 806. Charter Review Committee

578 The Select Board may appoint a Charter Review Committee of not less  
579 than five nor more than nine members of the inhabitants of the  
580 Town, said Committee to review the Charter and recommend such  
581 changes therein as it finds necessary or advisable for the purpose  
582 of improving the operation of Town government. Said committee  
583 shall prepare a written report of their recommended amendments to  
584 the Charter in time for same to be submitted to the Select Board  
585 for review no later than one year after the appointment of said  
586 committee. At the discretion of the Select Board such amendments  
587 may be warned for ballot vote at an annual or special Town meeting  
588 to be held no later than one year after the submission of the  
589 report. The Select Board shall provide in their budget for any  
590 year when a Charter Review Committee is appointed, a sum of money  
591 for said committee.

592

593 Sec. 807. The act shall take effect from passage.

594

595

596