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Town Clerk  
Lianne Bedard

## **ADMINISTRATIVE ORDINANCE PART II**

### **SECTION I GENERAL PROVISIONS:**

**2-1: Title** This article shall be titled the "Town of Hartford Administrative Ordinance, PART II." The Town's existing Administrative Ordinance shall hereafter be referred to as "Town of Hartford Administrative Ordinance, Part I."

**2-2: Purpose**

The purpose of this article shall be to:

- A.** Organize the municipal government of the Town into logical components.
- B.** Define the purpose of these components and their interrelationship.
- C.** Define the authority and responsibilities of various Town officials, boards, committees and authorities.
- D.** Establish financial procedures for the custody, handling, disbursement and disposition of all forms of Town assets.
- E.** Establish general procedures for the conduct of Town business.

**2-3: Statutory References.**

All references to statute, or statutory authority, within this article shall mean the applicable text, sections or portions of the Maine Revised Statutes Annotated currently in effect.

### **SECTION II SELECTBOARD:**

**2-4: General powers and duties, Membership; Terms of office.**

- A.** The Board of Selectmen, hereinafter called the "Selectboard," shall be and constitute the municipal officers of the Town of Hartford, hereinafter called the "Town."
- B.** The Selectboard shall be composed of a minimum of three members, each of whom shall be elected by secret ballot at town meeting for three-year staggered

terms by the registered voters of the entire Town. Any single vacancy of a Selectboard member does not prevent the remaining members from performing their duties. The candidate receiving the greatest number of votes for a given seat on the Board shall be considered a member of the Board upon taking an oath of office. Each member shall be a registered voter of the Town of Hartford throughout his/her tenure on the Board.

C. The Board shall exercise all powers, and assume all responsibilities, now or hereafter given by law to municipal officers. The specific mention of particular powers or responsibilities in this chapter or other ordinances shall not be construed as limiting, in any way, the powers and responsibilities of municipal officers given by law.

D. Any reference to "Selectboard" shall be considered gender neutral.

### **2-5: Oath of Office:**

Each member of the Board shall take an oath of office, pursuant to § 2-31.

### **2-6: Appointments of members of boards and committees.**

A. The Selectboard shall appoint all members of the following boards, standing committees, commissions or authorities as listed below and for terms and qualifications as described elsewhere in this chapter:

- (1) Planning Board.
- (2) Board of Appeals.
- (3) Road Committee
- (4) Cemetery Committee
- (5) Ordinance Committee.
- (6) Solid Waste and Recycling Committee
- (7) Ad hoc or temporary committees
- (8) Recreation Committee

**B.** The Budget Committee shall be nominated and elected at Town Meeting, in accordance with the Budget Committee Ordinance.

C. Vacancies on the Selectboard must be filled by a Town Meeting. Any vacancies on the Board of Assessors and the Board of Directors of RSU 10 shall be made in accordance with state law. Said appointments shall be effective until the next regular election of the Selectboard.

D. Discussion of appointments by the Selectboard may occur in executive session, provided that the executive session complies with statute. However, voting on appointments by the Selectboard must occur in open session.

E. The town clerk shall be responsible for the maintenance and custody of all records pertaining to applications, appointments, resignations, elections, and advertising related to the various boards, committees and authorities of the Town.

### **2-7: Legal Representation**

The Selectboard shall be the sole authority for the appointment of any and all attorneys who may represent the Town or provide counsel to its officials.

### **2-8: Annual audit.**

The Selectboard shall provide for an annual audit of the financial records, transactions, and practices of the Town by an independent certified public accountant, said audit to be conducted in accordance with generally accepted accounting principles.

### **2-9: Personnel Policy.**

The Selectboard shall approve a Personnel Policy for the employees of the Town and amend this policy from time to time as may be needed.

### **2-10: Rules of procedure for boards and standing committees**

A. The Selectboard shall approve rules of procedure for each board, committee, commission, or authority as listed below:

- (1) Planning Board.
- (2) Board of Appeals.
- (3) Road Committee
- (4) Cemetery Committee
- (5) Ordinance Committee.
- (6) Solid Waste and Recycling Committee
- (7) Ad Hoc Committees
- (8) Recreation Committee

**B.** Rules of procedure shall provide for the calling and conduct of meetings such that business is conducted in a timely, fair and reasonable manner.

C. Ad hoc committees appointed by the Selectboard for specific, temporary purposes may operate with or without rules of procedure, but shall operate with such rules if approved by the Selectboard.

### **2-11: Meetings and officers.**

A. The Selectboard shall meet a minimum of once per month, and a quorum must be present in order to conduct business. Two or more Selectboard members present at any meeting shall constitute a quorum. Public notice of all regular, special and emergency meetings shall be made.

B. At the first meeting following the June elections, the Selectboard shall choose a Chair. The Chair shall preside at all meetings of the Selectboard. The Chair shall be entitled to vote on all questions.

C. Not later than July 15 of each year, the Selectboard shall determine a regular meeting schedule for the fiscal year.

D. Meetings may be canceled by order of the Chair or by lack of quorum. Special meetings may be called by the Chair or at the request of at least two members of the Selectboard. Such requests shall be filed with the town clerk for notice.

E. Any action, approval, authorization, resolution, appointment, amendment, etc., considered by the Selectboard shall require an affirmative vote by a majority of those members present in order for that item to be valid, binding, and in effect.

F. All members present at any meeting shall vote either in the affirmative or negative on all matters brought to a vote, unless a conflict of interest exists as defined by law. Members seeking to abstain from a vote must so state their reason for abstention.

G. All meetings shall have a published agenda. Matters and business not listed on the agenda may be added to the agenda and acted upon by the Selectboard upon unanimous consent of those Selectboard members present and voting.

H. If there is an executive session, it shall be listed on the agenda.

I. The Town Clerk shall serve as the Secretary to the Selectboard and maintain a permanent written record of all Selectboard proceedings, to include a record of votes taken by the Selectboard.

## **2-12: Issuing Directives to town employees**

A. No individual Selectboard member shall presume to represent the town to any employee, contractor, or contracted service without the prior approval of the full Selectboard. Concerning issues with road employees or sub-contractors, the Selectboard shall consult with the Road Commissioner prior to any action.

## **SECTION III DEPARTMENTS**

### **2-13: Assessing**

A. The Board of Assessors is elected at Town Meeting.

B. The Assessors shall assume all statutory responsibilities associated with

municipal assessors and may appoint agents to meet these responsibilities. Said agents shall be qualified as certified Maine assessors, duly recognized by the State of Maine.

C. Appeals and challenges to actions of the Board of Assessors shall be heard by the Oxford County Commissioners.

### **2-14: Town Clerk**

A. The Town of Hartford has a Town Clerk appointed by, and hired by the Selectboard as a town employee and therefore guided by the personnel policy.

B. The Town Clerk shall assume all statutory responsibilities associated with the office of Town Clerk. In addition, the clerk shall perform all normal duties required by various agencies of the State of Maine including but not limited to vehicle licensing, registration, hunting/fishing licenses, voter registration, 911 addressing, dog licenses, and may act as Treasurer and/or Tax Collector as determined by the Selectboard.

C. The Tax Collector shall be responsible for the collection of excise taxes, real and personal property taxes and other revenues payable to the Town.

D. The Town Clerk shall be the custodian of permanent records of all actions of the Selectboard, to include but not be limited to minutes of meetings, video and audio recordings of meetings, records of votes, appointments, authorizations and so forth.

E. The Town Clerk shall be the custodian of the Town of Hartford Fee Schedule.

F. The Selectboard may assign additional duties to the town clerk.

### **2-15: Code Enforcement**

A. There shall be a Code Enforcement Officer (CEO) appointed by and hired by the Selectboard as a town employee and therefore guided by the personnel policy.

B. The CEO shall assume statutory responsibilities associated with code enforcement, including but not limited to building inspections.

C. The CEO shall be responsible for proper administration of ordinances and local regulations governing land use, land development, and building construction.

D. The CEO shall provide necessary support to the Planning Board and Board of Appeals, such that these Boards may fulfill their responsibilities to the Town.

E. The Selectboard may assign additional duties to the CEO, as needed.

### **2-16: Plumbing Inspector**

A. There shall be a Licensed Plumbing Inspector (LPI) appointed by and hired by the Selectboard as a town employee and therefore guided by the personnel policy. The Selectboard shall notify the department and the Department of Public Safety,

Office of the State Fire Marshal of the appointment of a plumbing inspector in writing within 30 days of the appointment.

B. Certification requirements. A person may not hold the office of plumbing inspector unless currently certified as qualified pursuant to State Law. Certification is effective for a period of 5 years unless sooner revoked or suspended by the District Court.

C. The LPI shall assume statutory responsibilities associated with plumbing inspections.

#### **2-17: General Assistance**

**A.** General Assistance Directors are elected at Town Meeting.

**B.** The Selectboard shall assume statutory responsibilities associated with the provision of General Assistance. In addition, the General Assistance Directors shall represent the Town in dealings with the Maine Department of Human Services, other state agencies, federal agencies, school units, and private organizations in matters of welfare and general assistance.

**C.** The Selectboard shall be responsible for the administration of ordinances and local regulations which are related to General Assistance.

#### **2-18: Road Commissioner**

The Road Commissioner shall be elected by Town Meeting, and is responsible for all matters regarding Town roads, ways, and bridges. The Road Commissioner is also responsible for issuing driveway permits on Town ways.

### **SECTION IV FINANCIAL PROCEDURES**

#### **2-19: Fiscal Year**

The fiscal year of the Town of Hartford shall run from July 1 through June 30 and shall be designated by the year in which June 30 falls. This fiscal year shall apply to all funds operated by the Town.

#### **2-20: Budget Configuration**

**A.** The Selectboard in conjunction with the Treasurer shall be responsible for the initial preparation and proposal of a comprehensive, annual municipal budget and capital plan for the coming fiscal year. The budget document shall contain balancing revenue and expenditure statements and be presented to the Budget Committee by April 1, barring unforeseen circumstances.

**B.** Revenues shall be clearly identified and presented in separate categories, to the greatest practical extent. With the exception of revenue sources created by statute, all general fund revenues received by the Town shall be determined solely by

policies authorized by the Selectboard.

C. Expenditures shall be summarized by department.

**2-21: Town Meeting procedures.**

A. The annual Town Meeting shall be held in June barring unforeseen circumstances, and is a two-part meeting with election of municipal officers being held by secret ballot ahead of open Town Meeting.

B. Town Meetings may be called at any time, for the consideration of any appropriation or any other lawful purpose, in accordance with statutory procedures. Municipal Budget meetings for the coming fiscal year shall be held in the spring on a date(s) determined by the Selectboard as per state statute.

C. The warrant for the Annual Town Meeting referenced above may, at a minimum, be prepared to include at least four (4) separate articles which address each of the following actions:

(1) Election of a Moderator.

(2) Ratification of overdrafts, if any, in the current fiscal year itemized by department.

(3) An acceptance of estimated state/federal revenues to reduce the tax commitment, local non-property tax revenues created by statute or Selectboard's policy to reduce the tax commitment, and an acceptance of funds voluntarily offered to the Town to reduce the tax commitment.

(4) An appropriation of existing undesignated funds to reduce the tax commitment if recommended by the Selectboard.

D. The warrant for Annual Town Meeting shall also be prepared to include separate articles for each departmental appropriation. Non-departmental appropriations of similar purpose may be grouped into a single warrant article, at the discretion of the Selectboard. However, at no time shall the appropriations of multiple departments be included in a single article. Articles shall be grouped in the town meeting warrant in descending order of amounts

E. The warrant for Annual Town Meeting may contain an article establishing an appropriation for contingency expenses which may be encountered during the fiscal year. If approved, expenditures against this appropriation shall be approved by the Selectboard regardless of the amount.

F. Appropriations which are designated in the capital portion of the budget shall be presented on the Town Meeting warrant in one or more separate articles, as determined by the Selectboard.

G. Appropriations for payment of the Town's existing debt obligations shall be presented in one or more separate articles, as determined by the Selectboard.

**H.** Authorization of the Town to incur additional debt shall be presented in one or more separate articles, as determined by the Selectboard.

**I.** All other appropriations, authorizations, ordinance enactments, ordinance repeals, and ordinance amendments shall be presented in separate articles such that each article contains only one general subject for consideration.

**2-22: Selectboard Authorization:**

**A.** All disbursements from funds of the Town shall be subject to approval of the Selectboard. With the exception of General Assistance and Winter Roads, no disbursement shall be made if said payment will overdraft the account from which the funds are drawn unless by specific order of the Selectboard..

**B.** The Selectboard shall be authorized to overdraft accounts contained within a single department, so long as the overall expenditure of the department does not exceed the corresponding Town Meeting appropriation.

**C.** In the event an overdraft of a departmental appropriation is anticipated, and the Selectboard makes formal determination that the interest of the public health, safety, and welfare is best served by such overdraft, then the Selectboard shall order such overdraft in the estimated amount prior to disbursement of funds.

**D.** All major purchases, contracts, agreements, and other documents obligating the Town shall be subject to approval by the Selectboard prior to execution. The Selectboard shall not obligate the Town for any general fund purchase, contract, or agreement without previous appropriation at Town Meeting.

**E.** Debt to be incurred by the Town shall be subject to approval of the Selectboard prior to incurrence. This approval shall be in addition to any requisite Town Meeting approval.

**2-23: Competitive Bidding**

**A.** All major purchases, contracts or agreements shall be subject to a competitive quote, bid or proposal process with final selection subject to approval of the Selectboard. The specific nature of said competitive process shall be determined by the Selectboard dependent on circumstances, including whether competitive bidding is necessary in each individual circumstance.

**B.** The Selectboard shall not be bound to accept the lowest cost quote, bid, or proposal, and shall have the right to accept or reject any and all bids.

**C.** If approved by the Selectboard, the conduct and results of a single competitive quote, bid, or proposal process shall be sufficient for any agreement whose terms do not exceed three years. The Selectboard may extend such a contract for up to two additional years. Town Meeting approval is required to enter into a multi-year contract.

**D.** In any transaction subject to this Subsection 2-22, and by order of the Selectboard, and with specific cause so stated in the order, the provisions of Subsection 2-22(A) may be waived to the extent permitted by state law.

**E.** The procurement of legal, assessing, or insurance services shall not be subject to this section.

#### **2-24: Carrying Forward of Balances**

The balances of certain accounts, previously appropriated, may be carried forward into the following fiscal year when authorized by Town Meeting, or when, in the judgment of the Selectboard, any of the conditions described in Subsection A, B or C herein exist:

A. The intended expenditure did not occur because of operational delays which were beyond the control of the management of the Town.

B. The intended purpose of the expenditure is met seasonally and the termination date of the fiscal year arbitrarily places said purpose within two fiscal years.

C. The Town has encumbered funds necessary for payment but disbursement of funds has not yet occurred.

#### **2-25: Determination of due dates and interest rates:**

On an annual basis, the Selectboard shall include in the warrant for town meeting, property tax due dates and the interest rate to be charged on delinquent taxes.

#### **2-26: Collection of unassessed taxes.**

The Town shall be authorized to collect and receive taxes which have not yet been assessed.

#### **2-27: Tax payments**

Pursuant to Title 36, Maine Revised Statutes Annotated, section 906, The Tax Collector shall apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment may be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

#### **2-28: Sale or disposition of tax-acquired properties.**

A. The Town of Hartford shall dispose of any real property which the Town may acquire for nonpayment of taxes following State Statutes (See attached).

~~Any real property which the Town may acquire for nonpayment of taxes shall be disposed of by the Selectboard via quitclaim deed by either (A) offering the property to the former owner(s) or if deceased, to his/her/their heirs/devisees/personal representative for a price equal to all outstanding taxes, interest, fees and costs; or (B) using the process authorized by 30 A.M.R.S. § 943-C, provided that if the former owner does not request that process or the board is unable to list or sell the property as required by §943-C(3), the Board may sell the property through a competitive sealed bid process in which a notice advertising sale of the property shall be published at least twice in a newspaper of general circulation in the county. For sales other than to the former owner, excess sale proceeds, as defined in 36 M.R.S. §943-C, shall be returned to the former owner.~~

~~**B.** Upon order of the Selectboard that a bid process shall be conducted, the former owner, their heirs or assigns, according to tax records, shall be notified by certified mail that said process has been ordered and that the owner has to pay all back taxes, accrued interest, lien fees, mailing fees, and administrative fees in order to receive quitclaim title from the Town, if the Selectboard has approved sale to the owner. Full payment must be made to the Town in cash or certified check.~~

~~**C.** In the event full payment is not received within the time frame set by the Selectboard, a notice of tax acquired properties for sealed bid sale shall be advertised seven (7) days in advance by posting in two conspicuous public places, and by placing an advertisement in a newspaper of general circulation, as well as electronically.~~

~~**D.** The Selectboard, at their next regular meeting after bid opening, shall consider bids and take whatever action is deemed in the Town's interest. In the event a bid is accepted, the Town shall issue a quitclaim deed upon receipt of the bid amount in cash or certified check.~~

~~**E.** The Selectboard has the right to reject any and all bids.~~

**2-29: Sale or disposition of Town-owned real property.**

**A.** Any real property held by the Town may only be sold after Town Meeting authorization.

**B.** Sale of this property shall be accomplished by the Selectboard in accordance with terms or process that was determined at the Town Meeting which authorized its sale.

**C.** The Selectboard shall have the authority to grant public utility easements within town rights-of-way. All other sales or conveyances of easements or rights-of way shall be subject to Town Meeting approval.

**2-30: Sale or disposition of Town-owned equipment or other personal property.**

By order of the Selectboard, any item of Town-owned equipment or other personal property that is no longer useful to the Town may be sold, bartered, or disposed of in a manner deemed to be in the Town's best interest by the Selectboard.

**2-31: Audits available for public inspection.**

Copies of Town financial audits shall be permanently secured and available at the Town office for public inspection during normal business hours.

**SECTION V: BOARDS, COMMITTEES, AND AUTHORITIES**

**2-32: Purpose of boards, committees, and authorities**

The various boards, committees and authorities are established to provide citizen oversight and fair administration of ordinances for the betterment of the community. Boards and committees other than the Planning Board and Board of Appeals are advisory to the Selectboard.

**2-33: Qualifications and Oath of Office:**

A. Upon appointment or election, each member of any Town board, committee, or authority shall be required to take an oath of office administered by a Notary Public or the Town Clerk, who shall also be the custodian of all appointments, oaths, resignations, and records of removal of members for any reason.

B. The oath shall read as follows:

I, \_\_\_\_\_, do affirm, that I will support the Constitution of the United States, and of this State, so long as I shall continue as a citizen thereof. I, \_\_\_\_\_, do affirm, that I will faithfully discharge, to the best of my abilities, the duties incumbent on me as, \_\_\_\_\_ with a term beginning \_\_\_\_\_ and ending \_\_\_\_\_, according to the Constitution, the laws of the State of Maine, and the ordinances of the Town of Hartford.

**2-34: Planning Board** – See Existing Planning Board Ordinance

**2-35: Appeals Board** – See Existing Appeals Board Ordinance

**2-36: Budget Committee** - See Existing Budget Committee Ordinance

**2-37: Other Standing Committees:** The following shall apply to the Road Committee, Cemetery Committee, Ordinance Committee and Solid Waste, Recreation Committee, and Recycling Committee. The existing Road Committee Ordinance, Cemetery Committee Ordinance, Ordinance Committee Ordinance, and Solid Waste and Recycling Committee Ordinance are hereby repealed.

The Cemetery Committee and the Recreation Committee shall have a minimum of 5 members, with no maximum, appointed by the Selectboard and shall act as advisory to the Selectboard. Members shall be appointed to serve staggered 5 year terms. Any individual, regardless of their residence, that has a cemetery plot or family member that has a plot in the Town of Hartford is allowed to be a member of the Cemetery Committee.

The Road Committee, Ordinance Committee, and Solid Waste Committee shall have 5 members appointed by the Selectboard and shall act as advisory to the Selectboard. Members shall be appointed to serve staggered 5- year terms.

All Committees may have 2 alternate members appointed by the Selectboard for a one year term. Each such alternate member may attend all meetings of the committee, but shall be without vote unless one or more of the regularly designated members of such committee fails to attend a meeting. In the absence of one or more of the regular members of the committee, such alternate member or members may be counted toward a quorum and may vote as though they were regular members of the committee. In the event that there are more alternate committee members present than there are absent regular committee members, the alternate members shall have the right to vote in the order of their appointment.

All members of committees, with the exception the Cemetery Committee, shall be residents of the Town of Hartford for the duration of their terms. Decisions will be made when a quorum (3 members) of members is present.

Committees shall, annually, elect a chair, vice-chair, and secretary from its members at the first meeting after Town Meeting. The secretary will record committee proceedings, including all correspondence, and records shall be subject to the Maine Freedom of Information Act, 1 M.R.S.A. Sections 401-410.

Committees shall meet monthly, as requested by the Selectboard, or as deemed necessary by the committee chair. A member who fails to attend three (3) consecutive meetings of the respective committee shall be deemed to have

submitted their resignation, and the chair shall so inform the Selectboard who may appoint a replacement, or may decline to accept the resignation.

Committees shall be responsible for recording meetings and submitting minutes to the Selectboard.

Duties of Committees:

**A. Road Committee:** The Road Committee shall be advisory to the Selectboard, as well as to the Road Commissioner. The Road Committee's purpose shall be to work with these elected officials to provide safe roads in the Town. At the request of the Selectboard and/or the Road Commissioner, the Road Committee shall maintain a road inventory.

A bid committee shall be established upon the recommendation of the Road Commissioner or Selectboard, for major projects or specialty projects that are above and beyond the scope of the work crew. The bid committee shall consist of three members: One Selectboard member, the Road Commissioner, and the Chair of the Road Committee, or a member of the Road Committee chosen by a majority of members present.

The bid committee shall have authority limited to:

1. Whether the proposed expense shall be advertised for competitive bidding.
2. If it is to be advertised, then the bid committee shall determine the specifications, including the scope of the project.

In the event that no submitted bid is found acceptable by the Selectboard, the proposal shall be returned to the bid committee for reconsideration.

**B. Cemetery Committee:** The Cemetery Committee's duties include monitoring the cemetery trust fund and advising the Selectboard regarding when, where, and why the funds should be used. The committee will keep updated records of all cemeteries, maintenance required, and all work done in a calendar year.

**C. Ordinance Committee:** The Ordinance Committee shall be charged with drafting new ordinances by request of the Selectboard. The committee will draft changes/amendments to current ordinances as requested.

**D. Solid Waste and Recycling Committee:** The Solid Waste and Recycling Committee will stay updated on solid waste and recycling trends. They will assist the Selectboard with innovations to make our solid waste program more effective and environmentally sound, and develop community outreach and awareness regarding recycling practices.

E. Recreation Committee: The purpose of the Recreation Committee of the Town of Hartford is advisory only with regards to improvements to Town Recreation Fields, the Town owned Beach, and other recreational property and activities. The committee will work closely with the Selectboard, in developing an annual budget, a workplan to establish long-term goals, and identifying current needs for the Town Recreation properties. The maintenance of the railroad bed, town beach parking lot, trail and boardwalk will be managed by the Road Commissioner. Accordingly, the Road Commissioner will be involved with identifying needs for the Town Recreation properties.

**2-38: Ad hoc Committees:**

A. The Selectboard shall be empowered to establish Ad Hoc committees for the purpose of investigating subjects and activities of municipal interest.

B. The Selectboard shall identify membership and purpose of the committee and when a report shall be expected.

C. The Committee shall elect officers at the first meeting, determine when to meet, post their meetings to the town calendar, and provide approved minutes to the Selectboard. Members shall be residents of Hartford. A member who fails to attend three (3) consecutive meetings of the respective committee shall be deemed to have submitted their resignation, and the chair shall so inform the Selectboard who may appoint a replacement or may decline to accept the resignation.

**SECTION VI ORDINANCES:**

**2-39: Enactment, amendment, and repeal of ordinances**

A. The enactment, amendment, or repeal of any ordinance shall be subject to Town Meeting approval.

B. In any action as listed in Subsection A, ordinance documents shall be made available to the public and presented in the following manner: new text proposed for enactment shall be underlined, existing text proposed for repeal shall indicate a strike-through, and existing text unaffected shall be presented without modification.

## **2-40: Selectboard Approval Required**

A. The approval of the Selectboard shall be required before any proposed enactment, amendment or repeal of any ordinance of municipal interest is placed on a Town Meeting warrant.

B. The Selectboard shall conduct at least one public hearing prior to the placement of any proposed enactment, amendment or repeal of any ordinance on a Town Meeting warrant. The Selectboard shall be authorized to amend the text of any proposed ordinance action prior to its placement on a Town Meeting warrant.

## **2-41: Citizen Initiative**

The enactment, amendment, or repeal of any ordinance through citizen initiative shall be governed by applicable statute and the following requirements:

A. New text proposed for amendments shall be underlined, existing text proposed for repeal shall indicate a strike-through, and existing text unaffected shall be presented without modification.

B. Prior to circulation, petitions shall be reviewed by the Town Clerk, who shall have authority to modify said initiative for conformance with applicable statute or local ordinance, without altering the intent of the initiative. The Town Clerk shall have a maximum of five calendar days to conduct review.

## **2-42: Town Clerk as Custodian**

The Town Clerk shall be the custodian of all ordinances currently in effect, as well as those ordinances, or portions thereof, which were previously in effect without limit of time.

## **SECTION VII NON-APPROPRIATION OF FUNDS**

### **2-43: Declaration of Insufficient Funds**

If, in the judgment of the Selectboard, insufficient funds are appropriated to implement any provision of this chapter and that provision has not yet been repealed by action of a Town Meeting, then the Selectboard shall formally declare that such situation exists and the Selectboard shall thus be absolved from their affirmed requirement to wholly meet the intent of the affected provisions.

### **2-44: Severability**

In the event the Selectboard make such declaration as described in 2-40, the whole intent of this ordinance shall nevertheless remain in effect until such time that it is repealed or amended.

## **SECTION VIII AMENDMENTS**

### **2-45: Amendment**

This ordinance may be amended by vote of a Town Meeting.

Adopted at the June 18, 2022 Annual Town Meeting

Amended at the June 24, 2023 Annual Town Meeting

Amended at the June 15, 2024 Annual Town Meeting

Amended at the June 13, 2026 Annual Town Meeting