

VILLAGE  
OF  
JOHNSON, VERMONT

BY LAWS



---

★ *ADOPTED NOVEMBER 27, 1965* ★

---

# VILLAGE OF JOHNSON

## By-Laws

### CHAPTER 1.

#### QUALIFICATIONS OF VOTERS: MEETINGS:

##### Article 1. QUALIFICATIONS OF VOTERS.

Section 1. A male or female citizen twenty one years of age who has taken the Freeman's Oath, and whose list including poll was taken in said Village at the last annual assessment preceeding a Village Meeting, and whose poll tax due said Village was paid prior to January 1 preceeding said meeting, or who has attained the age of twenty one years subsequent to the last annual assessment, and has resided in the Village since April 1 last preceeding, or who is exempt from taxation from any cause, shall be a voter in Village Meeting while residing in said Village.

##### Article 2. MEETINGS.

Section 1. Village meetings shall be warned by the Board of Trustees by notices posted in four public places in said Village at least twelve and not more than twenty days before the day of such meeting. Such warning shall be recorded in the records of the Clerk of said Village before posting.

Section 2. A meeting of the legal voters of the Village shall be held annually on the First Tuesday of April for the election of Village officers and the transaction of other business. Such meeting shall be held at such place in the Village as the Board of Trustees directs in the warning. Such meeting may be adjourned to another date. When the Village fails to hold such meeting, a warning for a subsequent meeting shall be issued forthwith, and at such subsequent meeting all the officers required by the By-Laws of the Village may be elected, and its further business transacted.

Section 3. Warnings of annual and special meetings of the Village shall by separate articles specifically indicate the business to be transacted. Such warnings shall also contain any article or articles requested by a petition signed by at least five percent of the legal voters of the Village and filed with the Trustees not less than twenty days before the day of such meeting; provided, however, that any petition calling for the submission, reconsideration or recession of any question previously submitted to the voters of the Village shall be filed not more than 30 days after such previous submission, and provided further that no question previously submitted, shall be more than once resubmitted or presented for reconsideration except by action of the legislative branch of the Village.

Section 4. The Trustees may warn a Special Village Meeting whenever they deem it necessary for the best interests of the Village, and shall call such Special Meeting on petition of five percent of the legal voters of the Village. The warnings for Special Meetings shall be recorded and posted in the same manner as the warning for Annual Meetings.

Section 5. When there are no Trustees to call a meeting, it shall be called by the Clerk of the Village.

Section 6. The warning for each annual meeting shall contain an article relating to the compensation of Village officers and employees. Such article to question whether the Village will set the rates of compensation, or will authorize the Trustees to set such rates for the ensuing year.

Section 7. The business year of the Village shall commence on February 1 and end on the 31st day of the following January.

## CHAPTER 2.

### OFFICERS, ELECTIONS, TERMS, DUTIES, BONDINGS

#### Article 1. OFFICERS

Section 1. The officers of Johnson Village shall be as follows:  
A board of three Trustees; a board of three Auditors; a President; a Clerk; a Treasurer; a "Collector and Constable" and a "Water and Light Commissioner".

#### Article 2. ELECTION OF OFFICERS

Section 1. At each annual meeting the Village shall elect, by ballot if called for by three legal voters, the following officers. One Trustee; one Auditor, a President, a Clerk, and a Treasurer.

Section 2. At such annual meeting the Village may also vote to elect a "Collector and Constable" and a "Water and Light Commissioner" or the Village may, upon motion made and adopted in the meeting vote to authorize the Board of Trustees to appoint a "Collector and Constable" and a "Water and Light Commissioner".

Section 3. The Village may elect such other officers as is deemed necessary for the best interests of the Village not repugnant to the laws of this State.

#### Article 3. TERMS OF OFFICERS

Section 1. The terms of the Village President, Clerk, Treasurer, "Collector and Constable" and the "Water and Light Commissioner" shall be for one year, from the date of their election. The terms of the Village Trustees and the Auditors shall be for three years from the date of their election.

Section 2. Vacancies to any Village Office shall be filled by appointment by the Trustees. Such appointment to be until the next annual meeting of the Village.

#### Article 4. DUTIES OF OFFICERS.

##### Section 1. Trustees.

A. The Trustees shall have the general management of the affairs of the Village with the necessary powers

for such purpose, and shall act by a majority of the board.

- B. The Trustees shall immediately after the annual meeting appoint from among the Board, a Chairman, and shall file such appointment with the Village Clerk for record. Such chairman to preside at all annual or special village meetings in the absence of the President.
- C. The Trustees shall meet once each month, with the Water and Light Commissioner and the Village Treasurer. Shall make minutes of such meetings, and file same with the Village Clerk for record. The Water and Light Commissioner and the Treasurer shall have no vote in Trustee meetings.
- D. The Trustees may direct the Treasurer to pay any just accounts for which the Village is responsible, to any person, firm or corporation.
- E. The Trustees may direct the "Treasurer" or "Collector and Constable" to collect all accounts legally due and owing to the Village; and shall in the case of collection by the "Collector and Constable" establish the compensation for such collections.
- F. The Trustees may cause the removal of all nuisances and direct the cleaning, repairing and improvement of curbs, gutters, drains, sewers and sidewalks in the village, and in their discretion light the streets and sidewalks.
- G. The Trustees shall have the same power to abate taxes assessed by them, that the Board of Civil Authority has in the abatement of town taxes.
- H. The Trustees shall annually on receipt of a list of names submitted to them by the Fire Department, appoint therefrom one person to serve as an engineer in the Department for a period of three years.
- I. The Trustees shall require the Secretary of the Fire Department to submit a report to the Village Treasurer at the end of each two months during the year. Such report to be made on forms furnished by the Village and contain the information requested thereon.

## Section 2. President.

- A. The President shall preside at all Village Meetings held during his term of office. He shall call all meetings to order and make public declaration of all votes cast. When a vote declared by him is questioned by five voters, he shall poll the voters or divide the meeting in such manner as he deems necessary. He shall preserve order in the conduct of business, and may order a person removed from the meeting who is persistently disorderly.

## Section 3. Clerk.

- A. The Clerk shall procure all books and materials necessary for use in his office at the expense of the Village.
- B. Shall record the warnings of all meetings of the Village before the posting of such warnings.
- C. Shall record the votes, resolutions and by-laws passed by the meeting, and the name and office of each person elected. He shall make certified copies of same when so required and shall receive fees therefor as are allowed to Town Clerks for like services.
- D. Shall upon termination of his office, deliver to the Trustees or his successor in office all books, papers and records previously made by him as Village Clerk.
- E. He shall keep the records and files in his office available for inspection by the Trustees at any and all times.
- F. He shall furnish annually each library in the municipality two copies of the Annual Report, shall also mail two copies to the State Library, and one copy each to the following State Departments: Secretary of State; Commissioner of Taxes; Secretary of State Health Commissioner; Commissioner of Social Welfare; Auditor of Accounts and the State Board of Education.

## Section 4. Treasurer.

- A. The Treasurer shall keep an account of monies, bonds, notes and evidences of debt paid or delivered to him, and of monies and debts paid out by him for said

Village, which accounts shall at all times be open for inspection of persons interested.

- B. The Treasurer shall keep a record showing the amount taxes raised to defray the costs of operation of the General Fund of the Village.
- C. The Treasurer shall make payment of accounts owed by the Village as directed by the Trustees.
- D. The Treasurer shall settle with the Auditors at the end of each village fiscal year, and at such other times as the Trustees may direct, and whenever he retires from office. At the close of his term of office he shall immediately turn over to the Trustees or his successor all books and records pertaining to the office and shall also deliver all funds then in his hands belonging to the Village.
- E. The Treasurer shall bill for taxes and accounts receivable due the Village. He shall receive taxes and accounts receivable in accordance with the by-laws of the Village and votes relating to the same as established in Village Meeting. Upon such taxes and accounts receivable becoming delinquent the Treasurer shall make over such taxes, in accordance with the Statutes of this State, and shall make over such accounts receivable as the Trustees may direct to the Collector and Constable of said Village for collection by him in accordance with the by-laws pertaining to collection.

#### Section 5. Auditors.

- A. Village auditors shall meet at least twenty five days prior to the annual village meeting, examine and adjust the accounts of all village officers. Such audit to include the account of the treasurer with the Collector and Constable, the accounts of the Collector and Constable, any trust funds in which the village may have interest in and any special funds which the village may have at any time authorized in a village meeting.
- B. The auditors shall report their findings in writing and cause the same to be printed and distributed to the

legal voters of the village at least 5 days before the annual meeting.

- C. They shall also cause to be delivered such other copies of the annual report as the Statutes of Vermont direct.

#### Section 6. Collector and Constable.

- A. The Collector and Constable shall receive from the Village Treasurer such taxes as have become delinquent together with such fees as the laws of Vermont direct, and shall collect the same in accordance with the warrant attached to such list of delinquent taxes.
- B. The Collector and Constable shall receive from the treasurer upon directive from the Trustees such accounts receivable as have become delinquent in accordance with the water and light rate schedules of said Village effective at the time, and shall collect the same in accord with said rate schedule, directive of Trustees and the Statutes of this State relating to collection.
- C. The Collector and Constable and the Trustees shall make such agreement in relation to his fees for collection as is judged advantageous to the Village.
- D. The Collector and Constable shall obtain ledgers and materials for the keeping of his accounts with the Village as is necessary and same may be charged to the Village.
- E. He shall make returns on collections of taxes and accounts receivable to the Treasurer at least once every 60 days, and shall present his accounts for audit as directed in Section 5A of this Chapter.
- F. Upon termination of his office such Collector and Constable shall file his account books with the auditors for audit and adjustment, after which they may be turned over to his successor in office.

#### Section 7. Water and Light Commissioner.

- A. The Water and Light Commissioner shall confer with and take directives from the Board of Trustees. He shall meet monthly with the Trustees for conference

purposes. He shall have supervision of the operation, maintenance and construction of the water, and electric lines, and shall also act as supervisor of the General Department of the Village in the operation, maintenance and construction of sidewalks, sewers, and such other projects as are undertaken in the Village General Department either through directives of Village meetings or authorization of its Board of Trustees.

#### Article 5. BONDING.

##### Section 1. Bonds.

- A. The Treasurer and "Collector and Constable" shall be bonded in such amount as prescribed by the Trustees.

---

### CHAPTER 3.

#### MISCELLANEOUS

#### Article 1. SIDEWALKS.

##### Section 1. Building, Repairing and Maintaining.

- A. The Trustees may in their discretion build, repair and maintain sidewalks, curbs and gutters in the Village of Johnson, and in the case of building new sidewalks, curbs and gutters may assess the owners of lands benefited thereby a sum not to exceed 50 per cent of the cost of building.
- B. No person shall build sidewalks, curbs or gutters in front of their premises without authorization of the Village Trustees, and such sidewalks, curbs and gutters shall be of uniform width and grade.

##### Section 2. Obstructing.

- A. No person shall erect any building, or place any obstructions on the sidewalks, or between the sidewalks and the curbs in said Village.
- B. No person shall erect any signs between the sidewalks and the curbs in said Village.

- C. Persons shall not congregate upon the sidewalks so as to obstruct travel thereon, or use loud, profane or obscene language while traveling or loitering upon said sidewalks.
- D. No person shall drive or pass with horse drawn or motor vehicle upon any sidewalk, except to cross the same at a regular crossing; nor shall any person place a horse drawn or motor vehicle across any sidewalk in such manner as will obstruct travel.
- E. No person shall ride a bicycle or coast with a sled upon any sidewalk in Johnson Village.

#### Article 2. MOTOR VEHICLES.

##### Section 1. Operation.

- A. No person shall operate a motor vehicle within the limits of Johnson Village at a rate of speed greater than 30 miles per hour, or with cut out open.
- B. Signs shall be maintained on each highway entering the Village stating that the maximum legal speed limit shall be 30 miles per hour except on state highways.

##### Section 2. Parking and Restricting.

- A. The Trustees may make special regulations as to the operation, use and parking of motor vehicles, as to traffic lights, as to stop lights at intersections, as to no passing zones, and as to streets designated for one way traffic in the Village, but signs indicating such special regulations must be posted conspicuously in and near all areas affected thereby, but provided further that such special regulations shall not be established on any state highway unless and until approval shall have been secured from the State Highway Traffic Committee.

#### Article 3. FIRE DEPARTMENT.

##### Section 1. Regulations.

- A. The Fire Department shall as soon as practicable after their annual meeting furnish the Village Trustees a list of all members and officers of said department for approval by the Trustees.

- B. All purchases of equipment and supplies shall be approved by the Village Trustees.

Article 4. VILLAGE DUMP.

Section 1. Maintaining.

- A. The Village Trustees shall maintain a public dumping place for the benefit of the residents of Johnson.
- B. The Village Trustees shall have the power to make, establish, alter, amend or repeal regulations for garbage and refuse disposal and to regulate the dumping of garbage and refuse and to impose penalties for the breach thereof.

Article 5. SEPTIC TANKS.

Section 1. In cases of new dwelling construction or mobile home installations for those who cannot economically connect to existing sewer mains, the Village will obtain and install septic tanks under the following regulations.

- A. The owners of such new dwellings or mobile homes shall make application in writing and submit plans for such installation to the Village Trustees, and shall execute such contract as said Trustees shall desire.
- B. One half of the costs of such septic tank and its installation shall be borne by the Village, and the other one half shall be paid by the applicant to the Village Treasurer within 60 days after the installation shall have been completed.
- C. All costs of the line from the dwelling or mobile home to the septic tank shall be borne by the applicant.
- D. All installations of septic tanks, whether made by the Village or by private contractor, shall be made with sufficient drain fields as such type of soil in which such tanks are installed will handle seepage in manner not detrimental to the public health, and such other specifications as the Village Trustees shall direct.
- E. After installation the owners of the properties benefited thereby shall be responsible for the cleaning and maintenance of such tanks.

Article 6. ZONING.

Section 1. Conformity.

- A. Any of the by-laws herein established pertaining to land use, shall be in conformity with any zoning ordinance or regulations now or hereafter to be in effect within the legal limits of the Village of Johnson.

---

CHAPTER 4.

CHANGING BY - LAWS

Article 1. PRIOR BY - LAWS.

Section 1. All by-laws or prior votes of Johnson Village inconsistent with these by-laws are hereby repealed.

Article 2. AMENDING.

Section 1. These by-laws may be amended, added to, or repealed at any regular or special meeting called for that purpose, by a majority vote of those present.