

**ANNOTATED CHARTER OF THE
VILLAGE OF WOODSTOCK, VERMONT**



As Of May 10, 2009

ANNOTATED CHARTER OF THE
VILLAGE OF WOODSTOCK, VERMONT

No. 82 - AN ACT, INCORPORATING THE VILLAGE OF WOODSTOCK. As Amended.

Section 1. That part of the town of Woodstock, in the county of Windsor, which has heretofore been established and recorded as the north village in Woodstock, in pursuance of an act passed on the eleventh day of November in the year of our Lord one thousand eight hundred and nineteen, entitled "an act to restrain certain animals from running at large within the villages in this state," shall hereafter be known by the name of The Village of Woodstock.

[This section is effectively amended by action of the voters taken pursuant to No. 200 of the Acts of 1895.]

Section 2. The inhabitants of said village, qualified by law to vote in town meeting, shall meet on the first Monday in January next at two o'clock in the afternoon, at the court house in said Woodstock, and shall, at that meeting or at an adjourned meeting, to be held in said month of January, elect a chairman, clerk, five trustees, a treasurer, and a collector of taxes, who shall unless otherwise provided hold their respective offices one year and until others shall be chosen in their stead. Notice of said meeting shall be given by publishing this section in a newspaper printed in said village, before the fifteenth day of December next.

Section 3. A meeting of said inhabitants shall, after the first election as aforesaid, be held annually, on the third Tuesday in March, for the purpose of electing the officers above mentioned, and for the transaction of any business specified in the warning of said meeting, which shall be signed by the clerk, and shall specify such other business to be done at said meeting, besides the choice of officers, as the trustees shall direct, and shall be published in a newspaper in said village, or posted up in three public places therein, at least ten days before such meeting. Such warning shall be recorded in the office of the clerk before it is posted.

Section 4. The inhabitants residing in said village are, hereby constituted a body politic and corporate, by the name of The Village of Woodstock; and by that name shall have succession, and may commence, prosecute and defend suits or actions, in all courts whatever; may have a common seal and

alter the same; may purchase, hold and convey real and personal estate for the use of said village; may tax themselves and levy and collect taxes for the purpose aforesaid, or to carry into effect any legal vote or by-law of said corporation. Provided, That no tax shall be assessed, except by vote, at a meeting of said inhabitants warned for that purpose.

Section 5. The said corporation shall have power to enact such by-laws and regulations, as they shall, from time to time, deem expedient; particularly such as may relate to their streets, sidewalks, lanes and commons, and the shade and ornamental trees thereon; such as may relate to slaughter houses and nuisances generally; such as may relate to a watch and lighting the streets of said village; such as may relate to restraining animals from running at large; such as may relate to the erecting and regulation of buildings and hayscales; such as may relate to the preservation of buildings, with the right of alterations in stoves, fireplaces, and all causes from which danger from fire may be apprehended; such as may relate to the fire engines and other apparatus necessary for the extinguishment of fire, and using and keeping the same in repair; such as pertain to the use of streets for building purposes and for the purpose of moving buildings; such as pertain to the public health; such as relate to the permitting, regulating or prohibiting the suspending or putting up of signs in or over a street, lane, alley, common or other public place in such village; and such as may relate to the manufacture and safe keeping of ashes, gunpowder and all combustibles, and may extend and prescribe the term of office for which its trustees are elected under this act. And said corporation shall have power to assess fines and forfeitures for the breach of any of their by-laws, not exceeding one thousand dollars for any one offense, to be prosecuted and recovered by action of debt before any justice of the peace in said village, in which action it shall be sufficient to declare generally, that the defendant or defendants are indebted to said corporation in the amount of fine, penalty or forfeiture for the breach of the certain by-law violated by such party, under which declaration special matter may be given in evidence, and the inhabitants of said village not otherwise incapacitated, may be admitted as witnesses in any suit or action in which said corporation is a party.

Section 6. The said clerk, treasurer and collector shall be sworn to the faithful discharge of the duties of their respective offices; and the treasurer and collector shall give bonds, with sureties, to the corporation, in such sum as the trustees shall direct, for the faithful performance

of their respective duties.

Section 7. The clerk shall keep records of all the proceedings of said corporation, and give copies of the same when required, and may receive such fees as town clerks are entitled to receive for like services. He shall also warn meetings of said corporation, both annual and special, agreeably to the directions of said trustees, who are authorized to call special meetings of said corporation, causing the same to be warned in the manner prescribed for warning annual meetings.

Section 8. It shall be the duty of said trustees to make out and deliver to the collector an assessment or rate-bill of all taxes which shall be laid by said corporation; to see that all the by-laws of said corporation are duly executed; and to direct all prosecutions for all breaches of them; and, generally, to take care of all the prudential concerns of said corporation, and to perform all duties which shall be legally enjoined on them by said corporation; and all powers by this act vested in said trustees, may be exercised by a majority of them; and in case of the death, removal, absence or incapacity of the clerk, the trustees may designate one of their number to perform the duties of clerk, and fill any temporary vacancy in any office in said village.

Section 9. The corporation hereby created may alter the boundaries and limits of said village, with the consent of any person or persons to be included or excluded by such alteration; and a record of all such alterations shall be made in the office of the town clerk of said town of Woodstock. The inhabitants and territory included in the limits of said village shall belong to said town of Woodstock, in the same manner as though this act had not passed.

Section 10. The legislature of this state reserve the power hereafter to alter, amend or repeal this act.

Approved, November 11, 1836. [Section 2 and Section 5 were amended by Act No. 338, approved January 27, 1913. Section 3 was amended by Act. No. 307, approved February 11, 1937, by Act. No. 339, approved February 23, 1961, and by Act. No. 224, approved February 9, 1967.]

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Act No. 9 - AN ACT IN ADDITION TO AN ACT INCORPORATING THE VILLAGE OF WOODSTOCK, PASSED OCTOBER [sic] 11, 1836.

Section 1. The inhabitants of said village shall, hereafter, have power to assess and collect taxes on the property situated within the limits of said village, belonging to non-residents therein, for the same purposes and in the same manner that taxes may now be assessed and collected on the property situated within the limits of said village, belonging to residents therein.

Section 2. This act shall take effect from its passage.

Approved, October 25, 1845.

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Act No. 28 - AN ACT RELATING TO THE VILLAGE OF WOODSTOCK.

Section 1. The fire-wardens of the village of Woodstock, and such persons as shall, pursuant to the by-laws of said village, be elected fire-wardens, and having with them some distinguishing badge of their office, designated by such by-laws, may, in times of fire, demand and require assistance from any of the inhabitants of said village, to extinguish and prevent the spreading of such fire, and remove goods and effects from any building or other place endangered by fire; and a majority of said fire-wardens may cause to be pulled down, blown up, or removed, such dwellings or other buildings as they may deem necessary to prevent the spreading or progress of such fire; and said fire-wardens may require and demand assistance from any of the inhabitants of said village, to pull down and remove any building, whenever it shall be judged necessary by a majority of said fire-wardens present; and said fire-wardens may suppress any disorder or tumults, and direct the labors of all persons present, during such fire; and if any resident of said village, so present as aforesaid, shall refuse to obey the orders of any such fire-wardens, in any manner authorized by this act, such offender shall, on conviction thereof, before any justice proper to try the same, forfeit and pay a fine not exceeding seven dollars, to the treasurer of said village: Provided, that the offender be prosecuted by action of debt, brought by any warden[s], in the name of said treasurer, within ninety days from the time of committing such offence [sic].

Section 2. The said village may elect such officers, and

enact such by-laws,--not repugnant to the laws of this State,--as the public interest of said village may require.

Approved, November 15, 1847.

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Act No. 249. - AN ACT IN ADDITION TO THE CHARTER OF THE VILLAGE OF WOODSTOCK.

There shall be added to the charter of the village of Woodstock, adopted November 11, 1836, and the amendments thereto, approved October 25, 1845, and November 15, 1847, the following:

Section 1. The said village of Woodstock is hereby authorized and empowered to contract with the Woodstock Aqueduct Company, or any other aqueduct company, from time to time, for supplying said village with water for fire purposes, for watering the streets and for other purposes, for such length of time and upon such terms as the village at its annual meeting, or at any special meeting duly called for that purpose, shall direct.

Section 2. All contracts made by said village with said aqueduct company, or companies, as provided for by section one of this act, shall be legal and binding on said village; and said village may vote, levy and collect taxes for fulfilling such contract or contracts.

Section 3. The said village of Woodstock shall have authority to hire money, from time to time, for the purpose of carrying into effect the object of this act, and for other legal purposes of the village.

Section 4. The said village shall have the right to construct sidewalks, sewers and drains, within the limits of the village, and make such by-laws and regulations in respect thereto as the village shall think best, not inconsistent with the laws of this State.

Section 5. The said village of Woodstock shall constitute a highway district, by itself, and the construction and repairs of the highways and sidewalks, within the limits of the village, shall be under the direction of the trustees of the village.

The trustees shall annually appoint one or two, (as they

shall think best) agents for the construction and repair of highways and sidewalks, and remove them if they think proper, and appoint others in their stead, who shall have charge of the expenditure of the highway money in the village, under the direction of the trustees.

Section 6. Two-thirds (2/3) of the highway taxes assessed by the selectmen, or voted by the town, upon the grand list of the inhabitants of said village, and upon the ratable estate of non-residents situated within the limits of said village, shall be paid by the treasurer or the selectmen of the town to the treasurer of the village to be expended in the maintenance and repair of highways and sidewalks in the village, as provided in the fifth section of this act.

Section 7. This act shall take effect from its passage.

Approved, November 13, 1888.

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Act No. 200 - AN ACT IN AMENDMENT OF AND IN ADDITION TO AN ACT APPROVED NOVEMBER 11, 1836, ENTITLED AN ACT INCORPORATING THE VILLAGE OF WOODSTOCK AND AMENDMENTS THEREOF HERETOFORE ENACTED.

Section 1. That part of the town of Woodstock included within the following limits, as specified and described hereinafter, shall hereafter belong to and be a part of the village of Woodstock, viz:

Beginning at a stone post standing on the easterly side of the highway leading from the village of Woodstock to Taftsville, and distant about seventy rods from the present northeast corner of said village; thence running south sixty-five degrees east sixty-two rods to a corner; thence south forty degrees west one hundred twenty-eight rods to the northeasterly corner of the Creamery lot; thence the same course three hundred and one rods to the southeast corner of R. E. Townsend's meadow; thence westerly on Townsend's land one hundred seventeen and one-half rods to Harvey H. Lockwood's east line; thence north fifty-one and one-half degrees west ninety-six rods to a stone post standing on the northwesterly side of the highway near Sorrel Lucia's house; thence same course seventy-eight rods to a corner; thence north thirty-nine degrees east seventy-three rods to the north-east corner of L. B. Marble's woodshed; thence same course three hundred four rods to the

south-west corner of Allen W. Thompson's house; thence south sixty-five degrees east sixty-four and a half rods to a stone post standing near the fair ground school house so-called; thence same course one hundred seventy-one rods to place of beginning.

Section 2. All the territory described and embraced within the limits set forth in Sec. 1, not heretofore included within the corporation limits of said village of Woodstock and the inhabitants thereof, are hereby made subject to the original charter of said village and the several amendments thereof, as heretofore enacted.

Section 3. Sections 1 and 2 of this act shall not be operative unless the village of Woodstock at a legal meeting shall vote to establish the limits of said village, to be as provided in Sec. 1.

Section 4. Said village shall have power to establish a system of sewerage.

Section 5. Said village may take all real estate, right of way or any other interest in real estate, required for the construction of such system of sewerage, having first notified the owner thereof of its purpose so to do; and upon further condition that in the event that said village and said owner are unable to agree as to the damage which shall be paid therefor to such owner, the same shall be determined, and the same proceedings had, as is provided for in determining damages in laying out highways in Secs. 2931 to 2939 inclusive of the Revised Laws.

Section 6. Sections 4 and 5 of this act shall not be operative until the village of Woodstock at a legally called meeting shall vote to accept the authority therein conferred.

Section 7. This act shall take effect from its passage.

Approved, November 13, 1894. [The above sections were adopted by the village at its annual meeting held the first Monday of January, 1895. The underlined word in section 1 appears as "northerly" in an earlier copy of the charter.]

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THE ACTS OF 1836, ENTITLED "AN ACT INCORPORATING THE VILLAGE OF WOODSTOCK", RELATING TO THE ELECTION OF CHAIRMAN AND THE MAKING OF BY-LAWS.

Approved, January 27, 1913. [Amendments are incorporated in annotation. This act took effect from its passage.]

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Act. No. 187 - AN ACT TO ENABLE THE VILLAGE OF WOODSTOCK TO ISSUE BONDS FOR THE PURPOSE OF CONSTRUCTING CEMENT HIGHWAYS, ROADS OR STREETS IN SAID VILLAGE AND FUNDING THE INDEBTEDNESS OF SAID VILLAGE INCURRED IN THE CONSTRUCTION OF SAID CEMENT STREETS OR IN ANY OUTLAY OR EXPENDITURE INCIDENT THERETO.

Section 1. The village of Woodstock is hereby authorized to issue its negotiable bonds to an amount not exceeding one hundred thousand dollars for the purpose of constructing cement highways, roads or streets in said village, and funding the indebtedness of said village incurred in the construction of said cement streets or in any outlay or expenditure incident thereto. The proceedings of the annual meeting of said village of Woodstock held January 7th, 1929, authorizing the trustees of said village to borrow money not to exceed fifty thousand dollars to build a cement road described in its vote under Article 6 in the warning of said meeting, are hereby confirmed and made valid, but no other money shall be borrowed under the authority of this act without a further vote of the legal voters present and voting at a village meeting duly warned.

The board of trustees of said village by a majority vote of those present at a trustees meeting duly called and held for that purpose, shall determine what amount of said bonds not exceeding one hundred thousand dollars shall be issued for the purpose herein set forth. The bonds authorized by this act shall be made payable serially, the first payment to be deferred not later than from one to five years after the issue of said bonds and subsequent payments to be continued annually in substantially equal amounts so that the entire debt with interest will be paid in not more than twenty years from the date of issue, and the rate of interest thereon which shall not exceed five per cent per annum, payable annually, semi-annually or quarterly, which bonds shall be payable to bearer and have interest coupons

attached and shall be issued in denominations of not less than one hundred dollars nor more than one thousand dollars, and said trustees are hereby authorized and empowered to make as a condition of said bonds, the provision that said bonds may be called at five per cent above par on any interest date.

Section 2. Such bonds shall be signed by the trustees of said village and countersigned by the treasurer thereof; and the interest coupons attached thereto shall bear the facsimile signature of the treasurer of said village. Such bonds shall contain on the face thereof a statement of the purposes for which they are issued and the authority conferred by this act; and the same shall be conclusive evidence of the fact of the liability of said village to any bona fide holder thereof.

Section 3. It shall be the duty of the clerk of said village upon the request of the board of trustees of said village, to number said bonds consecutively and to make a record in his office of the number, date, amount, rate of interest and when and where payable, of each bond so numbered by him and said clerk shall append to each bond a certificate under his hand, that the requirements of this section have been complied with.

Section 4. The treasurer of said village shall keep an accurate record of every bond so issued, thereon stating the number and denomination of each bond, when issued and where payable, to whom issued and the rate of interest thereon, and also keep a true record of all payments of interest and principal, and when coupons or bonds are taken up shall deface the same.

Section 5. It shall be the duty of the board of trustees of said village, without vote of said village, seasonably to assess upon the grand list of said village a tax sufficient to meet the interest and principal of said bonds as they respectively fall due, to be collected as other village taxes are collected, and in case said trustees shall fail seasonably to make provisions for the payment of the interest and principal of said bonds as the same shall become due, it shall be the duty of the treasurer of said village to assess such tax in the manner and to the amount aforesaid and to make out and deliver to its collector a tax bill together with his warrant substantially in form as provided by law to be issued for the collection of other village taxes, directing the payment of said tax within sixty days from the issuing thereof, and said collector shall collect said tax and forthwith pay the same to said

treasurer, and the money so collected shall be held and used for the payment of such interest and principal as is unpaid, and it is hereby made the duty of the treasurer of said village to promptly pay the interest and principal of such bonded indebtedness as the same shall become due, without any vote thereon of said village, and such tax bills, whether made out by the trustees or by the treasurer of said village, shall have all the force in every respect of a tax voted therefor by said village.

Section 6. Nothing contained in this act shall be construed to prohibit the holder or holders of such bonds from resorting to any legal means to enforce the payment of the same or the interest thereon.

Section 7. This act shall take effect from its passage.

Approved, March 15, 1929.

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Act No. 307 - AN ACT TO AMEND SECTION 3 OF NO. 82 OF THE ACTS OF 1836 RELATING TO THE ANNUAL MEETING OF THE VILLAGE OF WOODSTOCK AND CHANGING THE DATE THEREOF.

Approved, February 11, 1937. [Amendments are incorporated into annotation.]

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Act No. 337 - AN ACT CREATING A POLICE COURT IN THE VILLAGE OF WOODSTOCK AND PROVIDING THE JURISDICTION THEREOF.

Approved, March 11, 1949. [Section 7 of this Act provided, "This Act shall take effect when adopted by a majority of the legal voters of the village of Woodstock at an annual or special meeting duly warned for such purpose." The actions required of the voters were never taken. The complete Act would be repealed by §11 of Act. No. 314 approved, April 30, 1957, but see annotations thereunder.]

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Act No. 314 - AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A POLICE COURT IN THE VILLAGE OF WOODSTOCK AND TO REPEAL NO. 337 OF THE ACTS OF 1949.

Section 1. Creation. A police court is hereby created and established for the village of Woodstock with the sole jurisdiction of receiving waiver of service of process and trial, admission of violation, and fines from violators of the parking ordinances of said village, and for the sole purpose and with the sole authority of carrying out the provisions of this act.

Section 2. Powers. The person holding the office of treasurer of said village or his appointed deputy shall be the judge of said court, and shall exercise the powers and perform the functions and duties thereof.

Section 3. Same; clerk. The judge of said court shall act as the clerk thereof, and keep its files and records, or shall appoint his deputy or assistant to so act.

Section 4. Same; quarters. The village of Woodstock shall maintain said police court and provide quarters for the same in the village offices.

Section 5. Violations; admissions; waiver. Any person who has violated any ordinance of said village which regulates, restricts or defines the time, place or manner of parking vehicles in the village of Woodstock, and who has not been convicted of any violation of the parking ordinances more than twice prior thereto in the same calendar year, may, within three days from the date of such violation, by a statement signed by him, admit such violation and waive the issuing of any process and a trial by jury or hearing, and may voluntarily pay to said police court the penalty herein prescribed; provided, however, that whenever in the opinion of said court the gravity of the offense requires a fine in excess of the above penalty, such court may refuse to accept such signed statement and penalty and shall then make complaint to the proper prosecuting officer of said village, who shall proceed against the offender in the manner prescribed by law. In such event, such signed statement and penalty shall be returned to the offender and shall not be considered as an admission or used as evidence in any court.

Section 6. Signed Statement. Said court shall treat such signed statement, if accepted and accompanied by the penalty herein prescribed, as a plea of guilty, and shall make such entry on its records. No costs, fees or other charges shall be assessed against any person so admitting a violation of

any such ordinance or shall be allowed or paid to any officer or person because of such violation, but such penalty shall be accepted by said court in full discharge of the criminal liability of such person caused by such violation.

Section 7. Same; collection record. Said court shall retain all such signed statements for a period of two years from the date thereof and shall keep a record, available to the public at any reasonable time, of all money collected and all other official acts done in connection therewith.

Section 8. Penalty. The penalty which may be so voluntarily paid by any person so violating any ordinance regulating, restricting or defining the time, place or manner of parking vehicles in the village of Woodstock shall be \$1.00 for each violation, not exceeding three violations in any calendar year. Other violations of the ordinances of said village shall be punished in the manner prescribed by law.

Section 9. Collections. All money so collected by said court in any one month shall be covered into the treasury of the village of Woodstock on the first day of the following month with a statement of the names of the persons from whom the money was collected and the amount paid by each and the date on which the same was collected, provided that said court may turn over said money collected during any shorter period at the end of such period with a statement of the same.

Section 10. Referendum. This act shall take effect when approved by a majority of the legal voters of the village of Woodstock, present and voting at an annual or special meeting of the village duly warned for the purpose.

Section 11. No. 337 of the Acts of 1949 is hereby repealed.

Section 12. Section 10 of this act shall take effect from its passage.

Approved, April 30, 1957. [Note on Cross's index - No action taken, July, 1967. It would appear from §§11 and 12 that the intent is that No. 337 of the Acts of 1949 are repealed regardless of whether voter approval under §10 is obtained. However, the issue is confused by the language in §10 which provides "This act shall take effect when approved...", §§11 and 12, of course, being part of the act.]

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Act No. 352 - AN ACT TO CONSOLIDATE AND MERGE THE VILLAGE OF WOODSTOCK WITH THE TOWN OF WOODSTOCK.

Approved, June 18, 1957. [Expired pursuant to §27 of the Act which provided, "The authority granted to the town of Woodstock and to the village of Woodstock by this act shall expire ten years from date unless such two municipalities shall have voted to adopt its provisions within such period." The actions required by the municipalities were not taken. See Cross's Index in Office of Secretary of State.]

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Act No. 339 - AN ACT TO AMEND SECTION 3 OF NO. 82 OF THE ACTS OF 1836, AS AMENDED, RELATING TO THE ANNUAL MEETING OF THE VILLAGE OF WOODSTOCK.

Approved, February 23, 1961. [Amendments are incorporated into annotation.]

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Act No. 224 - AN ACT TO APPROVE AN AMENDMENT TO THE CHARTER OF WOODSTOCK VILLAGE.

Approved, February 9, 1967. [Amendments are incorporated into annotation. This act took effect from passage.]

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Act No. M-5 - AN ACT TO AUTHORIZE THE MERGER OF WOODSTOCK TOWN AND WOODSTOCK VILLAGE.

Section 1. Woodstock Town and Woodstock Village. In accordance with 24 V.S.A. §1487, the merger of Woodstock town and Woodstock village is hereby authorized; provided, however, that the merger is approved by majority votes of Woodstock town and Woodstock village voters, present and

voting, at regular or special meetings duly warned for that purpose.

Section 2. Effective Date. This act shall take effect on passage.

Approved, April 10, 1981. [Required actions of municipalities have not yet been taken.]