

Recall Proposal

Resources Considered

- Constituent Brad Kennison recommendation
- Charters considered:
 - Bennington
 - Brattleboro
 - Colchester
 - Hardwick
 - Middlebury
 - Milton
 - Poultney
 - Springfield
 - St. Albans
 - St. Johnsbury
 - Stowe
 - Underhill
 - Westford
 - Windsor

Recommended by constituent

Proposed Language

§ 117-205. Recall of Selectboard Members

(a) A petition signed by fifteen percent of the registered voters of the municipality, based upon the total number of registered voters at the last preceding municipal election, demanding the recall of the Selectboard member or members cited in the petition shall be filed with the Board of Civil Authority. The allowable grounds for removal are misconduct, malfeasance, nonfeasance, crimes in office, gross incompetency, corruption, or theft. The petition shall contain a specific statement of the grounds on which removal is sought. Disagreements with decisions made by the Selectboard on policy issues shall not be grounds for recall.

(b) The Board of Civil Authority shall certify if the aforementioned grounds for removal have been met. The approval or rejection of such a petition shall be preceded by a public meeting held by the Board of Civil Authority at which time testimony is taken in support of or opposition to the petition. The Selectboard member or members named in the recall petition shall not sit as a member of the Board of Civil Authority for the purpose of this hearing and certification vote.

(c) If the Board of Civil Authority certifies that the petition meets the grounds for dismissal, that Board shall refer the petition to the Selectboard, which shall call for a public vote on the petition.

(d) The Selectboard member shall be removed only if at least as many registered voters of the Town vote as voted in the election wherein the officer was elected, or at least one-third of the registered voters of the Town vote, whichever is greater, and a majority of that number vote for removal. The

Selectboard member or members shall be removed from office immediately and the Selectboard shall then name a successor in accordance with the replacement provisions of this charter.