



**CITY OF NEWPORT
NOTICE OF PUBLIC HEARINGS ON PROPOSED CHARTER AMENDMENTS**

The City Council of the City of Newport (the “City”) hereby gives notice pursuant to the requirements of 17 V.S.A. § 2645 that the public hearings to consider adoption of proposed amendments to the City’s Charter, 24 Appx. V.S.A. Chapter 7, will be held on January 21, 2026, and on January 26, 2026, in the City Council Chambers at City Hall, 222 Main Street, Newport, Vermont, at six o’clock in the afternoon (6:00 p.m.) in-person and remotely by accessing the following links:

On January 21, 2026, at 6:00 p.m.: <https://meet.google.com/qrb-pzyu-uxh> or dial:
+1 601-803-2288 PIN: 820 468 110#

On January 26, 2026, at 6:00 p.m.: <https://meet.google.com/win-ycog-kmb> or dial:
+1 804-803-5008 PIN: 296 584 794#

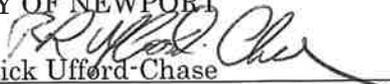
The proposed amendments to the City’s Charter are substantial and are too long and unwieldy to set out in amended form; however, the proposed charter amendments contain the following sections:

- | | |
|--|----------------------------------|
| Subchapter 1: Incorporation and Powers of the City | Subchapter 6: Ordinances |
| Subchapter 2: Governance Structure | Subchapter 7: Administration |
| Subchapter 3: City Manager | Subchapter 8: Budget Process |
| Subchapter 4: City Clerk and Treasurer | Subchapter 9: General Provisions |
| Subchapter 5: City Meetings | |

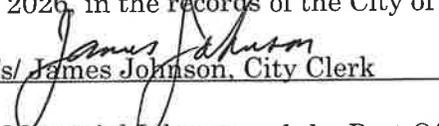
These charter amendments are proposed to be voted on March 3, 2026, at the City’s Annual Meeting. An official copy of the proposed charter amendments will be posted for public viewing and available for review on January 8, 2026, in or proximate to the City Clerk’s Office in City Hall at the above-referenced address. Copies of the proposed charter amendments will be made available at the City Clerk’s Office upon request and will be posted on the City’s website at www.newportvermont.org.

Dated at Newport, Vermont, this 8th day of January, 2026.

CITY OF NEWPORT


/s/ Rick Ufford-Chase
Rick Ufford-Chase, Mayor

Received for record this 8th day of January, 2026, in the records of the City of Newport.


/s/ James Johnson, City Clerk

Posted at: City Clerk’s Office, Goodrich Memorial Library and the Post Office

I hereby certify that this Charter proposal was received by the Newport City Clerk in January 8, 2026



James D Johnson
City Clerk

CHARTER PROPOSAL – DECEMBER 23,

2025 DRAFT

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Subchapter 1: INCORPORATION AND POWERS OF THE CITY

§ 101. Corporate existence retained

Notwithstanding the provisions of any other municipal charter, the City of Newport, as constituted by 1917 Acts and Resolves No. 273, and as amended, continues to be a municipal corporation within the State of Vermont.

§ 102. General powers; law

Except as modified by the provisions of this charter, or by any lawful regulation or ordinance of the City of Newport, all provisions of the laws of the State of Vermont applicable to municipal corporations shall apply to the City of Newport.

§ 103. Specific powers

The City of Newport shall have all the powers granted to cities and municipal corporations by the Constitution and laws of the State of Vermont together with all the implied powers necessary to carry into execution all the powers granted, and it may enact ordinances not inconsistent with the Constitution and laws of the State of Vermont or with this charter.

§ 104. Reservation of powers

Nothing in this charter shall be construed as in any way to limit the powers and functions conferred upon the City of Newport and the City Council by general or special enactments in force or effect or hereafter enacted, and the powers and functions conferred by this charter shall be cumulative and in addition to the provisions of such general or special enactments.

§ 105. Form of government

The municipal government provided by this charter shall be known as council-manager form of government. Pursuant to its provisions and subject only to the limitations imposed by the Vermont Constitution and by this charter, all powers of the City of Newport shall be vested in an elected City Council which shall include four Council Members and a Mayor, and which shall enact ordinances, codes, and regulations; adopt budgets; determine policies; and appoint the City Manager, who shall enforce the laws and ordinances and administer the government of the City. All powers of the City shall be exercised in the manner prescribed by this charter or prescribed by ordinance.

Subchapter 2: GOVERNANCE STRUCTURE

§ 201. Powers and duties of City Council

(a) The members of the City Council shall constitute the legislative body of the City of Newport for all purposes required by statute and, except as otherwise provided in this charter, shall have all the powers and authority given to and perform all duties required of municipal legislative bodies or City councils under the laws of the State of Vermont.

(b) Within the limitations of the foregoing, the City Council shall have the power to:

(1) Appoint, direct, supervise and remove the City Manager, City Clerk, City Attorney, and City Treasurer.

(2) Create, change, and abolish offices, commissions, or departments other than the offices, commissions, or departments established by this charter.

(3) Appoint the members of all boards, commissions, committees, or similar bodies unless specifically provided otherwise by this charter.

(4) Provide for an independent audit by a certified public accountant.

(5) Inquire into the conduct of any officer, commission, or department and investigate any and all municipal affairs.

(6) Authorize the sale or lease of any real estate or personal property belonging to the City.

(7) Exercise every other power that is not specifically set forth herein but that is granted to city councils or municipal legislative bodies by the laws of the State of Vermont.

§ 202. Composition of City Council and terms of office

(a) There shall be a City Council consisting of five persons: a Mayor and four Council Members.

(b) All members of the City Council shall reside within the boundaries of the City of Newport and shall be elected by the qualified voters.

(c) The term of office of all persons on the City Council shall be two years. Terms shall be staggered, so that two members and the Mayor are elected in odd-numbered years, and the other two members are elected in even numbered years.

§ 203. Mayor

(a) The Mayor shall be the head and chief executive officer of the City Government and shall have all powers and authority necessary or advisable therefor, except for the authority granted by the provisions in this Charter to the City Manager. The Mayor shall use the Mayor's best efforts to see that the laws and the City ordinances are enforced. The Mayor shall take care that

the finances of the City are properly managed and shall bring before the City Council public issues relevant to the affairs of the City. The Mayor shall preside at all City Council meetings with the powers of moderator, shall have a voice in City Council meetings in accordance with Council rules and procedures, and shall be entitled to a vote in the circumstances set forth in this charter.

(b) The Mayor may veto any action passed by the City Council, provided that documentation of the veto and an explanation of the reasons for it are provided to the Council in writing at least three days before the next regular Council meeting. Any veto by the Mayor can be overridden by a vote of three or more Council members at the next regular City Council meeting.

§ 204. Commencement of terms; Election of City Council President

The terms of elected officers shall commence as soon as new members are sworn into office by the City Clerk at a duly warned meeting immediately following the election at which the certification of votes shall be announced as the first order of business. At the first regular or special meeting following the annual City meeting, the Council shall, by majority vote of the entire Council, organize and appoint a President who shall assume the duties of the Mayor as requested or necessary when the Mayor is unable to carry out those duties.

§ 205. Vacancy in office

If the Mayor dies, resigns, is incapacitated, is recalled or ceases to be a resident of the City, the President of the Council shall serve as acting Mayor until either the next annual election or the date of a special city meeting called for by petition signed by 5% of the registered voters of the City for the purpose of an election to fill the position. Incapacity shall be determined by a vote of the Council. If a Council member other than the Mayor dies, resigns, is incapacitated, is recalled or ceases to be a resident of the City, the remaining members of the Council shall appoint a person to fill that position until either the next annual meeting or the date of a special city meeting called by petition signed by 5% of the registered voters of the City for the purpose of an election to fill the position. Incapacity shall be determined by a vote of the Council. Incapacity shall include the failure by any member of the Council to attend at least one half of the meetings of the Council in any calendar year. At the next annual or special City meeting, the vacancy shall be filled and the person so elected shall serve for the remainder of the term of office. If the Council is unable to agree upon an interim replacement, a special City meeting shall be held within sixty (60) days of the vacancy to fill the position.

§ 206. Recall

Any elected officer of the City may be recalled from office as follows:

(a) A petition signed by not less than fifteen percent of the registered voters of the City shall be filed with the City Clerk requesting a vote on whether the elected officer shall be removed from office.

(b) The City Council shall call a special City meeting to be held within 60 days of receiving the petition to vote on whether the elected officer shall be removed.

(c) The official shall be removed only if at least as many registered voters of the City vote as voted in the election wherein the officer was elected and a majority of that number vote for removal.

(d) If the City votes for removal of an elected officer, the office shall thereupon become vacant and the City Council shall follow the procedure in Section 205, above.

§ 207. Compensation

(a) Compensation paid to the Council members shall be set by the voters at the annual meeting, with a minimum of \$1,500.00 a year each. Council members' compensation must be set forth as a separate item in the budget presented to the annual meeting. Council members may choose to forgo the compensation or a portion of the compensation.

(b) The City Council shall fix the compensation of all appointees and the City Manager. The Council shall review, approve, and ratify any collective bargaining agreements, which may be negotiated or fixed by the City Manager or their designee.

§ 208. Conflict of interest; prohibitions

(a) No Council member shall hold any other compensated City position or employment during the term for which they were elected to the Council, unless allowed by the laws of the State of Vermont. A Council member may be appointed to represent the City on other boards, except as limited by the laws of the State of Vermont.

(b) Neither the Council nor any of its members shall in any manner dictate the appointment, supervision or removal of any City administrative officers or employees whom the City Manager or any of the Manager's subordinates are empowered to appoint. The Council may discuss with the Manager the appointment, evaluation, and removal of such officers and employees in executive session.

(c) Except for the purpose of inquiries and investigations under Section 201(b)(5) of this Charter, the Council and its individual members shall deal with the municipal officers and employees who are subject to the direction and supervision of the Manager solely through the Manager, and neither the Council nor any of its members shall give orders to any such officer or employee, either publicly or privately.

§ 209. Council meetings and procedure

(a) As soon as possible after the election of the Mayor and Council, the Council shall fix the time and place of its regular meetings, and such meetings shall be held at least once a month.

(b) The Council shall determine its own rules and order of business. The Mayor shall set the agenda for Council meetings with advice from Council Members, the City Manager, the Clerk, and the Treasurer.

(c) The Mayor shall vote only in the instances where the Mayor's presence is necessary to attain the quorum or in those instances where it is necessary to break a tie vote among Council members.

§ 210. Appointments

The Council shall appoint the members of all boards, commissions, committees, or similar bodies unless specifically provided otherwise by this charter. The terms of all appointments shall commence on the day after the day of appointment unless the appointment is to fill a vacancy in an office, in which case the term shall commence at the time of appointment and continue until the original term of the vacant position expires.

§ 211. Harbor Commission

There shall be a Harbor Commission, and its powers, obligations and operation shall be under and in accordance with the laws of the State of Vermont, as amended. Members will be appointed by the City Council for three-year terms pursuant to the process set forth in existing ordinances, as the same may be subsequently amended from time to time.

§ 212. Other boards, committees and task forces

The Council may from time to time establish, modify the charge and terminate other boards, committees and task forces, as may be necessary or beneficial for the administration of the affairs of the City. The composition of such boards, committees and task forces shall be established by the Council upon creation of the same. Unless authority

is expressly conferred by State law, all such boards, committees and task forces shall be advisory only.

§ 213. Obligation to Serve as Water and Sewer Commissioners

The City Council shall serve as the Board of Water and Sewer Commissioners. The Board of Water and Sewer Commissioners shall meet at least once per calendar year to review the prior year's audit, approve the coming year's budget, and to alter rates as necessary or desirable. Other than this mandatory annual meeting, the Board of Water and Sewer Commissioners shall be subject to the terms and provisions of 24 V.S.A. Chapter 89, 95, 101 and such other general enactments as may be applicable thereto.

Subchapter 3: CITY MANAGER

§ 301. Manager; appointment and hiring

The Council shall appoint a City Manager under and in accordance with the laws of the State of Vermont.

§ 302. Powers of Manager

(a) The Manager shall be the chief administrative officer of the City of Newport. The Manager shall be responsible to the Council for the administration of all City affairs placed in the Manager's charge by or under this Charter. The Manager shall have the following powers and duties in addition to those powers and duties delegated to municipal managers under the laws of the State of Vermont.

(b) With the exception of the positions of City Clerk and City Treasurer who shall be appointed by City Council, the Manager shall appoint and, when the Manager deems it necessary for the good of the City, suspend or remove all City of Newport employees and other employees provided for by or under this Charter under the Manager's supervision. The City Manager shall consult with Council in executive session of a duly-warned Council meeting before exercising the Manager's sole authority to suspend or remove any staff member under the City Manager's Supervision at the level of department head or director. The Manager may authorize any employee who is subject to the Manager's direction and supervision to exercise these powers with respect to subordinates in that employee's department, office, or agency. There shall be no discrimination in employment, in accordance with applicable State and federal laws, including 21 V.S.A. § 495. Subject to the terms of any applicable collective bargaining unit contract, appointments, lay-offs, suspensions, promotions, demotions, and removals shall be made primarily on the basis of training, experience, fitness, and performance

of duties, in such manner as to ensure that the responsible administrative officer may secure efficient service.

(c) The Manager shall direct and supervise the administration of all departments, offices, and agencies of the City of Newport except as otherwise provided by this Charter or by law.

(d) The City Manager and the City Council shall share the authority to contract with and direct the City Attorney. The City Council shall reserve the authority to approve contracts with the City Attorney and to retain additional legal counsel as needed. The City Manager shall have the authority to work with the Attorneys to carry out the business of the City as needed.

(e) The Manager or a staff member designated by the Manager shall attend all Council meetings and shall have the right to take part in discussion and make recommendations but may not vote. The Council may meet in executive session without the Manager for discussion or evaluation of the Manager's performance or if the Manager is the subject of an investigation pursuant to Section 201(b)(5) of this Charter.

(f) The Manager shall see that all laws, provisions of this Charter, and acts of the Council, subject to enforcement by the Manager or by officers subject to the Manager's direction and supervision, are faithfully executed.

(g) The Manager shall prepare and submit the annual budget and capital program to the Council.

(h) The Manager shall submit to the Council and make available to the public a complete report on the finances and administrative activities of the City of Newport as of the end of each fiscal year and at such other times as the City Council may require.

(i) The Manager shall make such other reports as the Council may require concerning the operations of the City of Newport's departments, offices, and agencies subject to the Manager's direction and supervision.

(j) The Manager shall keep the Council fully advised as to the financial condition and future needs of the City of Newport and make such recommendations to the Council concerning the affairs of the City of Newport as the Manager deems desirable.

(k) The Manager shall be responsible for the enforcement of all City of Newport ordinances and laws.

(l) When advisable or proper, the Manager may delegate to appropriate officers and employees of the City of Newport any duties conferred upon the Manager by this Charter, the

Vermont statutes, or the Council.

(m) The Manager shall perform such other duties as are specified in this Charter, in State law or as may be required by the Council.

(n) Except as otherwise provided in this Charter or in any applicable collective bargaining unit contract, the Manager shall fix the compensation of City employees.

(o) The Manager may recommend specific candidates to the Council's consideration in their appointment of the City Clerk and Treasurer to three-year terms.

(p) The Manager shall serve as delinquent tax collector.

§ 303. Manager; removal; hearing

The Council may remove the Manager from office for cause in accordance with the following procedures:

(a) The Council shall adopt by affirmative vote of a majority of all its members a preliminary resolution that must state the reasons for removal and may suspend the Manager from duty for a period not to exceed 45 days. Within three days after the vote, a copy of the resolution shall be delivered to the Manager.

(b) Within five days after a copy of the resolution is delivered to the Manager, the Manager may file with the Council a written request for a hearing; the hearing shall be in a public or executive session by choice of the Manager. This hearing shall be held at a special Council meeting not earlier than 15 days nor later than 30 days after the request is filed. The Manager may file with the Council a written reply not later than five days before the hearing.

(c) The Council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five days from the date when a copy of the preliminary resolution was delivered to the Manager, if the Manager has not requested a public hearing, or at any time after the public hearing, if the Manager has requested one.

§ 304. Vacancy in office of City Manager

The Council shall make appropriate arrangements to carry out the City Manager's responsibilities if the Manager's position is vacant. For periods up to one continuous month of absence for any reason, the Manager may appoint appropriate staff member to perform the

Manager's duties. If the City Manager is absent for longer than one month, Council approval will be required to assign the City Manager's responsibilities appropriately. If the Manager fails to make such designations, the Council may by resolution appoint an officer or employee of the City to perform the duties of the Manager until the Manager is able to return to duty.

Subchapter 4. City Clerk and Treasurer

§ 401. Completion of elected term

The incumbent elected City Clerk and City Treasurer shall continue to serve in those capacities through the expiration of the terms of office on March 7, 2028. In the event that the currently serving Clerk/Treasurer either chooses to or must leave office prior to completion of his term of office on March 8, 2028, the Council shall appoint a City Clerk and a City Treasurer to serve out the remainder of the respective terms of office.

§ 402. Appointment

(a) The City Clerk and the City Treasurer shall be appointed by the City Council with advice from the City Manager with a term commencing on March 8, 2028. The City Clerk and City Treasurer shall serve as an officer and employee of the City, but under the City Council's supervision and administrative control.

(b) The same person may be appointed to both City Clerk and City Treasurer positions if the Council so chooses. The positions of City Clerk and City Treasurer shall be compensated at a level of compensation to be determined by the City Council with the advice from the City Manager.

(c) The City Clerk and City Treasurer shall be supervised by the City Council, which will set the terms of the job descriptions, taking into account all requirements of and duties imposed by the laws of the State of Vermont on municipal clerks and treasurers. The City Council's authority hereunder includes evaluation of the performance of said duties, and removal from office with notice and a hearing, if requested, at an appropriately warned meeting of City Council. The requested hearing may be held in open session or in executive session at the election of the Clerk or Treasurer.

Subchapter 5: CITY MEETINGS

§ 501. City meetings and elections

(a) The annual City meeting shall be held on the first Tuesday in the month of March, at which time the voters shall vote for the election of officers, the voting on the City budget, and any other business included in the warnings for the meetings. The agenda and all ballot items for the annual meeting shall be warned no later than January 31 of the same calendar year.

(b) Special City meetings shall be called in the manner provided by the laws of the State of Vermont.

(c) The election of officers and the voting on all questions at annual and special meetings shall be by Australian ballot system. The City Clerk and Board of Civil Authority shall conduct elections in accordance with laws of the State of Vermont.

Subchapter 6: ORDINANCES

§ 601. Adoption of ordinances

Ordinances shall be adopted in accordance with State law pursuant to 24 V.S.A. §§ 1972–1976, as amended.

Subchapter 7: ADMINISTRATION

§ 701. Real estate assessor

In lieu of the election of listers, there shall be either a real estate assessor who is a certified real estate appraiser or an independent appraisal firm, headed by a certified real estate appraiser, appointed by the City Manager that shall carry out the duties of assessor in the same manner, shall be subject to all of the same liabilities prescribed for listers under the laws of the State of Vermont in assessing property within the City of Newport, and shall establish the grand list thereof and shall return such list to the City Clerk within the time required by Vermont law.

§ 702. Officers' and employees' bonds

On an annual basis, all officers and employees from whom bonds are required by law shall give bonds to the City, to the satisfaction of the Council, for the faithful discharge of their respective trusts. Such bond shall be given before the officer or employee concerned enters upon his or her duties. If the Council requires a bond with a fidelity company as surety, the City shall pay the expense thereof. The City Manager may contract for one blanket bond to cover all City officers and employees required to furnish bonds.

Subchapter 8: BUDGET PROCESS

§ 801. Fiscal year

The fiscal year of the City shall begin on the first day of July and end on the last day of June of each calendar year. The fiscal year shall constitute the budget and accounting year as used in this charter.

§ 802. Annual City budget

With support from the finance department, the Manager shall submit to the Council a budget for review before the annual City Meeting or at such previous time as may be directed by the Council. The budget shall contain:

- (a) an estimate of the financial condition of the City as of the end of the fiscal year;
- (b) an itemized statement of appropriations recommended for current expenses, and for capital improvements, during the next fiscal year, with comparative statements of appropriations and estimated expenditures for the current fiscal year and actual appropriations and expenditures for the immediate preceding fiscal year;
- (c) an itemized statement of estimated revenues from all sources, other than taxation, for the next fiscal year and comparative figures of tax and other sources of revenue for the current and immediate preceding fiscal years;
- (d) a capital budget for not fewer than the next five fiscal years, showing anticipated capital expenditures, financing, and tax requirements; and
- (e) such other information as may be required by the Council.

§ 803. City Council action on budget

The Council shall review and approve the recommended budget with or without change. The budget shall be published not later than two weeks after its preliminary adoption by the Council. The Council shall fix the time and place for holding a public hearing for the budget and shall give public notice of the hearing.

§ 804. Budget meeting; warning

- (a) The Council shall hold at least one public hearing at least 30 days prior to the Annual

Meeting to present and explain its proposed budget and shall give a public notice of such hearing.

(b) The Manager shall, not less than 30 days prior to the Annual Meeting, make available the Council's recommended budget and the final warning of the pending Annual Meeting.

(c) The annual City report shall be made available to the legal voters of the City not later than 10 days prior to the Annual Meeting.

§ 805. Appropriation and transfers

(a) An annual budget shall be adopted at the City's Annual Meeting by the vote of a majority of eligible voters by Australian ballot in accordance with section 501 of this Charter. If, after the total budget has been appropriated, the Council finds additional appropriations necessary, the appropriations shall be made and reported at the next City Meeting as a specific item. The appropriations shall only be made in special circumstances or situations of an emergency nature. In special circumstances or situations of an emergency nature, any office, department, or agency may increase their spending over the office's, department's, or agency's allocated budget amount by not more than five percent (5%) upon written approval of the City Manager.

(b) From the effective date of the budget, the amounts stated therein, as approved by the voters, become appropriated to the several offices, departments or agencies and for the purposes therein named.

(c) The Manager may at any time transfer an unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department, or agency. At the request of the Manager, the Council may, by resolution, transfer any unencumbered appropriation balance or portion thereof within the Council budget from one department, office, or agency to another.

(d) Notwithstanding the above, no unexpended balance in any appropriation not included in the Council budget shall be transferred or used for any other purpose without approval of the City Council.

§ 806. Amount to be raised by taxation

Upon passage of the budget by the voters, the amounts stated therein as the amount to be raised by taxes shall constitute a determination of the amount of the levy for the purposes of the City in the corresponding tax year, and the Council shall levy such taxes on the grand list as prepared by the assessor for the corresponding tax year.

Subchapter 9: GENERAL PROVISIONS

§ 901. Savings clause

The enactment, modification or subsequent repeal of this charter shall not affect the validity of a previously enacted ordinance, resolution, or bylaw.

§ 902. Severability

The provisions of this charter are declared to be severable. If any provision of this charter is found to be invalid for any reason, such invalidity shall not affect the remaining provisions, which can be given effect without the invalid provision.

The Vermont Statutes Online

The Statutes below include the actions of the 2025 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 24 Appendix: Municipal Charters

Chapter 7: City of Newport

§ 4. Establishment of City

Out of the territory heretofore existing within the limits of the Towns of Newport and Derby is established the City of Newport, embracing all the territory included within the limits described in this charter; and the remainder of the territory of the Town of Newport is established as a new town to be the Town of Newport and the remaining territory of the Town of Derby is established as a new town to be the Town of Derby. The Villages of Newport and West Derby are hereby abolished as soon as this charter shall go into operation, and all property, rights, funds, taxes, rights of action, etc., belonging to said Villages of Newport and West Derby, respectively, shall at once be transferred and belong to said City of Newport; and said City of Newport shall assume and have all the duties, rights, and obligations and debts of the said Villages of Newport and West Derby, respectively, except as herein otherwise provided.

§ 2. [Transitional provisions relating to the governance of the Towns of Newport and Derby; the City of Newport and the process for acceptance of the charter; § 2 of No. 273 of the Laws of 1917.]

§ 3. City boundaries and corporate powers

The inhabitants of that portion of the Towns of Newport and Derby included within the following boundaries, to wit: Beginning at the southeast corner of land of J. C. Roby, and southwest corner of land of William Buck in the Town of Derby on the north line of the Town of Coventry, and following the lot line between the lands of the said Roby and said Buck northerly, which said lot line is the easterly line of the new municipality, and continuing that line between the lands of the following persons: E. Miller, Fred Blake, Will Halley, Frank O'Hill, J. H. Gaines, Will Rann, Charles Lemorey, Henry Lahar, and Mrs. Benj. Hinman, on the westerly side of said lot line, and A. R. Hudson and wife, Theophile Meoykins, and Isaac Labounty on the easterly side of said lot line follow said lot line to a point which is N. latitude 44 degrees 55' 56" and W. longitude 72 degrees 11' 46" and 467 feet southerly of the southerly boundary of Pine Hill road so-called; thence S. 81 degrees E.

the southerly line of said Pine Hill road; thence following the Pine Hill Road southeasterly on the southerly side thereof until it strikes the land owned by Mrs. Hitchcock on the northerly side of said road and following the southerly line of the Charles Noyes Farm and the southerly line of the Frank Hayward farm to the southeasterly corner of the said Hayward Farm where it strikes the road to Arnold's Mills, so called; thence following said road on the easterly side thereof northerly across Clyde River to Clyde Street thence following Clyde Street on the northerly side thereof westerly to the east line of Dr. George F. Adams' land; thence northerly on said Adams' east line and on the east line of land owned by Aaron Grout to the road running from Derby Center to West Derby village; thence following said Derby Center Road on the northerly edge thereof to the east line of land owned by Fortunat Dubuc and wife and known as the Colby farm thence northerly on the east line to the northeast corner of said farm; thence following westerly on the north line of said farm to the north line of the present village of West Derby; thence following said village line westerly to Sias Avenue, or Beebe Road, so called, following said Sias Avenue northerly on the westerly side thereof to Austin Beebe's north line; thence westerly following Austin Beebe's north line to Elijah Leavitt's east line; thence northerly following Elijah Leavitt's east line to the road that runs from Sias Avenue to the railroad track, following said road a few rods on the northerly side thereof to the east line of the farm owned by Charles and Myrtle A. Marsh, on the north side of said road; thence following the east line of said Marsh Farm to its northeast corner; thence westerly following its north line to the railroad right of way; thence following said right of way on the easterly side thereof to the railroad culvert (No. 91) crossing what is known as Meadow Brook; thence following said brook to the shore of Lake Memphremagog, following the shore of Lake Memphremagog southwesterly to Indian Point near the cottage now owned by Charles F. Bigelow, and including in the limits of the City Horse Neck Island, which lies a few rods from the said lake shore and is owned by F. E. Milles; thence westerly across the lake from Indian Point in a straight line to the northeast corner of the farm formerly owned and occupied by Tarrant S. Cummings and now owned by Joseph Bouchard; thence westerly on said Bouchard's north line to the easterly side of the poor farm road; thence southerly on the easterly side of said road to the south line of said Bouchard's Farm; thence easterly to William Hyer's west line; thence southerly on the west lines of lands owned by said Hyer, Richmond and son and Arthur Wells to the west line of land owned by O. D. Hancock; thence southerly on said Hancock's west line and in a straight line to the Coventry Town line; thence following said Coventry Town line to the point begun at in Derby, are hereby incorporated and made a body corporate and politic under the name of the City of Newport, and by that name may sue and be sued, prosecute and defend in any court, may have a common seal and alter it at pleasure, may take, hold, purchase, and convey such property, real and personal, as the purposes of the corporation may require, may borrow money on the credit of the City in the mode and under the restrictions hereinafter provided, may elect a representative to the General Assembly and the same number of justices of the peace as a town of equal population may elect, shall exercise and enjoy all such rights,

~~The committee shall meet, preside, and minutes of said City, and the~~
State and shall be subject to like duties, liabilities, and obligations, except as otherwise provided in this charter.

§ 4. Voter qualifications

The qualifications of a voter in City meetings shall be the same as are required of voters in town meetings.

§ 5. Warning and convening of annual meeting

On the first Tuesday of March 1918, and annually thereafter on the first Tuesday of March, a meeting of the legal voters of said City shall be held at nine o'clock A.M., at a place to be appointed by the City Council of said City, of which notice shall be posted in at least three public places within the limits of said City, and at least 14 days previous thereto, and also published for at least two weeks in a newspaper printed in said City, which notices shall be signed by the City Clerk, and in case of his or her failure, by the Mayor; provided, that if the annual meeting shall fail to be holden for want of notice hereinbefore mentioned or for any other cause, the corporation shall not thereby be prejudiced, and the several officers hereafter mentioned may at any time thereafter be elected at a special meeting called for that purpose as hereinbefore provided. The first meeting of said corporation shall be held at the school hall in the present Village of Newport, and shall be called by the Clerk of the Village of Newport. The Clerk of said City shall, at any time when directed by the City Council, or when requested in writing by 25 legal voters of said City, call a special meeting of the legal voters of said City at such time of day and place as directed by the City Council. In case of the failure of the Clerk to call a meeting as aforesaid, that duty shall be performed by the Mayor. The business session of each annual or special City meeting shall be held at eight o'clock in the evening of the day for such meeting, but this shall in no way alter the hour designated, or to be designated, for any meeting where any question must be voted upon under the Australian ballot system.

§ 6. Elections of officers at annual meeting

At the annual meeting the said corporations shall elect from among the legal voters of said City a Mayor, City Clerk, four aldermen, a City Treasurer, one Constable, three listers, three auditors, and three grand jurors, who shall hold office until the next annual meeting and until their successors are duly elected and qualified, except that at the first annual meeting of said corporation two of said aldermen shall be elected for one year and two for two years; one of said listers shall be elected for one year, one for two years, and one for three years; one of said auditors shall be elected for one year, one for two years and one for three years, and at each succeeding annual election two aldermen shall be elected for two years, one lister for three years, and one auditor for three years. The City Clerk and the Treasurer shall be elected for a term of three years, and the Mayor for a term of two years.

§ 7. Mayor and Board of Aldermen as City Council

~~The committee shall meet, preside, and minutes of said City, and the~~
government thereof, shall be vested in the Mayor and Board of Aldermen. The Board of Aldermen shall consist of four aldermen, who shall elect one of their number President of said Board. The Mayor and Board of Aldermen, in their joint capacity, shall be called the City Council. The Mayor and aldermen shall be sworn to the faithful performance of their duties. The Mayor and aldermen shall receive such compensation as the City shall determine at its annual or any special City meeting.

§ 8. Officers appointed by City Council

The City Council shall appoint, and may remove at its pleasure and appoint others in their stead, the following officers, none of whom shall be members of the City Council, viz: a Collector of Taxes, a Superintendent of Streets and Waterworks, a City Attorney, a Board of Fire Wardens, consisting of one Chief and a first and second Assistant Engineer, and such other officers not herein otherwise provided for as are required by law. The City Council may fill vacancies in elective City offices, including the Board of School Trustees, until the next annual meeting, unless a special City meeting for the purpose of filling such vacancy is sooner warned and held. The City Council may fill vacancies in appointive offices until the next annual meeting or during the pleasure of said Council.

§ 9. Powers of Mayor; City Council to establish water rates

The Mayor shall be the Chief Executive Officer of the City. He or she shall use his or her best efforts to see that the laws and City ordinances are enforced and that the duties of all subordinate officers are faithfully performed. He or she shall take care that the finances of the City are properly expended and shall bring before the Board of Aldermen whatever he or she may deem worthy of their attention for prudentially and efficiently carrying on the affairs of the City. In his or her absence, the President of the Board of Aldermen shall act as Mayor in his or her stead. The Mayor, with the consent of the Board of Aldermen, shall have the power to remit penalties for the breach of City ordinances, in whole or in part, and shall cause the reason for such remission to be entered on the City records. The Mayor shall preside at all meetings of the City, with the power of moderator in town meetings, and at all meetings of the City Council. The City Council shall have all the powers of a selectboard. Said City Council shall hold a meeting on the first Monday of each month and oftener at the call of the Mayor. The presence of a majority of said Council shall be necessary to transact business at any meeting. The City Council shall establish rates to be paid for the use of water supplied by the City water works, which shall be called service rates and shall be collected by the City Treasurer. Such service rates shall be and are hereby made a lien in the nature of a tax upon the real estate so supplied with water and shall be collected and enforced under such regulations and ordinances as the City Council shall prescribe. The Mayor may appoint a Chief of Police and such number of other officers as he or she shall deem necessary, for a period not exceeding his or her term of office, but such appointees shall not continue in office after the next regular meeting of the City Council unless the same shall be approved by the City Council at such meeting. The Mayor may suspend any

~~Police officers shall not continue in force after the next regular meeting of the City Council unless the same shall be approved by the City Council, and the City Council may at any time annul any of such appointments.~~

~~§ 10. Mayoral approval and Board of Aldermen reconsideration of vetoed actions~~

~~The action of the Board of Aldermen shall require the approval of the Mayor, except as herein otherwise provided, for the enacting of all ordinances and bylaws and the awarding of any contracts, the appointment of any officers or committees, or the passing of any resolution. If the Mayor shall approve any ordinance, bylaw, resolution, appointment, or contract made or voted by the City Council, the same shall be reduced to writing and the Mayor shall sign the same. If he or she does not sign the same he or she shall return it with his or her objections in writing to the Board of Aldermen at their next regular meeting, provided he or she shall have not less than one week to consider such ordinance, bylaw, resolution, appointment, or contract. The Board of Aldermen shall then proceed to consider such ordinance, bylaw, resolution, contract, or appointment, and if, upon such reconsideration, three-fourths of the whole number of aldermen shall vote in favor of the same it shall be valid and take effect, notwithstanding the objection of the Mayor. If any such ordinance, bylaw, resolution, appointment, or contract shall not be returned by the Mayor to the Board of Aldermen at their next regular meeting after the period of one week has elapsed after he or she shall have received it, the same shall be valid and take effect without his or her approval. The fiscal year for all departments of said City shall begin on July 1st and end on the following June 30th.~~

~~§ 11. Police officers~~

~~All police officers shall have authority to serve anywhere within the State, and return process in criminal causes returnable within the State, and shall have the power of constables in all matters arising under the criminal and police laws of the State and the police regulations of said City.~~

~~§ 12. Board of Civil Authority and Board of Abatement~~

~~The City Council, City Clerk, and the Justices of the peace residing in the City shall constitute the Board of Civil Authority for the City, and, in conjunction with the listers, shall constitute a Board for the Abatement of Taxes, and shall be governed by the general laws of the State in respect to the abatement of taxes. The Board of Civil Authority shall perform all the duties imposed by law upon the board of civil authority of towns, except as hereinbefore provided. All meetings of the Board of Civil Authority shall, on application, be appointed and notified by the Mayor in the manner provided by law for appointing and notifying the meetings of the board of civil authority in towns. The compensation of all officers, servants, and employees of the City shall be fixed by the City Council, except as herein otherwise provided.~~

~~The City Clerk shall perform for the City the same duties according to law as town clerks, except so far as the same are rendered unnecessary by this charter, and shall receive the same fees therefor, or shall receive such compensation from the City for his or her services as the City Council shall allow. He or she shall be Clerk of the City Council and shall keep a record of their proceedings. He or she shall be sworn to the faithful performance of his or her duties, and his or her records, copies, and certificates shall be legal evidence in all courts and for all purposes, the same as those of town clerks. He or she shall have the exclusive charge and custody of the records and papers of the City, which shall not be taken out of his or her office unless upon the order or process of a court of competent jurisdiction. He or she shall have the same rights and authority conferred upon town clerks and may perform any official act that may be performed by town clerks.~~

~~§ 14. City Treasurer~~

~~The City Treasurer shall have the same powers and be subject to the same liabilities as are prescribed by law for town treasurers. The City Clerk shall be eligible to hold the office of City Treasurer. It shall be the duty of said Treasurer, upon the receipt of any rate bill as hereinafter provided for, to post notices in at least three public places in said City, and to publish the same for one week in a newspaper published in said City, calling upon the taxpayers to pay their respective taxes within 90 days from the date of said notice. There shall be deducted from the taxes paid during the 90 days specified, four per cent of the amount thereof. At the expiration of said 90 days the said Treasurer shall issue his or her warrant against the delinquent taxpayers to the amount of their taxes, returnable in 60 days from the date thereof, and deliver the same to the Collector of Taxes of said City, but if the City Council direct, the issuing of said warrant shall be delayed 60 days from the expiration of said 90 day period. There shall be allowed said Treasurer the sum of five cents for each name on the warrant issued by him or her, which shall be taxed against the delinquent taxpayer. Upon the return of any warrant so issued by the City Treasurer, if any taxes included in such warrant remain uncollected, the City Treasurer may reissue such warrant to the Collector for the collection of such unpaid taxes, returnable in 60 days from the date of such reissue. In reissuing said warrant, it shall only be necessary for the City Treasurer to write upon the same "Reissued to the Collector, returnable in 60 days from this date," dating and signing the same, and the reissue of such warrant shall in no manner affect any act or proceeding of the Collector made on such warrant previous to its reissue. It shall be the duty of the City Treasurer to collect all water rates that may be or shall hereafter become due to said City for the use of the City water under such regulations and ordinances as shall be prescribed by the City Council, but no compensation shall be allowed said treasurer for the performance of this duty. The City Treasurer shall keep a separate account of all monies appropriated for the use of schools, which monies shall consist of the income of all school funds of whatsoever nature, the income of any money or other property donated by any person to said City for the use of schools, and all money appropriated by the City Council for that purpose. The City Treasurer shall pay out of any monies mentioned in this paragraph, all warrants drawn by the school trustees for the use~~

§ 14. Collector of Taxes

The Collector of Taxes shall have the same powers and be subject to the same liabilities in and for the City as collectors of town taxes in the State have by law and are subject to and shall proceed in the performances of his or her duties as such collectors of town taxes are required to proceed. It shall be the duty of the Collector of Taxes of said City to execute such warrants as shall be issued by the City Treasurer under the provisions of section 14 of this charter, and return the same to said Treasurer and the amount thereon collected, with the return of his or her doing thereon within the time, therein named; provided, however, that if the said Treasurer shall make an affidavit that any person, whose name appears on the rate-bill as a taxpayer, is about to remove or abscond from the State and shall file the same with the City Council, the Treasurer may thereupon issue a warrant against such taxpayer for the amount of his or her tax, although the 90 days hereinbefore mentioned shall not have then expired, and it shall be the duty of the said Collector to execute the warrant. The City Council may award said Tax Collector such compensation as they may determine to be appropriate.

§ 15. Constable

The Constable shall have the same powers and be under the same duties and liabilities as are prescribed by law for the constables of towns except for the collection of taxes, and said Constable and all special police officers shall have the same powers as sheriffs in suppressing riots and all unlawful assemblages and of arresting without warrant all persons disturbing the peace, and may bring them before any competent court forthwith. The City Constable shall be Collector of Taxes and shall have the same powers and be subject to the same liabilities in and for the City as collectors of town taxes in the State have by law and are subject to, and shall proceed in the performance of his or her duties as such collectors of town taxes are required to proceed. It shall be the duty of the Collector of Taxes of said City to execute such warrant as shall be issued by the City Treasurer under the provisions of section 14 of this charter, and return the same to the said Treasurer and the amount thereon collected, with the return of his or her doings thereon within the time therein named; provided, however, that if the said Treasurer shall make an affidavit that any person, whose name appears on the rate-bill as a taxpayer, is about to remove or abscond from the State, and shall file the same with the City Council, the Treasurer may thereupon issue a warrant against such taxpayer for the amount of his or her tax, although the 90 days hereinbefore mentioned shall not have then expired, and it shall be the duty of the said Collector to execute the warrant. The City Council may award such Tax Collector additional compensation for the collection of taxes beyond that now fixed by statute.

§ 16. Department of Assessment

There shall be a Department of Assessment, which shall consist of a Chief Assessor and such assistants as are deemed to be necessary by the City Council. The Chief Assessor and assistants shall be appointed and may be removed by the City Council. The

§ 17. Auditor

The auditors shall examine and adjust the accounts of the Treasurer and all other City officers, and report the accounts so settled with the items thereof, and also the state of the Treasury; and the reports shall be printed, together with those of the other City officers, under the direction of the City Council, at the expense of said City, and circulated among the taxpayers thereof at least 15 days prior to the annual meeting.

§ 18. City grand jurors

The City grand jurors shall be complaining officers and shall have the same powers and be subject to the same liabilities in said City as are conferred and imposed by law upon grand jurors.

§ 19. Overseer of the Poor

[This section, originally enacted as § 19 of No. 273 of the Laws of 1917, established the Office of Overseer of the Poor, which the General Assembly abolished in every municipality as of October 1, 1968 pursuant to the provisions of § 37 of No. 147 of 1967. Based on the 1967 statute, the original reference to the appointment of an Overseer of the Poor in section 8 (Officers appointed by City Council) and in section 41 (City Council election of City officer) has been deleted.]

§ 20. Superintendent of Streets

The Superintendent of Streets, under the direction of the City Council, shall have the superintendence of all roads, streets, sidewalks, sewers, and electric wires, conduits, and appliances used for lighting purposes and owned by the City, in said City, and the construction and repair of the same, and shall have the general supervision of the entire water works belonging to the City of Newport, and shall keep the same in repair.

§ 21. City Attorney

It shall be the duty of the City Attorney to prosecute and defend all suits by or against the City in which the City is interested, to prosecute for all violations of the City ordinances, and to advise the Mayor or Council when requested by them upon any legal questions arising relative to the affairs of the City, and to perform all the duties imposed by law upon town agents.

§ 22. Board of Fire Wardens

power at such fire to suppress all tumults and riots by force if necessary, to direct the labor of all persons present during the continuance of such fire, to remove goods and effects endangered by such fire and protect the same from waste and depredation, and to pull down, remove, or destroy any house, store, or other building when they or any of them present at such fire shall deem it necessary for the better preservation of any property. Said Board of Fire Wardens may inspect the manner of manufacturing and keeping gun powder, lime, ashes, matches, lights, fire works, or combustibles, and the construction and repairs of fireplaces, stoves, flues, and chimneys in said City. Said Board of Fire Wardens may, by vote of a majority thereof, direct all persons manufacturing or keeping such gunpowder, lime, ashes, matches, lights, fireworks, combustibles, kerosene oil, petroleum, naphtha, gasoline, oils, or burning fluid, in what manner and quantities to manufacture and keep the same, and the owners or occupants of buildings with such fire places, stoves, flues, or chimneys, how to repair the same. Every person refusing or neglecting to obey such order shall forfeit and pay to the use of said City a fine not exceeding \$25.00 for each period of 20 days after notice of such order that such person shall neglect or refuse to obey the same. Such order shall not be inconsistent with any ordinance or bylaw of the City. The Board of Fire Wardens shall have full power to regulate their own proceedings and to form new hose or hook and ladder companies, subject to the approval of the City Council, and to organize and govern the Fire Department, and, subject to the approval of the City Council, to purchase necessary fire apparatus and have the general care and custody of the property pertaining to the Fire Department.

§ 23. City Council powers

The City Council shall have power to make, establish, alter, amend, or repeal ordinances, regulations, and bylaws not inconsistent with this charter or with the Constitution or laws of the United States or of this State for the following purposes and to inflict penalties for the breach thereof:

- (1) To establish and regulate a market, and to regulate the selling or peddling of meat, fish, or other provisions for vehicles or otherwise within the City.
- (2) To restrain and prohibit all descriptions of gambling and for the destruction of all instruments and devices used for that purpose.
- (3) To regulate the exhibitions of common showmen and shows of every kind not interdicted by law, and to regulate, restrain, or license itinerant vendors and peddlers.
- (4) To prevent riots, noises, disturbances, or disorderly assemblages.
- (5) To abate and remove nuisances, and to restrain and suppress houses of ill fame and disorderly houses.
- (6) To compel the owner or occupants of any unwholesome, noisome, or offensive house or place, to remove or clean the same from time to time, as may be necessary for the health or comfort of the inhabitants of said City, and to remove and dispose of garbage

ashes, rubbish, and all kinds of refuse.

- (7) To direct the location and control of all slaughterhouses, markets, manufactories, blacksmith shops, sewers, and all private drains, and to compel the construction of drains within the limits of the City, under such inspection regulations as the City Council may adopt.
- (8) To regulate the manufacture and keeping of gunpowder, ashes and all other combustible and dangerous material.
- (9) To regulate the making of alterations and repairs of stovepipes, fireplaces, chimneys, and other things from which danger of fire may be apprehended, and also to regulate the use of buildings in crowded localities for hazardous purposes; to provide for the preservation of buildings from fires by precautionary measures and inspections; to regulate the size, height, and material of new buildings to be constructed in the City or in certain prescribed localities therein, and to establish and regulate a fire department and fire companies, and to make regulations concerning the management and the conduct of all persons present at fires, the removal and protection of property, the examination of any building or place where combustible material or substances are supposed to be kept or deposited, the removal of such material and substances, and the adoption of other suitable safeguards against fires and the loss or destruction of property by reason of the same.
- (10) To prevent immoderate riding or driving and to regulate the management, operation, use, and speed of automobiles, motor, and other vehicles in the streets, and to prevent cruelty to animals.
- (11) To regulate the erection of buildings and prevent encumbering the streets, sidewalks, and public alleys with firewood, lumber, carriages, boxes, or other things, and provide for the care, preservation and improvement of public grounds.
- (12) To restrain and punish vagrants, mendicants, and common prostitutes, and to make regulations respecting paupers.
- (13) To restrain or regulate the keeping and running at large of cattle, horses, swine, sheep, goats, fowls, and dogs. And, in addition to the tax now imposed by law upon the owners or keepers of dogs, to require the owner or keeper of any dog or dogs to pay such additional tax or license fee for the keeping thereof as they may impose, and prescribe such penalties in default thereof as may be deemed necessary. All monies received hereunder shall be paid into the City Treasury.
- (14) To regulate and determine the time or place of bathing in any of the public waters within said City, or adjacent thereto, and to prevent the same.
- (15) To compel all persons to remove from the sidewalks and gutters in front of the premises owned or occupied by them all snow, ice, dirt, and garbage, and to keep such

~~premises in the City to cut and remove from the streets and sidewalks in front of such land or premises all grass, thistles, and weeds growing or being thereon, under such regulations as may be prescribed therefor.~~

~~(16) To license innkeepers, keepers of saloons, victualing houses, billiard and pool rooms, and bowling alleys, and auctioneers, under such regulations as shall be prescribed therefor; and all monies paid for such licenses shall belong to the City and be paid into the City Treasury.~~

~~(17) To regulate or restrain the use of rockets, squibs, fire crackers, and other fireworks in the streets or commons, and to prevent the practicing therein of any amusements having a tendency to injure or annoy persons passing therein or to endanger the security of property.~~

~~(18) To regulate gauging, the place and manner of selling and weighing hay, packing, inspecting and branding beef, pork, and produce, and of selling and measuring wood, lumber, ice, lime, and coal, and to appoint suitable persons to superintend and conduct the same.~~

~~(19) To license porters, cartmen and owners and drivers of hacks, coaches, cabs, carriages, and other public vehicles, and to regulate their fees and prescribe their duties.~~

~~(20) To prescribe the powers and duties of watchmen and police officers of said City.~~

~~(21) To provide for lighting public streets, places, and highways.~~

~~(22) To prohibit and punish willful injuries to trees, shrubs, and plants planted for shade, ornament, convenience, or use, public or private, and to prevent and punish trespasses or willful injuries to or upon public buildings, squares, commons, cemeteries, or other property.~~

~~(23) To regulate the burial of the dead, the keeping, returning and preserving of statistics of deaths and burials also the returning, and keeping of a record of all births and marriages.~~

~~(24) To regulate the examination of the land and other public records and documents of the City, by individuals, as may be necessary for the security and preservation of the same.~~

~~(25) To manage and control the public places, parks, and commons in said City, to regulate the use of the same by the public, and to prevent and punish trespasses or willful injuries to or upon any fountain, shade or ornamental tree, plant or shrub, building or structure placed therein by or under the order of the City Council, in such a manner as shall not be inconsistent with the laws of this State.~~

~~(26) To regulate or prohibit the suspending or putting up of any sign, awning, or other structure in, upon/or over any street, sidewalk, lane, alley, common, or any other public square in the City.~~

~~taken down or removed; and, after 10 days' delay in complying with said order, to remove the same at the expense of the owner thereof.~~

~~(27) To compel reports from physicians, surgeons, and others of contagious and infectious diseases and those of a pestilential nature.~~

~~(28) To compel the registration of physicians or others practicing medicine, surgery, or midwifery.~~

~~(29) To prescribe standard rules for the placing of poles, wires, and electrical conduits in, over, and under the streets of the City, and to regulate their use. And said City Council may make and establish, amend, or repeal bylaws, rules and ordinances that they may deem necessary for the well being of said City, and not repugnant to the Constitution or laws of this State; all of which bylaws, regulations, and ordinances shall be duly published in one or more newspapers of this City, to be prescribed by the City Council, at least 20 days before they take effect.~~

~~(30) To license the owners of billboards and regulate the erection thereof.~~

~~(31) To control the erection of buildings and other structures on the shore of Lake Memphremagog, within City limits, and to prescribe regulations as to the use of said shores not inconsistent with the rights of private owners of the rights of navigation in the waters of said lake vested in the public.~~

~~(32) To establish curfew regulations and prescribe rules governing the presence of children on the streets or in public places at night, and fix penalties for the violation of such rules and regulations.~~

§ 24. Fines

~~No fine shall be imposed for the violation of any City ordinance or bylaw exceeding \$100.00, provided, that when it may be necessary to abate a nuisance the expense of such abatement may be imposed upon the delinquent in addition to said fine. A person who violates any City ordinance or bylaw may, on conviction thereof, be imprisoned in the house of correction, at hard labor, for a term not exceeding six months in addition to or in lieu of said fine, in the discretion of the court. A person convicted for violation of any City ordinance or bylaw, who shall neglect to pay such fine and costs as the court in its discretion shall adjudge, subject to the limitations herein contained, within 24 hours from the rendition of such judgment, shall be committed to said house of correction under the same regulations and in the same manner as provided by the laws of this State. In addition to such fine for a violation of any such ordinance or bylaw, the City may have and maintain an action of tort founded on this statute against any person willfully and maliciously damaging or destroying any of the property of said City, or injuring or corrupting any of the water supply or water works of said City, and may recover treble damages and costs against such person.~~

~~The City Council shall have the power to provide sidewalks, and to prescribe the material to be used therein, and also to provide, order, and direct that the sidewalks upon such streets as the City Council shall designate, shall together with the curbing therefor, be constructed in part at the expense of the owner or owners of the lands or buildings adjacent thereto, and in proportion to the benefit conferred, not to exceed one-half, and to assess the lands or buildings of such owner or owners adjacent to or abutting on any such sidewalk, to be constructed in compliance with such order, such proportion of the cost or expense thereof, such assessment to be apportioned among the owners of such lands or buildings fronting as aforesaid according to their frontage on such sidewalk, and the benefit to be conferred to be made in the manner and in accordance with provisions respecting highways. When such Council shall have made any such assessment, it shall make a report thereof, setting forth its doings in that respect, which report shall be recorded in the City Clerk's office, and when so recorded, the amount so assessed shall be and remain a lien in the nature of a tax upon the land so assessed until the same shall be paid. Said Council shall have power to assess abutting land owners for a portion of the expense of sprinkling streets, not to exceed one-half, and in proportion to the benefit conferred. Such assessment when made and filed as hereinbefore specified shall be and remain a lien in the nature of a tax upon the land so assessed until the same shall be paid.~~

~~**§ 26. Water system**~~

~~The City Council shall have all the powers over and in any way appertaining to the water system owned by the present Village of Newport that are now conferred on the water commissioners, provided for in 1878 Acts and Resolves No. 201, entitled "An act defining the power of the Village of Newport," and all amendments thereto.~~

~~**§ 27. Sale or lease of City owned property**~~

~~The City Council may authorize the sale of real or personal estate belonging to the City when the same shall not exceed in value \$1,000.00, or may lease the same for a term not exceeding one year, and all conveyances, grants, or leases of any such real estate shall be signed by the Mayor and sealed with the City Seal.~~

~~**§ 28. City expenditures**~~

~~Except as herein otherwise provided, no money shall be paid out of the City Treasury except upon warrant, signed by the Mayor and approved by the Board of Aldermen, such approval to be authenticated by the City Clerk. A full record of all expenditures shall be kept, and a clear statement of all receipts and disbursements of City monies, and of the affairs of the City generally, shall be annually published under the direction of the City Council, at least two weeks before the annual City election. No City official shall be directly or indirectly interested in any contract with the City.~~

~~The City Council shall have the power to levy all taxes upon the grand list of said City, and in addition to such tax as may be necessary for the payment of all such State, county, and highway taxes as are or may be required by law, and in addition thereto such tax as the Board of School Trustees shall recommend to said Council for the support of schools, not exceeding 100 cents on the dollar of the grand list of said City unless authorized by a vote of the City. They shall have power annually to lay and assess upon said grand list such tax, which shall not exceed 100 cents on the dollar thereof, unless by vote of the City, and in their judgment may be required for the payment of the current expenses of the City and for carrying out any of the provisions of this charter; and in addition they shall annually assess a tax of not less than 20 cents nor more than 60 cents on the dollar of said grand list, the proceeds of which shall be used in retiring the floating and funded indebtedness of said City or in creating a sinking fund for the future redemption of such indebtedness. All of the aforesaid taxes may be included in one rate bill, and such tax bills, with a warrant signed by the Mayor of the City or any justice of the peace within the county shall be delivered to the Treasurer, to whom all taxes shall be paid in money.~~

~~**§ 30. Revenues credit and appropriations**~~

~~(a) The current revenues of the City shall consist of money raised by taxation, from fines and other lawful sources, and such revenues shall constitute the entire sum from which appropriations and payments are to be made, according to law, by or under the authority of the City Council. The credit of the City, other than by temporary loans, not exceeding \$3.50 on the dollar of the grand list of the City for the time being shall not be pledged except by authority of the legal voters of the City. Such temporary loans and all debts incurred by the City Council shall be deemed expenditures and shall be paid by the City Council during the fiscal year in which they are contracted.~~

~~(b) All appropriations for specific purposes made at any annual or special meeting in said City shall, unless otherwise directed by the voters, be paid out of current revenues for that year and shall be deemed as expenditures by the City Council.~~

~~(c) The City Council shall not exceed in expenditures, except by express authority of the legal voters of the City, said current revenues of the City during any year. If it should happen that said current revenues of the City shall have been expended before the end of any fiscal year, and there remain necessary or desirable expenditures to be met, the City Council shall call a special meeting of the legal voters of the City to consider what shall be done.~~

~~(d) The Mayor and Board of Aldermen, without special direction of the voters of said City, shall not draw, sign, or approve warrants to pay expenditures or appropriations in excess of current revenues. The City Treasurer, without special direction of the voters of said City, shall not honor or pay warrants in excess of current revenues. Any official violating the provisions of this section shall be liable to refund to the City the full amount of all warrants drawn, signed or approved or so honored or paid.~~

§ 32. Bonds of City officers

The Treasurer, Clerk, Constable, Tax Collector, and Superintendent of Streets and Waterworks shall annually give bonds to the City to the satisfaction of the City Council for the faithful discharge of their respective duties, and any other City officer may be required by the City Council to give similar bonds. In case any officer neglects to give bonds as above specified, after 10 days' notice from the City Council that he or she is required to do so, his or her office shall thereupon become vacant and the vacancy shall be filled as hereinbefore provided.

§ 33. [Transitional provisions related to the financial assets and liabilities of the Villages of Newport and West Derby; 1917 Acts and Resolves No. 273, § 37.]

§ 34. Pledge of credit

Whenever the legal voters of the City shall give authority to the Council thereof to pledge the credit of the City for any purpose, the City shall have power and authority to issue its negotiable orders, warrants, notes, or bonds, and to prescribe whether such bonds shall be registered or have interest coupons attached to the amount, not to exceed the limit prescribed by law, for which the legal voters aforesaid shall have given authority to so pledge the credit of the City. Such notes or bonds shall be payable at such time and at such a rate of interest as shall be established by said voters, or, if no time or rate of interest is fixed thereby, the same shall be established by resolution of said Council.

§ 35. [Transitional provisions related to the financial liabilities and assets of the Towns of Newport and Derby; 1917 Acts and Resolves No. 273, § 35.]

§ 36. [Transitional provisions related to the books and records of the Town of Newport; 1917 Acts and Resolves No. 273, § 36.]

§ 37. [Transitional provisions related to the books and records of the Town of Derby; 1917 Acts and Resolves No. 273, § 37.]

§ 38. Paupers

(a) The Town of Newport and the City of Newport shall, on and after April first, 1919, be respectively liable for one-half the support of all persons who were paupers on said Town of Newport, meaning those being supported on the Town Farm of said Town, on the first Tuesday of March 1918. As soon as may be after the passage of this charter and forthwith after each annual Town and City meeting hereafter the Overseers of the Poor of said Town and City shall meet to agree upon the charge for board and lodging of said paupers on the City Farm of said City for the year ensuing, and, if they agree, they shall reduce their agreement to writing in duplicate and file one of said duplicates with the City Clerk of said City and one with the Town Clerk of said Town; but if said overseers cannot agree upon

select one disinterested person from outside of the Territory of the City and the other shall be selected by the City Council. The person so selected shall select a third person also disinterested and from outside said Town and City, whose expense shall be borne equally by said Town and City, who shall forthwith hear the parties and determine either a reasonable charge for board and lodging of said paupers on said City farm, or shall make division of all said paupers as equitably as may be, and said three persons, or a majority thereof, shall reduce their award to writing under their hands and in duplicate showing the reasonable charge for board and lodging of said paupers, or showing and designating which paupers shall be supported by said Town and City respectively and deliver one of said duplicates to said Town and City, respectively, to be recorded by the respective Clerks of said Town and City, whereupon such award and designation, if it provides a division of said paupers, shall become and remain binding upon said Town and City forever, and said Town and City shall thereafter be liable for the support of such persons as are designated in said award to be by them respectively supported. The City of Newport and the Town of Newport shall be respectively liable for the support of all other persons who were receiving aid from the Town of Newport on the first Tuesday of March 1918, who resided within their respective limits when they became paupers. Territory within the limits of the Town of Newport owned by the City of Newport, shall be considered as City territory in determining all pauper residence questions.

(b) The City of Newport and the Town of Derby shall be respectively liable for the support of all persons, who were paupers on the Town of Derby on the first Tuesday of March 1918, who resided within their respective limits when they became paupers. The residence of a person for the purpose of determining where a pauper shall be chargeable, shall, in the event of a partial residence in any of the territories referred to in this section on the first Tuesday of March 1918, be completed by a continuance in the same Town or City for a term sufficient to make the three year residence making such person chargeable on said Town or City.

§ 39. Public schools and school property

The exclusive management and control of the public schools and all school property is vested in a board of five school trustees. Said trustees shall be bona fide residents of the City and qualified voters or school officers. The three incumbents constituting the present Board shall continue in office until their respective terms expire. At the annual meeting each year thereafter one trustee shall be elected for a term of three years and until his or her successor is elected and qualified. The remaining two members of the Board shall be appointed in the first instance by the City Council, one for a term of one year, and one for a term of two years; and thereafter the successor of each shall be elected and hold office for a term of three years and until his or her successor is elected and qualified. The Board of School Trustees shall make an annual report of their doing and expenditures to the City Council on or before the first day of February in each year for the last preceding fiscal school year, and in this report they shall make estimates of the necessary expenditures for the support of schools for the ensuing fiscal year, the amount of school income to be received from sources other than taxation, and the amount of money to be raised by taxation

~~for the support of said schools, which report shall be published with the report of the City officials, as herein provided. Said Board of School Trustees shall annually recommend to the City Council, on or before the first day of April, the amount of money that they require for school purposes, to be raised by taxation, and the City Council shall include such tax in their annual rate bill. On or before the first day of each July hereafter the City Council shall appropriate for the use of schools such sum as will be raised by taxation in that year for the support of schools, and shall also then appropriate the amount of school income to be derived from sources other than taxation in such year, all of which shall constitute the school fund of said City that the City Treasurer shall pay out from time to time on warrants signed by a majority of the Board of School Trustees which said warrant shall not require the approval of the City Council. All money and property formerly owned by the Newport Academy and Graded School District shall belong to said City and all debts and liabilities of said District shall be paid and discharged by said City, and all lawful contracts of said District on March 1, 1918, shall be carried out by said City. The act incorporating the Newport Academy and Graded School District, and all acts, amendatory thereof, are hereby repealed. The school trustees shall give such bond to the City, at the expense of the City, as the City Council shall demand and approve for the faithful discharge of their duties.~~

§ 40. City Manager

(a) The Council may, when the City so votes at any annual meeting, appoint a City Manager who shall be the administrative head of the municipal government under the direction and supervision of the Council, and who shall hold office at the pleasure of the Council. The duties of the City Manager shall be:

- (1) to see that the laws and ordinances are faithfully executed;
- (2) to attend all meetings of the Council at which his or her attendance may be required by that body;
- (3) to recommend for adoption to the Council such measures as he or she may deem necessary or expedient;
- (4) to appoint, excepting as otherwise provided for by this act, all officers and employees of the municipality, and to perform the duties of such officers and employees as the Council may designate; (5) to prepare and
- (5) to prepare and submit to the Council such reports as may be required by that body, or as he or she may deem advisable to submit;
- (6) to keep the Council fully advised of the financial condition of the municipality and its future needs;
- (7) to prepare and submit to the Council a tentative budget for the next fiscal year;
- (8) and to perform such other duties as the Council may determine by ordinance or resolution.

~~(b) The City Manager shall receive no salary or may be fixed by the Council. Before entering upon the duties of his or her office, he or she shall take the official oath required of other officers by this charter and shall execute a bond in favor of the municipality for the faithful performance of his or her duties in such sum as may be fixed by the Council. The City Manager need not be a voter in or a resident of the City.~~

§ 41. City Council election of City officers

The Council shall, when the City so votes at any annual meeting, elect the Clerk, Treasurer, Constable, listers, auditors, City grand jurors provided for in section 6 of this charter, which election by said Council shall be in lieu of the method provided for in said section 6 of this charter. The term of office of each person so elected by said Council shall be that provided for by said section.

§ 42. Transitional provisions relating to office duties