

Title 24 Appendix: Municipal Charters  
Chapter 11: City of St. Albans

§ 11-1. General Law Application

Except when changed, enlarged or modified by the provisions of this charter, or by any legal regulation or ordinance of the City of Saint Albans, all provisions of the statutes of this state relating to municipalities shall apply to the City of Saint Albans. Prior acts or enactments of the City of Saint Albans shall not be affected by this charter, except as otherwise provided herein. Except when changed, enlarged, or modified by the provisions of this charter, all provisions of the statutes of this state relating to schools or school districts shall apply to the City of Saint Albans school district.

§ 11-2. Boundaries

The boundaries of the City of St. Albans shall continue as heretofore established by said act as amended by No. 280 of the Acts of 1915, which boundaries are therein described as follows:

(1) Beginning at the southeasterly corner of Aldis Hill playground, thence northerly, westerly, southerly and again westerly in the bounds of said playground to the northwesterly corner thereof.

(2) Thence northerly, in a line parallel to High Street, to a point on the southerly boundary of property now or formerly owned by Adhemard and Amanda Bertrand, Thence easterly in the southerly line of the aforesaid Bertrand property to a point seven hundred ten feet from the easterly line of High Street.

(3) Thence northerly a distance of seven hundred fifty feet in a line parallel with said High Street to a point.

(4) Thence westerly a distance of one hundred forty feet in a line parallel to the southerly boundary of the aforesaid Bertrand property to a point.

(5) Thence continuing westerly a distance of one hundred forty feet in a line parallel to the southerly boundary of the aforesaid Bertrand property to a point.

(6) Thence westerly in a line parallel to the southerly boundary line of the aforesaid Bertrand property a distance of five hundred twenty feet to a point in the easterly line of High Street.

(7) Thence, at right angles to Main Street, westerly two hundred seventy-nine and one-twelfth feet to a stake in the center of the track of the Missisquoi Valley Railroad Company.

(8) Thence southerly, along the center line of said track, five hundred thirty-five and one-sixteenth feet to a stake in line with the south line of the meadow now or formerly owned by Mrs. Betsy D. Hoyt, deceased.

(9) Thence westerly, in the aforesaid Hoyt south line and its continuation, to such a point as would be intersected by producing northerly the westerly line of the land now or formerly of Louis DeGoesbriand, which land is commonly called Calvary cemetery.

(10) Thence southerly, in the west line of said Calvary cemetery lot and its continuations to the north end and to the south two thousand one hundred seventy-three feet, and seven inches.

(11) Thence westerly, seven hundred forty-eight feet, to a stake.

(12) Thence southerly, four hundred and six feet to a stake in the center of the main line of the Central Vermont Railway Company.

(13) Thence westerly along the main line of the Central Vermont Railway Company, a distance of two hundred twenty-nine feet to a stake.

(14) Thence southerly in a straight line to a stake in the south line of Lake Street, being at the northeast corner of lands now or formerly owned by Mrs. Mary L. Stickney.

(15) Thence southerly, in said Stickney's east line and the continuation thereof, to a stake set at the point in said line last mentioned which would be intersected by continuing westerly the north line of land now or formerly owned by Mrs. Mary McGrath.

(16) Thence easterly in the said McGrath's north line and its continuation westerly nineteen hundred sixty-nine and five-twelfths feet to a stake.

(17) Thence southerly at right angles to the last course eight hundred ninety-six and one-third feet to a stake in the line between land formerly owned by Michael McMahon, deceased, and land now or formerly owned by B. F. Rugg.

(18) Thence easterly in the north line of said Rugg's land and the continuation thereof, eleven hundred twenty-eight and one-sixth feet to a stake in the easterly line of the Central Vermont Railroad Company's right of way, being also the northwest corner of land now or formerly owned by d by George C. Story.

(19) Thence southerly, in the westerly line of said Hall land and of land formerly owned by Henry Tanner, deceased, being also the easterly line of the said railroad right of way, three hundred forty-two and one-twelfth feet to a stake at the southwest corner of said Tanner land.

(20) Thence, easterly in the south line of the aforesaid Tanner land, to a stake at the north corner of lands now or formerly owned by Mrs. Lydia Judd.

- (21) Thence southerly, in the westerly line of said Judd's land and its continuation southerly to a stake at the point in said line which would be intersected by continuing westerly the south line of lands now or formerly owned by Mrs. Emily C. Edson.
- (22) Thence easterly, in said Edson's south line, and its continuation, to the west line of South Main Street.
- (23) Thence southerly, in the said west line of South Main Street, to a stake in the line between lands now or formerly owned by B. F. Rugg and land now or formerly occupied by Mrs. Sarah C. Foster.
- (24) Thence westerly, in said last mentioned line, two hundred feet to a stake.
- (25) Thence southerly in a line parallel to, and two hundred feet west from the west line of South Main Street eight hundred seventy-nine and three-eighths feet to a stake on land now or formerly owned by Mrs. Emerette Dean.
- (26) Thence easterly at right angles to the preceding course, one hundred three feet to a stake, thence southerly at right angles to the preceding, seventy and two-thirds feet to a stake, thence westerly at right angles to the preceding, one hundred three feet to a stake in the line as aforesaid parallel to Main Street.
- (27) Thence southerly, in the continuation of the line parallel to South Main Street and two hundred feet west of the west line thereof, eight hundred fourteen and eleven-twelfths feet to a stake on land now or formerly owned by Mrs. Florette B. Maynard, being in line with the south line of Parsons Avenue, if produced westerly.
- (28) Thence easterly, in said south line of Parsons Avenue and its continuation to the west, four hundred ninety-two and seven-eighths feet to a stake north of Nelson F. Hazard's house, now or formerly, being two hundred feet east of the east line of South Main Street.
- (29) Thence northerly, in a course parallel to the east line of South Main Street and two hundred feet east of said east line, to a stake in the south line of the lot now or formerly owned and occupied by Chas. H. Clark.
- (30) Thence easterly, in said Clark's south line, to the southeast corner of the lot aforesaid.
- (31) Thence northerly, in the east line of the aforesaid Clark's lot and in the continuation thereof, to a stake in the south line of land now or formerly occupied by M. D. Downey.
- (32) Thence easterly, in the south line of said land now or formerly occupied by M. D. Downey, to the southeast corner thereof.

- (33) Thence northerly, in the east line of land occupied by said Downey and in the east line of land now or formerly occupied by Dan'l Beeman, to a stake in the south line of land occupied by S. S. Allen.
- (34) Thence easterly, in the said south line of land now or formerly occupied by S. S. Allen, to the southeast corner thereof.
- (35) Thence northerly, in the east line of the land occupied as aforesaid by S. S. Allen and in the continuation of the last mentioned line, to a stake in the south line of lands of the St. Albans Cemetery Association.
- (36) Thence easterly in said last mentioned line, to a stake in the southeast corner of the aforesaid Cemetery Association land.
- (37) Thence northerly, in the easterly line of the aforesaid Cemetery Association land and of H. H. Farnsworth's land in the westerly line of B. F. Rugg's land, to a stake two hundred feet south from the south line of easterly continuation of Upper Welden Street.
- (38) Thence easterly, parallel to and two hundred feet from the south line of the continuation of Upper Welden Street as aforesaid, to a stake in the west line of Thorpe Avenue, as now fenced.
- (39) Thence northerly in said west line of Thorpe Avenue and its continuation to a stake in the north line of lands now or formerly of B. F. Rugg.
- (40) Thence easterly in said B. F. Rugg's north line four hundred sixty-three and three-fourths feet to a stake.
- (41) Thence northerly nine hundred twenty-six feet to a stake in the north line of Fairfield Street.
- (42) Thence northerly to an iron stake at the southeast corner of land now or formerly occupied by Dr. W. Standford Stevens.
- (43) Thence northerly in the east line of land occupied by said Stevens, to an iron stake at the northeast corner thereof, and again continuing the last mentioned line until it intersects the south line of land formerly owned by John Gregory Smith, deceased.
- (44) Thence northerly to a point in the north line of Congress Street, being four hundred ninety-five feet easterly along the said north line of Congress Street from the southeast corner of land leased by John Gregory Smith to Edward Curtis Smith February 18, 1889.
- (45) Thence northerly to the place of beginning. It is to be understood throughout this description that the word "line" shall mean "a straight line", and the word "continuation" shall mean "continuation in a straight line".

(46) Commencing at a point in the city boundary of the City of St. Albans along the thirty-eighth line described in the description of boundaries included in the charter of the City of St. Albans, Vermont, said point being more explicitly described as lying in the center of Grice Brook and is the southern extremity of the westerly boundary of Burnell Terrace as deeded to the City of St. Albans and approximately one thousand one hundred forty-five feet south of the southerly line of Upper Welden Street, thence running northerly along the city boundary to a point two hundred feet south of the south line of Upper Welden Street, thence easterly, parallel to and two hundred feet from the said south line of Upper Welden Street to the west line of Thorpe Avenue; thence northerly in said west line of Thorpe Avenue and its extension to a point marked by an iron pipe at the northwesterly corner of property now or formerly of Robert Hill; thence in an easterly direction a distance of four hundred sixty-three and seventy-five one-hundredths feet to a point marked by an iron pipe; thence northerly a distance of nine hundred twenty-six feet to a point in the northerly boundary of Fairfield Street; the lines thus far described being along the present boundary of said City of St. Albans; thence running easterly along the northerly boundary of Fairfield Street, a distance of sixty and seven-tenths feet to a point in the extension of the easterly boundary of land now or formerly of Leo Pudvah; thence in a southerly direction across Fairfield Street and along the easterly boundary of Leo Pudvah's property to a point marked by an iron pipe at the northwest corner of property now or formerly of John Labounty; thence in an easterly direction along the northerly boundary of the John Labounty property thence in a southerly direction along the easterly boundary of John Labounty's property and extension thereto to a point in the southerly boundary of Upper Welden Street; thence in the southerly boundary of Upper Welden Street to a point which is the northwesterly corner of land now or formerly owned by Kemper F. Peabody and Ethel M. Peabody; thence in a southerly direction along the westerly boundary of land of said Peabody, a distance of four hundred thirty-five and six-tenths feet to land now or formerly of Beverlee R. and Maritta T. Demeritt; thence easterly a distance of two hundred eighty-five and six-tenths feet to a point which is the northeasterly corner of land of said Demeritt; thence in a southerly direction along boundary of said Peabody to the southeast corner of property now or formerly of Malcolm and Mildred Baker; thence westerly along the southerly boundary of land of said Baker to a point in the easterly line of Thorpe Avenue; thence continuing in a westerly direction along Grice Brook to the point of beginning.

(47) Beginning at a point in the south line of Fairfield Street which marks the intersection of the present easterly boundary of the City of St. Albans and the southerly line of said Fairfield Street, thence extending along the southerly line of Fairfield Street and the southerly and westerly line of the so-called Fairfax Road to a point in the westerly line of Fairfax Road which marks the intersection of the southerly line of the extension of Upper Welden Street so-called and the westerly line of the Fairfax Road; thence continuing westerly long the southerly line of the extension of said Upper Welden Street to a point which marks the intersection of the southerly line of the extension of Upper Welden Street and the easterly boundary line of the City of St. Albans; thence turning and running in a northerly direction along the easterly boundary of said City of St. Albans to a point at the north-westerly corner of the premises now or formerly of one Howard King which marks the intersection of the easterly boundary of the City of St. Albans and a southerly

boundary of the present Town of St. Albans; thence westerly along a northerly boundary line of the City of St. Albans to an easterly boundary line of the City of St. Albans; thence northerly along the easterly boundary of the City of St. Albans to a point in the southerly line of Fairfield Street marking the point of beginning.

#### § 11-3. General Corporate Powers

The inhabitants of that territory embraced within the boundaries as established by act No. 280 of the Acts of 1915 shall continue as a body corporate and politic, under the name of the City of St. Albans; 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, within or without its corporate limits, as the purpose of the corporation may require; may borrow on the credit of the city, in the mode and under the restrictions hereinafter provided; may elect representatives to the general assembly of the state, and the same number of justices of the peace, as a town of equal population; and generally shall have, exercise and enjoy all such rights, immunities, powers, and privileges as are conferred upon or are incident to towns in this state; and shall be subject to like duties, liabilities and obligations, except as otherwise provided in this act.

#### § 11-4. 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 state constitution and by this charter, all powers of the city shall be vested in an elective council, hereinafter referred to as the city council, which shall enact ordinances, codes and regulations, adopt budgets, determine policies, and appoint the city manager, who shall execute the laws 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.

#### § 11-5. Wards

The city council is empowered to make such changes from time to time, by resolution or ordinance, in the number and boundaries of the several wards of the city as it may deem proper, having regard so far as practicable and convenient, to an equal division of population among them; provided that after the first change so made, such changes shall not be made more than once in five years.

#### § 11-6. City Meetings

(a) Annually on the first Tuesday of March a meeting of the legal voters of the city, and of the several wards therein for the election of officials, the voting budgets, and any other business included in the warnings for the meeting shall be by Australian ballot, and a plurality of votes shall be sufficient to elect. The ballot boxes shall be open for a

minimum of nine (9) consecutive hours at times and a location to be determined and warned by the city council.

(b) Notice of such meetings shall be posted in at least three public places within the limits of the city at least fourteen days prior to the meeting, and shall also be published prior to said meeting on the same day of two successive calendar weeks in a locally distributed newspaper, which notices shall be signed by the city clerk, or in case of his or her failure, by the mayor; provided, however, that if the annual meeting shall fail to be held for want of such notice, or for any other cause, the city and the several wards thereof shall not thereby be prejudiced, and the several officials hereinafter named may at any time thereafter be elected at a special meeting called for that purpose as herein provided.

(c) The clerk of said city shall at any time when directed by the city council, or when petitioned in writing by at least five percent of the registered voters of said city and filed with the city clerk no less than forty (40) days before the day of such meeting, call a special meeting of the legal voters of said city, for any legal purpose, in the same manner as is provided for the annual meeting, except as is hereinafter provided:

(1) Whenever a petition is brought for a meeting to rescind or reconsider the action taken at a previously held city meeting, the number of names required shall be ten percent of the legal voters and filed with the city clerk within thirty (30) days following the date of that meeting.

(2) Whenever one such meeting has been held to rescind or reconsider, the city clerk or the mayor shall not be required to call another meeting for the same purpose, and further petitions notwithstanding; in case of the failure of the clerk to call the meeting as aforesaid, that duty shall be performed by the mayor.

#### § 11-7. Vacancies

(a) If a member of city council, during his or her term, removes from the ward which he or she represents, his or her office shall become vacant upon removal from the ward.

(b) In case of a vacancy in the office of mayor, the remaining members of city council shall direct the clerk to call an election of a mayor by Australian ballot.

(c) In case of a vacancy in the office of a city council member, the remaining members of city council shall direct the clerk to call an election of a city council member by Australian ballot by the legal voters of the ward in which such vacancy occurs to fill such vacancy for an unexpired term. However, if a vacancy occurs in the office of a city council member during the last year of the council member's term and after the annual meeting of the city in that year, an appointment shall be made by the city council for the balance of the term remaining.

(d) In case of a vacancy in the office of the city clerk and treasurer, the vacancy shall be handled in accordance with sections 11.12(b) and 11.13(b) herein.

(e) School board vacancies shall be handled in accordance with 16 V.S.A. § 424.

#### § 11-8. Voting

(a) Voting qualifications for the right to vote in any city election or meeting shall be the same as those required by State Statutes for municipal meetings.

(b) The penalties for illegal voting at any city election shall be the same as those prescribed for illegal voting by State Statutes.

(c) Checklists of voters for the city and for each of the city's wards shall be compiled and maintained pursuant to Title 17 V.S.A. All persons who are legal voters in city meetings shall be entitled to have their names added to the check-list for the district where they reside, at the time such check-list is compiled and no person shall vote for any city official or other item on the warning unless the person's name is on such check-list.

(d) For any general or primary election the city council, or the city clerk as its designee if so chosen by the city council, may appoint as many additional ballot and assisting clerks as deemed necessary.

(e) At the close of the balloting at any city election, the city clerk and assisting clerks, and the city council shall count the votes cast for all officials and report a list of the candidates for whom votes have been cast, for each office, and the number of votes such candidate has received, which shall be recorded by the city clerk, and the candidate who has received a plurality of the votes cast for each respective office, shall by the mayor be declared elected to that office. If no candidate shall have received a plurality of all votes for the office for which he or she is candidate, the mayor shall order a new ballot in such ward or wards as have so failed to elect and a reasonable time shall be allowed for receiving and counting such votes as shall be cast at that or any subsequent ballot until all the officials are duly elected.

(f) No person, or family member of such person, whose name appears on the ballot as a candidate for any office at such election shall assist in the counting of ballots in such election. No person shall assist in the counting of ballots who is otherwise deemed by the city clerk to have a conflict of interest due to:

(1) Any association with a candidate.

(2) Financial interests, as provided for in section 11-15, herein.

#### § 11-9 Mayor

(a) The legal voters of the city shall elect a mayor, who shall be a legal voter in the city. The mayor shall hold office for a term of two years.

(b) The mayor shall be the chief executive officer of the city. The mayor shall use his or her best efforts to see that the laws and city ordinances are enforced, and that the duties of all subordinate officials are faithfully performed; and shall bring before the city council whatever he or she may deem worthy of its attention, for prudentially and efficiently carrying on the affairs of the city. In the mayor's absence, the president of the city council shall act as mayor in his or her stead.

(c) The mayor shall preside at all meetings of the city council, with the power of moderator in city meetings and at all meetings of the city council, and shall have a voice and vote in its proceedings.

#### § 11-10. City Council

(a) There shall be elected six members of city council, one from each ward, who shall be a legal voter in, and elected by the voters of the ward he or she represents. At each annual meeting two members of city council shall be elected for three years to succeed those whose term shall expire in the year in which the election is held. All of the members of city council shall hold office until their successors are duly elected.

(b) The mayor and members of city council sitting in their joint capacity shall be called the city council.

(c) The administration of all fiscal, prudential and municipal affairs of said city, except as otherwise delegated herein, and the government thereof, shall be vested in the city council. The city council shall be comprised of a council member for each ward as aforesaid and the mayor. The city council shall elect one of their number president of said city council. The city council shall be sworn to the faithful performance of their duties respectively.

(d) The city council shall have all the powers of selectboard members. Said city council shall hold a meeting on the second Monday of each month, and more often at the call of the mayor or at the call of the majority of the city council; the presence of a majority of the city council shall be necessary to transact business at any meeting, but a smaller number may adjourn from time to time and may compel the attendance of absent members in such manner as may be prescribed by ordinance.

(e) The city council shall establish rates to be paid for the use of water and wastewater services supplied by the city water and wastewater departments, which shall be called service rates, and shall be collected by the city treasurer; said city water and wastewater services may, at the option of the city council, be furnished outside of the limits of the City of St. Albans.

#### § 11-11. City Manager

(a) The city manager shall be chosen and appointed by majority vote of the city council for an indefinite term, and his or her salary fixed, solely on the basis of his or her

technical education as a city manager and executive and administrative qualifications. The city council's choice shall not be limited to the inhabitants of the city or state.

(b) The city manager may be removed from office by a majority vote of the city council. At least 30 days before such removal shall become effective, the council shall by a majority vote of its members adopt a preliminary resolution stating the reasons for his or her removal, and cause a copy of such resolution to be given to the manager. The manager may reply in writing and may request a public hearing, which shall be held not earlier than 20 days nor later than 30 days after the filing of such request. After such public hearing, if one is requested, and after full consideration, the council by majority vote of its members may adopt a final resolution of removal. During the absence or disability of the city manager the city council shall designate some properly qualified person to perform the duties of the office.

(c) Neither the city council nor any of its committees shall dictate the appointment or removal of any staff member by the city manager, or in any manner interfere with the city manager or prevent him or her from exercising his or her own judgment in the appointment of administrative service staff with the exception of the appointment of the director of public works, the fire chief, and the chief of police as provided in subsection (e) of this section. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the city manager and neither the council nor any member thereof shall give orders to any subordinates of the city manager, either publicly or privately.

(d) The city manager shall be the administrative head of the city government, and shall be responsible to the city council for the administration of the affairs of the city, and carrying out the policies of the city council. The powers and duties of the city manager shall be as follows:

- (1) The city manager shall see that all laws and ordinances are enforced; and
- (2) Shall exercise administrative control over all departments herein created or that may be created by administrative code except as otherwise provided in this charter; and
- (3) Shall make all staff appointments and removals except as otherwise provided in this charter; and
- (4) Shall prepare the annual fiscal budget to be submitted to the city council on or before the date set each year by the city council; and
- (5) Shall attend meetings of the city council, take part in the business discussion, and make such recommendations for the determination of policy as the city manager may deem expedient, except when city council is considering his or her removal; and
- (6) Shall act as purchasing agent for all city departments, except schools; and

(7) Shall be the collector of taxes, or shall delegate collection efforts to his or her designee; and

(8) Shall fix the salaries and wages of all employees under the city manager's jurisdiction in accordance with this charter, fiscal budgets, and personnel policies; and

(9) Shall administer the personnel policies, job classifications, and pay plan; and

(10) May delegate responsibility for administrative duties to staff members and subordinate officials; and

(11) Shall perform such other duties as may be prescribed by this charter or required by the city council.

(e) Appointments by the city manager of the following officials shall be subject to the approval of the city council: director of public works, fire chief, and chief of police. Such appointed officials, shall, unless removed by the city manager, serve indefinitely and until their successors are appointed and qualified. Such officials and employees appointed by the city manager as herein provided shall be immediately responsible to the city manager for the administration of their departments and their advice in writing may be required by him or her on all matters affecting their departments. They shall prepare departmental estimates which shall be open to public inspection, and they shall make all other reports and recommendations concerning their departments or offices at stated intervals or whenever requested by the city manager.

#### § 11-12. City Clerk

(a) The legal voters of the city shall elect a city clerk who shall be a legal voter in the city. The clerk shall hold office for a term of two years. The city clerk shall perform for the city the same duties devolving by law upon town clerks, except as far as the same are rendered unnecessary by this charter, and shall collect the same fees therefor to be paid into the city treasury for the use of the city.

(b) In case of a vacancy in the office of the city clerk, the vacancy shall be filled by the city council until the next annual meeting of the city.

(c) The city clerk and treasurer may be one and the same person.

#### § 11-13. City Treasurer

(a) The legal voters of the city shall elect a city treasurer who shall be a legal voter in the city. The treasurer shall hold office for a term of two years.

(1) The city treasurer shall have the same power and be subject to the same liabilities as are prescribed by law for town treasurers.

(b) In case of a vacancy in the office of the city treasurer, the vacancy shall be filled by the city council until the next annual meeting of the city.

(c) The city clerk and treasurer may be one and the same person.

#### § 11-14. Assessor

The assessor shall be a professionally qualified real estate appraiser or appraisal firm and shall have the same power and proceed in the discharge of their duties in the same manner, and be subject to the same liabilities as are prescribed for listers or the board of listers under the laws of this state, except as herein otherwise provided, in assessing the property within the city and making the grand list thereof, and shall return such list to the city clerk within the time required for lists to be returned to town clerks.

#### § 11-15. Conflict of Interest

No elective or appointive official or employee of the city shall be beneficially interested directly or indirectly in any contract with the city, regardless of amount; or furnish any material, or perform any labor, except in the discharge of his or her official duties, unless such contract shall have been awarded upon bids advertised for by publication. Such publication shall be in a locally distributed newspaper. No officer or employee of the city shall take part in any decision concerning the business of the city in which he or she has a direct or indirect financial interest, aside from his or her salary as an official or employee, greater than any other citizen or taxpayer in the city. This section shall not apply in the event of an emergency where immediate action shall be deemed more important to the city than the receipt of formal bids.

#### § 11-16. Ordinances-Authority to Enact

(a) The city council may make, alter, amend or repeal any resolutions, by-laws, regulations and ordinances which it may deem necessary and proper for carrying into execution the foregoing powers or for the well-being of said city, and which shall not be repugnant to the constitution or the laws of the state; and to provide penalties for the breach thereof. The City of St. Albans is hereby authorized and empowered to maintain actions in the Judicial Bureau, the Vermont Environmental Court, the Franklin Superior Court, as or in any appropriate forum, as specified by ordinance, to restrain actual or threatened violations of any ordinance of said city.

(b) The record of motions of the city council shall include the names of the members voting for and against any motion or resolution acted upon, unless such motion or resolution is unanimously adopted or rejected, or unless there is no conflict in the votes given.

§ 11-17. [Same]-Introduction; first and second readings; public hearings

(a) Every ordinance shall be introduced in writing. The enacting clause of all ordinances shall be "The Council of the City of St. Albans hereby ordains . . .". If the council passes the proposed ordinance upon first reading, it shall cause a short and concise one-paragraph description of the effects of the proposed ordinance to be published in a locally distributed newspaper, at least once, together with a notice of the time and place where and when there shall be a public hearing to consider the same for final passage. Such publication shall include reference to a place within the city where copies of the entire text of the proposed ordinance may be examined. The first such publication shall be at least one week prior to the date of said public hearing. In the event the city council shall a comprehensive revision to any chapter or chapters of its Code of Ordinances it shall be sufficient if a concise summary of the principal provisions of such revision is published as aforesaid rather than the entire text thereof.

(b) At the time and place so advertised, or at any time and place to which such hearing may from time to time be adjourned, such ordinance shall be read in full, except that by vote of a majority of the council the ordinance may be read by title, and after such reading, all persons interested shall be given an opportunity to be heard.

(c) After the hearing, the council may finally pass the ordinance with or without amendment, except that if the council makes an amendment it shall follow the provisions for final passage, publication and public hearing as provided by (a) and (b) of this section. After the hearing, the council may finally pass the amended ordinance or again amend it subject to the same procedures as outlined herein.

§ 11-18. [Same]-Authority Enumerated

The general grant of ordinance promulgating authority in Section 11-16, and in addition to those powers enumerated in 24 V.S.A. § 2291, such authority shall include, but not be limited to, the authority:

(a) To fix and impose licenses, fees, or taxes and collect the same for purposes of regulation and revenue in respect to the following matters and things:

(1) To restrain and prohibit all types of gaming.

(2) To regulate, restrain, prohibit, suppress, license, fix reasonable and necessary fees or tax for the purpose of revenue, places of public resort or public amusement whether indoor or outdoor including, but without limitation thereto, theaters, lodging establishments, and bowling alleys; places dispensing food and drink to the public, including, but without limitation thereto, transient merchants, lodging establishments, restaurants, bars or private clubs; public dances; and itinerant vendors, peddlers and transient merchants, and all moneys received for such licenses or taxes shall belong to the city and be paid into the city treasury.

- (3) To prevent riots, noises, disturbances or disorderly assemblages.
- (4) To establish and regulate a fire department.
- (5) To regulate or restrain the running at large of dogs and other domestic animals, including any such animals as may be kept by residents of the City of St. Albans, whether classified as “domestic,” “exotic,” or otherwise.
- (6) To compel the cleaning or repair of any premises; to abate and remove nuisances; to regulate or prohibit the storage and accumulation on premises within the city of garbage, ashes, rubbish, refuse and waste materials which in the judgment of the city council is dangerous to the health or safety of the public; to tax or license for revenue and regulate or prohibit the collection and removal of such materials from such premises and the disposal of the same by private persons or agencies; to compel and regulate the removal and disposal of such materials by owners, tenants and occupants of such premises; to require and provide for the collection, removal and disposal of such materials, by the city at its expense by contract with some private individual or agency, or by some city official, officials or department either existing, or hereafter created and established by the city council for that purpose; to establish, in case the collection, removal and disposal of such materials is done at the expense of the city, service rates to be paid to the city by the owners, tenants or occupants of premises from which said materials are collected and removed for services rendered by the city in collecting, removing and disposing of such materials, to compensate the city for the cost and expense of those services. All service rates against owners or others shall be collected and enforced under such regulations and ordinances as the city council shall prescribe. All such service rates shall constitute a lien and charge upon the buildings, lots and other property so supplied, and may be collected in the same manner as any tax assessed by the city.
- (7) To adopt and enforce police ordinances regulating and prohibiting the use of firearms, air rifles and devices having a capacity to inflict personal injury, and the parking, operation and speed of motor vehicles upon city and state aid streets and highways;
- (8) To provide for the lighting of the streets and public buildings of the city.
- (9) To manage and control the public places, parks and commons in said city, and to regulate the use of the same by the public, and to prevent and punish trespasses or willful injuries to or upon any appurtenances, building or structure placed therein by or under the orders of the city, in such a manner as shall not be inconsistent with the laws of the state.
- (10) To regulate or prohibit the suspending or putting up of any sign, billboard, or awning, in or over any street, lane, alley, common or other public place in the city; and, whenever the public good may require, to order and direct that signs, billboards or awnings heretofore erected or suspended as aforesaid shall be taken down or removed.
- (11) To provide a supply of water for the protection of the city against fire and for other purposes, including but not limited to the supplying of water outside the limits of the city,

and to regulate the use of same; and to establish and maintain reservoirs, aqueducts, water pipes, hydrants or any other apparatus necessary for such purposes, and also necessary sewers and drains, within or without the limits of said city, upon, in and through the lands of individuals and corporations, on making compensation therefor; and in taking such lands for such purposes said city council shall proceed in the same manner as select board members of towns are authorized by law to proceed in the taking of lands for highways; and the same right of appeal to the county court from the decision of the city council in taking such lands and in awarding land damages shall be allowed; and such appeal shall be taken in the same manner as is provided by law from the decision of select board members in such matters, except that such appeal, if taken from the appraisal of damages only, shall not prevent the said city from proceeding with its work as though no appeal had been taken. All moneys accruing on account of the city water and wastewater departments shall be paid into the city treasury, and the city treasurer shall keep separate accounts thereof showing fully all receipts and payment. Such moneys shall be devoted solely to the expense of construction, reconstruction, improvements, additions, repairs and maintenance of said water system and to the payment of any indebtedness created on account thereof.

(12) To make all regulations and ordinances for preventing the corruption and for the protection of the water supply and for the protection from injury of any dam, reservoir, aqueduct, pipe, hydrant, or source of supply of water connected with any water plant now owned or hereafter acquired by said city.

(13) To provide for the establishment of rates to be paid for the use of water and wastewater services supplied by the city water and sewer departments, which shall be called service rates. Such service rates may be charged either against the owner or occupants of a house or other building supplied with water and/or wastewater services, under such rules or regulations as the city council may prescribe, and in either case such service rates together with such reasonable collection fees as the city council may by ordinance prescribe, and all costs accrued or accruing thereon, shall be and remain a lien in the nature of a tax upon such house or other building, and upon the lot or lots of land upon which such house or other building is situated until fully paid or otherwise discharged. For the enforcement of such lien the city shall have the right, without the enactment of any special ordinance in this regard to resort to any and all remedies which would be available under the laws of this state if it were a lien for taxes. The city council shall also have power to make and enforce ordinances for the collection of said service rates either by requiring payment at the office of the city treasurer or the appointment of a collector or collectors to demand and collect the same, and the attempt to collect such rates by any of the methods herein mentioned shall not in anyway invalidate the lien upon said land or premises. Nothing herein contained shall affect service rates which have accrued or are in arrears at the time this act becomes effective; and the schedule of service rates which is in effect at the time of the passage of this act shall continue in full force and effect until modified or superseded through express action of the city council subsequently taken.

(14) To establish rules and regulations governing the use of said water and wastewater services, including the installing of a meter system, which said water from said city water department may be furnished outside the limits of the City of St. Albans.

(15) To prescribe regulations concerning the use and travel upon or over streets of the city in course of construction, alteration, improvement or repair, and to prohibit the use thereof.

(16) To prescribe regulations for the placing of poles, wires and electrical or other conduits in, over and under the streets and highways of the city, and to regulate their use.

(17) In the furnishing of water and wastewater services outside the limits of the City of St. Albans said city shall have the right, without the enactment of any special ordinance in that regard, to act by its council or the council's designee in accordance with the provisions of Section 1111 of Title 19 and Chapter 89 of Title 24 of the Vermont Statutes Annotated..

(18) To adopt and enforce ordinances relating to the operation, parking, soliciting, delivery or fares in the taxi business within the city, whether or not such vehicles are engaged in carrying passengers entirely within the city; to prescribe the duties and privileges of such owners and drivers; to fix and regulate rates of fare, including maximum and minimum rate or rates, for any such transportation of passengers within the city; to license and regulate all such vehicles; to rescind any and all licenses granted hereunder, and to prohibit the operation of such vehicles upon the streets of the city when either the owners or the drivers thereof have not complied with all the provisions of ordinances duly enacted hereunder; provided, however, that no license shall be granted hereunder unless the applicant has first complied with all the requirements of the laws of the State of Vermont relative to the registration and operation of motor vehicles to enable the applicant to use the license for which he applies; and to limit and restrict the use of its streets and highways by such motor vehicles in such manner as will promote the safety and general welfare of the public.

(19) To condemn lands or buildings to which public ownership is deemed necessary for the exercise of any of the powers of the city or of city council, and to hold public hearings thereon for just compensation to be paid to the owners of any right or interest therein.

(20) To promote and safeguard the public health, safety, comfort or general welfare by the adoption of ordinances and regulations relating to the following subjects:

(a) The design, construction, repair, alteration, removal and demolition of buildings and structures of all kinds;

(b) The design, installation, repair, alterations, removal and maintenance of plumbing systems, sanitary sewers and drains;

- (c) The installation, repair, alteration, use and maintenance of electrical wiring, motors, devices, equipment and appliances, and appurtenances thereof;
- (d) The handling, transportation, storage and use or sale of explosives, radioactive materials or devices, and other hazardous chemicals, materials, substances or devices, and the use and occupancy of buildings, structures, land and premises for such purposes;
- (e) The installation, repair, and alteration of furnaces, stoves, fireplaces and devices used for heating, cooking, or in any industrial process from which damage by fire may occur;
- (f) The air conditioning and ventilation of buildings and structures;
- (g) The lighting of buildings and other structures and open areas;
- (h) The minimum dimensions of rooms used for habitation, based on the number of occupants thereof;
- (i) The minimum requirements for sanitary facilities in buildings used for habitation or for dispensing food or food products;
- (j) The fixing and determination of fire limits within the city based on density of buildings, and the prescription of standards for buildings and structures within each fire limit area with reference to the type of occupancy within a building;
- (k) The adoption of a building code, electric code, plumbing code, fire prevention code and housing code. A book, pamphlet or other publication may be made a part of any ordinance, by-law or regulation by reference therein to such publication by its title, clearly identifying it. When a book, pamphlet or other publication is so incorporated by reference, it need not be published in a locally distributed newspaper; but copies shall at all times be available for public inspection in the office of the city clerk, who shall keep a reasonable supply in his or her office for sale, at cost to residents of the city;
- (l) Prescribing the powers and duties of building inspectors, inspectors of electric wiring, plumbing inspectors, fire prevention inspectors and housing inspectors, and appointing such qualified inspectors as may be necessary;
- (m) Providing penalties for noncompliance with orders of any inspector named in subdivision (l) of this subdivision, made by virtue of any resolution, ordinance, bylaws or regulation adopted by the city council hereunder. However, provision shall be made to appeal such orders and decisions in the manner specified by 24 V.S.A. chapter 83;
- (n) Expanding and enlarging, consistent with this section and the charter, the requirements, powers, duties and other provisions of 24 V.S.A. chapter 83;
- (21)(a) To fix, demand, impose and enforce such terms, conditions and regulations for the use or occupation of any street or highway in said city by any street railroad, traction,

telegraph, telephone, electric, gas, electric lighting, electric power, or other company or any person enjoying the privileges, or exercising the functions of any such company aforesaid, as shall be just and reasonable, including any sum or sums of money to be paid to said city for the use of any street or highway by any or all of said companies for the purpose of laying, maintaining and operating any street railway therein, or for the purpose of therein erecting and maintaining any poles, wires or any other apparatus in or under the surface of said street; and to prohibit the use of such street by any such company or person until such terms have been complied with.

(b) In case any such company or person cannot agree with said city upon such terms, said company or person may apply by petition to the county court within and for the County of Franklin, and said court shall thereupon, after hearing all parties interested therein, fix such terms as shall be just and reasonable and make all necessary orders for carrying its decision therein into effect.

(c) Provided, however, that no special franchise shall be granted by said city council for a longer term than thirty years, and further provided that at the expiration of any franchise, or at any time thereafter, the city shall have the right to acquire the title to and take over the property employed or used in the business for which such franchise was granted, upon the payment to the owner of the same of the fair value of the physical properties at that time employed or used in such business, and that in case the city is unable to agree with the owners as to the value of such physical properties, then said property may be condemned and taken for public use, and the value thereof ascertained and awarded as compensation therefor to the owner of the same in the manner, as near as may be, provided in the general laws of the state for the determination of the damages to be awarded persons aggrieved or damaged by the construction or operation of a street railway, and further provided that the grant of every such special franchise shall contain provisions embodying the foregoing conditions and limitations.

(22) To acquire voting machines, so-called, and prescribe the use thereof in any or all elections held within said city.

(23) And said city council may make and establish and the same alter, amend or repeal such other by-laws, rules, ordinances and regulations, including emergency ordinances effective for no more than 30 days, and therein may impose such licenses and taxes for the purpose of regulation or revenue, as it may deem necessary for the well being of the city and not repugnant to the constitution and laws of this state.

#### § 11-19. [Same]-City Council to Establish Penalty

The city council may provide a penalty for the violation of any ordinance, regulation or by-law not to exceed five hundred dollars (\$500.00). Each day the violation continues shall constitute a separate and distinct offense. If no penalty shall be fixed for the violation of any ordinance, regulation or by-law, the court before which such action is heard shall impose a fine not to exceed five hundred dollars (\$500.00) for each offense.

§ 11-20. [Same]-Enforcement

(a) The violation of an ordinance, regulation or by-law adopted by the city, including, without limitation, zoning and subdivision by-laws adopted pursuant to chapter 117 of Title 24 of the Vermont Statutes Annotated, as the same may be amended from time to time, may be prosecuted as a civil action in the Vermont Superior Court, Vermont Environmental Court or other appropriate forum.

(b) All penalties collected for the violation of an ordinance, regulation or by-law shall be paid over to the city except for any surcharge allowed by law to be retained by the court.

(c) A Superior or Environmental Court judge shall have the jurisdiction to enjoin the violation of an ordinance or rule but the election of the city to proceed under this subsection shall not prevent its proceeding under subsection (a) of this section.

§ 11-21. [Same]-Court Authorized to Order Abatement

In any prosecution for a nuisance arising under this charter or under any lawful ordinance, regulation or by-law resulting in a judgment or conviction, the court before which said judgment or conviction shall be had shall order the nuisance or offense complained of to be removed or abated, and shall determine the expense of removing or abating the same and tax such expense as part of the costs of prosecution. All such service rates shall constitute a lien and charge upon the buildings, lots and other property so served, and may be collected in the same manner as any tax assessed by the city.

§ 11-22. [Same]-Offenders May Be Liable in Damages

A person violating any ordinance, regulation or by-law of said city shall be liable in damages to said city or to the person who shall sustain damage as the direct result of said violation; such damages may be recovered in an action declaring upon such ordinance, regulation or by-law.

§ 11-23. Taxation

(a) The city council shall assess such taxes upon the inhabitants of the city and the ratable estate within the city, whether owned by residents or nonresidents, as may be necessary for the payment of all state, county and highway taxes as are or may be required by law, and for the payment of the debts and current expenses of the city. In addition thereto, the city council shall assess such taxes upon the inhabitants of the city and the ratable estate within the city, whether owned by residents or nonresidents, as the board of school commissioners shall notify the city council are required for the support of the school district.

(b) The legal voters at a meeting duly warned and held for that purpose may vote taxes for any lawful purpose which the city council shall assess; such vote to be by Australian ballot and check list. All of said taxes may be included in one rate bill, and whenever any

such tax shall be assessed by the city council it shall make out a rate bill accordingly and deliver the same to the city treasurer, to whom the taxes so assessed shall be paid.

(c) Should a budget for city operations not be approved by the voters by July 1 of any year, the city council shall amend its budget and may permit spending for that fiscal year in an amount which does not exceed the spending last approved by the legal voters.

#### § 11-24. School District; Transfer of Fund To

The city council shall annually transfer to the school district such sum from the general fund as may be realized from the tax required by the board of school commissioners, all such monies as shall arise from the state school tax, from city tuitions, and from the income of any property or money donated by any person to said city for the use of schools. Such funds shall be disbursed by the city treasurer only upon warrants duly authorized by the board of school commissioners of said city.

#### § 11-25. Sale of Property

The city council may authorize the sale or lease of any personal or real estate belonging to the city, and all conveyance, grants or leases of any such real estate shall be signed by the mayor, and be sealed with the city seal.

#### § 11-26. Warrants

(a) No money, other than money belonging to the "School Fund," shall be paid out of the city treasury except upon warrant approved by the city council.

(1) All purchase approvals and warrants shall be signed by two members of city council.

(2) The approval of the warrant by city council shall be by vote, and recorded in the minutes.

(b) A full record of expenditures shall be kept and a clear statement of all receipts and disbursements of city moneys, and of the affairs of the city generally, shall be annually published, under the direction of the mayor, together with the reports of the board of school commissioners, auditors, and other city officials, at least fifteen days prior to the annual city meeting, and such report shall include estimates for the expenses of the city for the year next ensuing; and the disbursements mentioned in said report shall be properly subdivided under the various departments of the city government, showing where and for what purpose such money was expended.

§ 11-27. Taxes; Sidewalk, Water and Wastewater Assessment Arrearages

The inhabitants, estates, and the owners of said estates within the City of St. Albans shall be held to pay the arrears of taxes, sidewalk, water, and wastewater assessments, and the inhabitants, estates and the owners of said estates without the City of St. Albans shall be held to pay the arrears of sewer assessments which have been heretofore legally levied or assessed upon them or which may be hereafter so legally levied or assessed upon them by the City of St. Albans.

§ 11-28. Construction and Maintenance of Roads and Walks

(a) The city council may lay out, alter, maintain, establish and change the grade of, and discontinue any street, road, lane, alley walk, or sidewalk in said city, and appraise and settle damages therefor, causing their proceedings to be recorded in the city clerk's office in said city, provided that any person aggrieved by their proceeding shall have the like opportunity for applying to the County Court for the County of Franklin to obtain redress as is or may be allowed by law to those aggrieved by the proceedings of the city council in similar cases.

(b) Whenever the city council shall provide for the construction, reconstruction, or alteration of any of the streets, roads, lanes, alleys or other public highways in said city, the city council shall have the power and may upon notice to the owners of adjoining lands assess the owners of such lands so much of the expense of construction, reconstruction, or alteration of any of the streets, roads, lanes, alleys or other public highways in said city, as the city council shall adjudge such lands to be benefitted thereby.

(c) Whenever the city council shall provide for the construction, reconstruction or alteration of any curb or any sidewalk in said city, the city council shall have the power and may upon notice to the owners of adjoining lands assess the owners of such lands so much of the expense of construction, reconstruction, or alteration, of any curb or sidewalk in said city, exclusive of street intersections, as the city council shall adjudge such lands to be benefitted thereby.

(d) Said city council in laying out or establishing any water supply lines, or sewers or drains within or without the limits of said city shall have the power to assess the owners of lands adjoining such water supply lines, or sewers or drains so much of the expense of laying such water supply lines, or sewers or drains as the said city council shall judge such lands to be benefitted thereby.

(e) Whenever any assessment is levied against the owners of real property abutting upon any public improvement as in this charter provided, the city council shall give to such land owners reasonable and lawful notice of such assessments and shall make a report thereof setting forth their doings in that respect, which report shall be recorded by the city clerk in a book kept for that purpose, and when so recorded, the amount so assessed shall be and remain a lien in the nature of a tax upon the lands so assessed until the same shall be paid. From such assessment there shall be the same right of appeal to the Franklin

Superior Court as hereinbefore provided, and the final decision of the Franklin Superior Court on such appeal shall, when the record thereof is duly made as aforesaid, be a lien upon the land so assessed as above mentioned; but such appeal shall not delay the making of such improvements. And if the owner of such land shall neglect for the space of thirty days after the decision of said city council or of the said Franklin Superior Court in cases where an appeal is taken to pay to the city treasurer the amount of said assessment, the city council shall issue a warrant for the collection of the same, signed by the mayor, and directed to the city collector of taxes, who shall have authority to sell at public auction so much of said lands as will satisfy said assessments and all legal fees, and who shall proceed in the same manner as the collectors of town taxes are required by law to proceed in selling real estate at auction for the collection of town taxes.

#### § 11-29. Borrowing in Anticipation of Taxes

The city council may borrow money, at the most favorable rate of interest it can obtain, in anticipation of city revenues to be collected within the fiscal year.

#### § 11-30. Bonding; School District; City

(a) The City of St. Albans or the St. Albans City School District at any annual or special meeting when an article for that purpose shall have been inserted in the warning therefore, may authorize the issue of notes or bonds for the purpose of paying or refunding any fixed or floating outstanding liabilities of said city or city school district, and may stipulate in such vote the amount of such bonds, the maximum rate of interest such notes and bonds shall bear, the term in which they shall be payable, which shall in no case exceed twenty-five years, the kind and denomination, and the place where said bonds shall be payable.

(b) Such notes and bonds shall be signed by the mayor for the city, and the school commissioners for the city school district, and countersigned by the treasurer of said city, and if interest coupons are attached, they shall be signed by the treasurer; or bear his or her facsimile signature; and the bonds or notes shall contain a statement that they were issued for the purposes mentioned in conformity with this section, and such statement shall be conclusive evidence of the same, and of the liability of the city or city school district to pay any such note or bond to any person who is a bona fide holder thereof.

(c) The city treasurer shall keep a record of every note or bond issued under the provisions of this section, therein stating the number and denomination of each note or bond, when and where payable, to whom issued, and the rate of interest thereon; and also shall keep a record of payments, interest and principal.

(d) When old notes or bonds are taken up, by exchange or by sale of the new notes or bonds, the treasurer shall keep a record of the same and such old notes or bonds shall be canceled.

§ 11-31. St. Albans Academy

(a) No. 157 of the Acts of 1892, the act incorporating the St. Albans Academy and graded school, also known as the St. Albans City School, and all acts amendatory thereof, shall remain in full force, with the following modifications: the boundaries of St. Albans Academy and graded school, also known as the St. Albans City School, shall thereafter be the same as the boundaries of the City of St. Albans.

(b) The board of school commissioners shall consist of seven school commissioners. At the next annual meeting of the city, three school commissioners shall be elected for terms of three years, two school commissioners for terms of two years, and two school commissioners for terms of one year; provided, however, that incumbent school commissioners shall continue to serve their remaining terms. Thereafter at each annual city meeting, such number of school commissioners will be elected to terms of three years as are necessary to succeed those whose terms shall expire in the year in which the election is held; each of the school commissioners shall be a legal voter in, and elected by the voters of the city, and shall hold office until the commissioner's successor is duly elected.

(c) The board of school commissioners, so constituted, shall have the same powers, discharge the same duties, and be subject to the same liabilities as are prescribed for school board members or school boards under the laws of this state. Said board shall have the exclusive management and control of the public schools of said city, and of all the school property of said city. Said board shall annually in the month of March, and subsequent to annual election, elect one of its members chairman of the board of school commissioners, and such election shall be certified to the city clerk who shall record the same in the city records. The board of school commissioners shall employ a superintendent of the city schools who shall perform such duties as may be prescribed by said board, or required by law.

(d) The board of school commissioners shall make an annual report of their doings and expenditures to the city council on or before the first day of April in each year, in which report they shall make estimates of the necessary expenditures for the support of the school district, for the ensuing year. Said commissioners shall include in their report the amount of income derived from all sources for school purposes other than by taxation and the amount of money to be raised by taxation for the support of the school district, which report shall be published with the report of the city officials.

(e) Said board of school commissioners shall annually notify the city council, on or before the first day of April of the amount of money required for the support of the school district, to be raised by taxation, and the city council shall include such tax in its annual rate bill; but such tax shall not in any year exceed the maximum school tax rate set forth in section 27 of this charter, unless an additional school tax is specially voted by the city.

§ 11-32. Library

(a) The city council of the City of St. Albans shall annually assess upon the polls of the inhabitants of said city, and the ratable estate within said city, whether owned by residents or nonresidents, such tax as the trustees of the St. Albans free library shall recommend to said council for the support of said library and furnishing books and periodicals for the same, but not to exceed five cents on a dollar of the grand list of said city. Said tax shall be in addition to all taxes now levied and assessed, and shall be included in the rate-bill and collected in the same manner as all other taxes.

(b) The city council shall annually appropriate for the support of the St. Albans free library such sum from the general funds as may be realized from the tax recommended by the trustees of the St. Albans free library and from the income of any property or money donated by any person to said city for the use of the St. Albans free library and shall be paid over to the treasurer of the St. Albans free library.

§ 11-33. General Provisions

(a) This act shall be a public act and may be altered, amended or repealed by the general assembly whenever the public good may require.

(b) All by-laws and ordinances, rules and regulations of the City of St. Albans in force on the date when this act takes effect shall continue in full force and effect unless and until repealed, except such as are inconsistent with the provisions of this act.

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