



# Town of Veazie Chapter 00 - Charter

Adopted:  
March 17, 1976  
Amended:  
March 17, 1979  
January 11, 1982  
November 8, 1983  
November 8, 1988



  
TRUE ATTESTED  
COPY

**This page left intentionally blank.**

## Table of Contents

00.01	GRANTS OF POWERS TO THE TOWN.....	1
00.02	THE TOWN COUNCIL .....	1
00.03	TOWN MANAGER .....	6
00.04	ADMINISTRATIVE ORGANIZATION.....	9
00.05	TAX ADMINISTRATION.....	11
00.06	BOARD OF APPEALS.....	12
00.07	FINANCIAL PROCEDURES .....	12
00.08	NOMINATIONS AND ELECTIONS .....	16
00.09	TOWN MEETING .....	16
00.10	INITIATIVE AND REFERENDUM.....	17
00.11	RECALL .....	20
00.12	GENERAL PROVISIONS.....	22

**00.01 GRANTS OF POWERS TO THE TOWN**

**00.01.01 Powers of the Town**

The Town of Veazie shall have all powers possible for a municipality to have under the Constitution and laws of Maine.

**00.01.02 Construction**

The powers of the Town of Veazie under this Charter shall be construed liberally to the end that the Town may have all powers necessary or convenient for the conduct of its municipal affairs. The specific mention of particular powers in the Charter shall not be construed as limiting in any way the general powers stated in this section.

**00.01.03 Intergovernmental Relations**

The Town of Veazie may exercise any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or civil divisions or agencies thereof, or of the United States or any agency thereof.

**00.02 THE TOWN COUNCIL**

**00.02.01 Number, Election and Term**

The Town Council of the Town of Veazie shall be composed of five (5) members, each of whom shall be elected by the registered voters of the entire Town and will serve three (3) year staggered terms.

**00.02.02 Qualifications**

Council members shall be qualified voters of the Town of Veazie and shall reside in the Town during their term of office. Council members shall hold no office of emolument or profit under the Town Charter or ordinance.

**00.02.03 Compensation**

The compensation of the Council Chair and the Councilors shall be established annually at the annual Town Meeting as part of the annual Town budget. The compensation established by the annual Town Meeting shall be paid to the Councilors in equal quarterly payments; however, if a Councilor misses more than three regular or duly called Council meetings in a quarter, without an excuse approved by the Council, the pay for that quarter shall be forfeited.

**00.02.04 Induction of Council into Office**

The Town Council shall meet at the usual place for holding meetings within 5 days following the regular Town election, and at said meeting council members-elect shall be sworn to the faithful discharge of their duties by the Town Clerk or an official authorized to administer oaths of office. At its first meeting or as soon thereafter as practicable, the Council shall elect, by majority vote of the entire Council, one of its members as Chair for the ensuing year and the Council may fill, for an unexpired term, any vacancy in the office of Chair that may occur. The Chair shall preside at the meetings of the Council, shall be entitled to vote on all questions and shall be recognized as head of the Town Government for all ceremonial purposes, but shall have no administrative duties.

In temporary absence or disability of the Chair, the Town Council may elect a Chair pro tempore, from among its members, and the Chair pro tempore shall exercise the powers of Chair during the temporary absence or disability of the Chair.

**00.02.05 Council to be the Judge of Qualification of its Members**

The Council shall be the judge of the election and qualifications of all officers elected by the voters under this Charter and of the grounds for forfeiture of their office and for that purpose shall have the power to subpoena witnesses, to administer oaths, and to require production of records and other evidence. An officer charged with conduct constituting grounds for forfeiture of the office shall be entitled to a public hearing on demand and notice of such hearing shall be published in a newspaper of general circulation in the municipality at least one week in advance of the hearing. Decisions made by the Council under this section shall be subject to review by the Courts.

**00.02.06 Regular Meetings**

The Town Council shall, at its first meeting or as soon as possible thereafter, establish by resolution a regular place and time for holding its regular meetings and shall meet regularly at least once a month. The Council shall also provide at the first meeting or as soon thereafter as possible a method for calling special meetings. All meetings of the Town Council shall be open to the public. Executive sessions shall be conducted pursuant to Section 405 of M.R.S.A., Title 1, Chapter 13.

**00.02.07 Rules of Procedure; Journal**

The Town Council shall determine its own rules and order of business and shall provide for keeping a journal of its proceedings. This journal shall be a public record. Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded into the journal by the Clerk or any other person so authorized by the Council.

**00.02.08 Quorum**

A majority of the Town Council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time or may compel attendance of absent members. At least 24 hours notice of the time and place of holding such adjourned meeting shall be given to all members who were not present at the meeting from which the adjournment was taken.

**00.02.09 Action Requiring an Ordinance**

In addition to other acts required by law or by specific provisions of this Charter to be done by ordinance, those acts of the Council shall be by ordinance which:

**00.02.09.01**

Adopt or amend an administrative code, or establish, alter, or abolish any Town Department, office or agency;

**00.02.09.02**

Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;

**00.02.09.03**

Grant, renew or extend a franchise;

**00.02.09.04**

Regulate the rate charged for its services by a public utility;

**00.02.09.05**

Authorize the borrowing of money;

**00.02.09.06**

Convey or lease or authorize a conveyance or lease of any lands of the Town; and

**00.02.09.07**

Amend or repeal any ordinance previously adopted.

Acts other than those referred to in the preceding sentence may be done either by ordinance, by order or by resolution. Nothing contained herein shall diminish the right of the citizens of the Town of Veazie to approve or disapprove at a Town Meeting acts of the Council, whether such acts be by ordinance or otherwise. Petitions to bring ordinances before Town Meeting shall be brought pursuant to section 00.10.03.01.

**00.02.10      Ordinances in General**

**00.02.10.08      Form**

Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject which shall be clearly expressed in its title. The enacting clause shall be "the Town of Veazie hereby ordains..." Any ordinance which repeals or amends an existing ordinance shall set out in full the ordinance sections or sub-sections to be repealed or amended and shall indicate matter to be omitted by enclosing it in brackets or by strikeout type and shall indicate new matter by underscoring or by italics.

**00.02.10.09      Procedure**

An ordinance may be introduced by any member at any regular or special meeting of the Council. Upon introduction of any ordinance, the Secretary to the Council shall distribute a copy to each Council member and to the Town Manager, shall file a reasonable number of copies in the office of the Clerk and such other public places as the Council may designate, and shall publish the Ordinance together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing shall follow the publication by at least seven days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time; all persons interested shall have a reasonable opportunity to be heard. After the hearing the Council may adopt the ordinance with or without amendment or reject it; but, if it is amended as to any matter of substance, the Council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures hereinbefore required in the case of a newly introduced ordinance. As soon as practicable after adoption of any ordinance, the Secretary to the Council shall have it published again together with a notice of its adoption.

**00.02.10.10 Vote**

Every ordinance shall require the passage of the affirmative vote of a majority of the members of the Council.

**00.02.10.11 Effective Date**

Ordinances shall become effective at the expiration of 30 days after adoption or at any later date specified therein.

**00.02.10.12 "Publish" Defined**

As used in this section the term "publish" means to print in at least one newspaper of general circulation in the Town:

**00.02.10.12.01**

The ordinance or a brief summary thereof, and

**00.02.10.12.02**

The places where copies of it have been filed and the times when these are available for inspection.

**00.02.11 Emergency Ordinances**

To meet a public emergency affecting life, health, property or the public peace, the Council may adopt one or more emergency ordinances. An emergency ordinance shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms.

An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least the majority plus one member shall be required for adoption. After its adoption, the ordinance shall be posted in at least three public places in Veazie. It shall become effective upon adoption or at such a later time as may be specified therein. Every emergency ordinance except one authorizing the issuance of emergency notes shall stand repealed as of the sixty-first day following the date on which it was adopted, but this shall not prevent re-enactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

**00.02.12 Authentication and Recording; Codification; and Printing**

**00.02.12.01 Authentication and Recording**

All ordinances adopted by the Council shall be authenticated by the signature of the Clerk of the Council and recorded in full by the Clerk in a properly indexed book kept for the purpose.

**00.02.12.02 Codification**

Within three years after adoption of this Charter and at least every ten years thereafter, the Council shall provide for the publication of a general codification of all ordinances and resolutions having the force and effect of law.

The general codification shall be adopted by the Council by ordinance and shall be printed promptly in bound or loose-leaf form, together with this Charter and any amendments thereto, pertinent provisions of the Constitution and other laws of the State of Maine and other rules and regulations as the Council may specify. Any codification ordinance may be published by title. This compilation shall be known and cited officially as the Veazie Code. Copies of the code shall be available at the Town Office for the public and made available electronically via the Town's website.

**00.02.12.03      Printing of Ordinances and Resolutions**

The Council shall cause each ordinance and resolution having the force and effect of law and each amendment of this Charter to be printed promptly following its adoption, and the printed ordinances, resolutions and Charter amendments shall be distributed or sold to the public at reasonable prices to be fixed by the Council. Following publication of the first Veazie Code and at all times thereafter, the Ordinances, Resolutions, and Charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for integration therein. The Council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes or additions to the provisions of the Constitution and other laws of the State of Maine, or the codes of technical regulations and other rules and regulations included in the code.

**00.02.13      Vacancies; Forfeiture of Office; Filling of Vacancies**

**00.02.13.01      Vacancies**

The office of Councilor shall become vacant upon the Councilor's nonacceptance, resignation, abandonment, death, permanent disability, permanent incompetency, failure to qualify for the office within ten days after written demand by the Council, forfeiture of office or failure of the municipality to elect a person to the office.

**00.02.13.02      Forfeiture of Office**

A Council member shall forfeit the office if the member:

**00.02.13.02.01**

Lacks at any time during the term of office any qualifications for the office prescribed by this Charter or by law,

**00.02.13.02.02**

Violates any express prohibition of this Charter,

**00.02.13.02.03**

Is convicted of a crime or offense which is reasonably related to the member's inability to serve on the Council,

**00.02.13.02.04**

Is convicted of a felony or crimes of moral turpitude, or



**00.02.13.02.05**

Fails to attend three consecutive regular meetings of the Council without being excused by the Council.

**00.02.13.03 Filling of Vacancies**

If a seat on the Town Council becomes vacant more than six months prior to the next regular election, the Council shall call a special election to fill the unexpired term within sixty days from the date that the vacancy occurred. If a seat on the Council becomes vacant less than six months prior to the next regular election, the Council may call a special election.

**00.02.14 Secretary to the Council**

The Council shall appoint an official or employee of the Town who shall have the title of Secretary to the Council and shall fix the Secretary's compensation. The Secretary to the Council shall give notice of Council meetings to its members and the public, keep a journal of proceedings, and perform such other duties as are assigned by this Charter or by the Council.

**00.02.15 General Powers and Duties**

All powers of the Town of Veazie shall be vested in the Council except as otherwise provided by law or this Charter. The Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the municipality by law. The Council shall be the municipal officers of the Town.

**00.02.16 Prohibitions**

Neither the Council nor any of its members shall, in any manner, dictate the appointment or removal of any administrative officers or employees whom the Manager or any of the Manager's subordinates are empowered to appoint; but the Council may express its views and fully and freely discuss with the Manager anything pertaining to appointment and removal of such officers and employees.

Except for the purpose of inquiry, the Council and its members shall deal with the administrative services solely through the Manager and neither the Council nor any member thereof shall give orders to any subordinates of the Manager either publicly or privately.

**00.03 TOWN MANAGER**

**00.03.01 Appointment; Qualification**

The Town Council shall appoint a Town Manager for an indefinite term, or a term defined by the contract, and fix the Manager's compensation. The Manager shall be appointed on the basis of executive and administrative qualifications. The Manager need not be a resident of the Town or State at the time of appointment but may reside outside the Town while in office only with the approval of the Council.

**00.03.02 Removal**

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

**00.03.02.01**

The Council shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the Manager from duty for a period not to exceed 30 days. A copy of the resolution shall be delivered within 96 hours to the Manager by persons authorized to serve legal process within this State.

**00.03.02.02**

Within 7 days after receiving a copy of the resolution, the Manager may file with the Council a written request for a public hearing. This hearing shall be held at a Council meeting not earlier than 10 nor later than 20 days after the request is filed. The Manager may file with the Council a written reply not later than 5 days before the hearing.

**00.03.02.03**

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 if the Manager has not requested a public hearing, or at any time after the public hearing if the Manager has requested such hearing.

**00.03.02.04**

The Manager's salary shall continue to be paid until the effective day of final resolution or removal. In addition, the Manager shall receive severance pay and other allowances at the discretion of the Town Council.

**00.03.03      Absence of the Town Manager**

By letter filed with the Secretary to the Council, the Manager shall designate, subject to the approval of the Council, a qualified Town administrative officer to exercise the powers and perform the duties of the Manager during the Manager's temporary absence or disability. During such absence or disability, the Council may revoke such designation at any time and appoint another officer of the Town to serve until the Manager returns or the Manager's disability shall cease. In the event of failure of the Manager to make such designation, the Council may by resolve appoint any administrative officer of the Town to perform the duties of the Manager until the Manager returns, or the Manager's disability shall cease.

**00.03.04      Powers and Duties of Town Manager**

The Town Manager shall be the chief administrative officer of the Town. The Manager shall be responsible to the Council for the administration of all Town affairs placed in the Manager's charge by or under this Charter. The Manager shall have the following powers and duties:

**00.03.04.01**

The Manager shall appoint, and, when deemed necessary for the good of the service, suspend or remove all Town employees and appoint to the administrative offices provided for by or under this Charter, except as otherwise provided by law, by this Charter or by personnel rules adopted pursuant to this Charter.

The Manager may authorize any administrative officer who is subject to the Manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency.

**00.03.04.02**

The Manager shall direct and supervise the administration of all departments, offices, and agencies of the Town, except as otherwise provided by the Charter or by law.

**00.03.04.03**

The Manager shall attend all Council meetings and shall have the right to take part in discussion but may not vote.

**00.03.04.04**

The Manager shall see that all laws, provisions of the 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.

**00.03.04.05**

The Manager shall prepare and submit the annual budget, the annual capital program, and annual financial and administrative reports to the Council for the annual Town Report.

**00.03.04.06**

The Manager shall prepare and submit to the Council such reports and shall perform such duties as the Council may require and shall make such recommendation to the Council concerning the affairs of the Town as deemed desirable.

**00.03.04.07**

The Manager shall assist, insofar as possible, residents and taxpayers in discovering their lawful remedies in cases involving complaints of unfair vendor, administrative and governmental practices.

**00.03.04.08**

The Manager shall perform the duties of the Town Treasurer, Tax Collector, Road Commissioner, and Overseer of the Poor.

**00.03.04.09**

The Manager shall perform such other duties as are specified in this Charter or may be required by the Council.

**00.03.05 Bond**

The Council may, in its discretion, require the Manager to secure a surety bond, performance bond, or other bond, prior to or subsequent to the assumption of the Office of Manager. The Council may, at its discretion, pay the premium on such Bond.

**00.04 ADMINISTRATIVE ORGANIZATION**

**00.04.01 General Administration**

**00.04.01.01 Creation of Departments**

The Council may establish, alter, or abolish town departments, offices, or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices, and agencies by ordinance.

**00.04.01.02 Direction by Manager**

All departments, offices and agencies under the direction and supervision of the Manager shall be administered by an officer appointed by and subject to the direction and supervision of the Manager. With the consent of the Council, the Manager may serve as head of one or more such departments, offices or agencies or may appoint one person as the head of two or more of them.

**00.04.02 Personnel Administration**

**00.04.02.01 Equal Opportunity**

In its employment practices, the Town of Veazie and its officers, agents, and employees, shall not discriminate against any person in accordance with the Maine Human Rights Act, 4 M.R.S.A. §4551-4634, as the same may be amended or replaced from time to time.

**00.04.02.02 Personnel Director**

The Manager shall be designated personnel director. The personnel director shall administer the personnel system of the Town.

**00.04.02.03 Personnel Rules**

The personnel director shall prepare personnel rules. These rules shall be proposed to the Council, and the Council may adopt them with or without amendment.

**00.04.03 School Administration**

**00.04.03.01 School Committee**

There shall be a Town School Committee of five members. Members shall be elected to serve staggered three-year terms. At each regular municipal election, School Committee members shall be elected to fill the positions of those whose terms have expired.

**00.04.03.02 Qualifications**

Members of the School Committee shall be voters of the Town and shall reside in the Town during their term of office. They shall hold no office of emolument or profit under this Charter or ordinances. A Committee member shall forfeit the office if the member lacks at any time during the member's office any qualifications or the office prescribed by this Charter or by law, or upon final conviction of a felony.

**00.04.03.03 Vacancies; Forfeiture of Office; Filling of Vacancies**

**00.04.03.03.06 Vacancies**

The office of School Committee members shall become vacant upon nonacceptance, resignation, abandonment, death, permanent incompetency, forfeiture of office, or failure of the municipality to elect a person to the office.

**00.04.03.03.07 Forfeiture of Office**

A School Committee member shall forfeit the office if the member:

**00.04.03.03.07.01**

At any time during the term of office lacks any of the qualifications for the office prescribed by this Charter or by law,

**00.04.03.03.07.02**

Violates any express prohibition of this Charter,

**00.04.03.03.07.03**

Is convicted of a crime or offense which is reasonably related to the member's ability to serve as a Committee member,

**00.04.03.03.07.04**

Is convicted of a crime of moral turpitude, or

**00.04.03.03.07.05**

Fails to attend three consecutive regular Committee meetings without being excused by the Committee.

**00.04.03.03.08 Filling of Vacancies**

If a vacancy on the School Committee shall exist, it shall be filled by a majority vote of the Town Council until the next municipal election.

**00.04.03.04 Organization; Qualification; Quorum**

The School Committee shall meet for organization no later than two weeks after the annual Town Meeting and at said meeting the member-elect shall be sworn to the faithful discharge of their duties by the Town Clerk or an official authorized to administer oaths of office. The majority of the whole number of the School Committee shall be a quorum and the Committee shall elect its own Chair.

**00.04.03.05 Powers and Duties**

The School Committee shall have all the powers conferred and shall perform all the duties imposed by law upon School Committees in regard to the care and management of the public schools of the Town, except as otherwise provided in this Charter.

The School Committee shall prepare budget estimates in detail of the several sums required during the ensuing budget year for the support of the public schools; and at least 75 days before the beginning of the budget year, the School Committee shall furnish copies of such estimates to the Budget Committee and Town Manager.

**00.04.03.06 Chair**

At the first meeting annually, or as soon thereafter as possible, the School Committee shall elect by majority vote of the entire committee one of its members as chair of the School Committee for the ensuing year, and the School Committee may fill for the unexpired term any vacancy in the office of chair that may occur. The chair shall preside at all meetings of the School Committee and shall have a vote as other members of said committee.

**00.04.03.07 Compensation**

The compensation of the School Committee members and Committee Chair shall be established annually at the annual Town Meeting as part of the annual school budget. The compensation established at the annual Town Meeting shall be paid to the Committee members in equal quarterly payments; however, if a Committee member misses two or more regular or duly called Committee meetings in a quarter, without an excuse approved by the Committee, the pay for that quarter shall be forfeited.

**00.05 TAX ADMINISTRATION**

**00.05.01 Assessor**

The Town Council shall appoint a qualified Assessor for a term not exceeding two years and shall determine the compensation. The Assessor shall have such duties and be subject to such liabilities as are provided for such Assessors under the laws of the State of Maine.

**00.05.02 Board of Assessment Review; Appointment; Vacancies**

The Board of Appeals shall serve as the Board of Assessment Review.

**00.05.03 Board of Assessment Review; Powers; Duties**

The Board of Assessment Review shall have the power to:

**00.05.03.01**

Hear and decide tax abatement appeals pursuant to 36 M.R.S.A. §843, as the same may be amended or placed from time to time.

**00.05.03.02**

Administer oaths.

**00.05.03.03**

Take testimony.

**00.05.03.04**

Adopt regulations regarding the procedure of assessment review consistent with statutory provisions.

**00.06 BOARD OF APPEALS**

**00.06.01 Composition and Terms**

There shall be a Board of Appeals composed of five members appointed by the Council. Members shall be voters of the Town and shall reside in the Town during their term of office. The term of office shall be three years; except that initial appointments shall be two for three years, two for two years, and one for one year.

**00.06.02 Jurisdiction**

The Board of Appeals shall act as the Zoning Board of Appeals and have the same powers and duties as prescribed by the laws of the State of Maine for such boards. In addition, the Board of Appeals shall have the jurisdiction to hear appeals that may arise under the housing code, building code, or any other regulatory ordinance enacted pursuant to this Charter or the laws of the State of Maine, which provide therein for such appeals. The Board of Appeals may also serve as the Board of Assessment Review and General Assistance Fair Hearing Authority.

**00.06.03 Vacancies; Removal from Office; Filling of Vacancies**

**00.06.03.01 Vacancies**

The office of Board of Appeals members shall become vacant upon the member's nonacceptance, resignation, abandonment, death, permanent disability, permanent incompetency, or failure to qualify for the office within ten days after written demand by the Council.

**00.06.03.02 Removal from Office**

Board of Appeals members may be removed from office for cause after a hearing by the Council.

**00.06.03.03 Filling of Vacancies**

A vacancy in the membership of the Board of Appeals shall be filled by appointment by the Council for the remainder of an unexpired term.

**00.07 FINANCIAL PROCEDURES**

**00.07.01 Fiscal Year**

The fiscal year of the Town shall be determined by the Council after a public hearing and ballot vote.

**00.07.02 Budget Officer and Budget Committee**

The Town Manager shall be the Budget Officer. A Budget Committee of not less than five members shall be appointed by the Town Council. Members shall be voters of the Town and shall reside in the Town during their term of office. The Budget Committee shall meet at least quarterly throughout the fiscal year to review the fiscal status as it relates to revenue and expenditures. The Budget Committee shall endeavor to be present at the annual Town Meeting and at any Special Town Meeting having a financial impact on the town. All Municipal Department heads shall submit a proposed budget to the Town Manager who will then present it to the Budget Committee.

After review and recommendations by the Budget Committee, the Budget Officer shall prepare the Budget message, Budget summary, the Budget detail, the Capital Program for submission to the Council and shall administer the Budget.

**00.07.03 Preparation and Submission of the Budget**

The Budget Committee, at least seventy-five (75) days prior to the beginning of each Budget year, shall submit Municipal Budget recommendations to the Budget Officer. The Town Manager at least 60 days prior to the beginning of each budget year shall submit to the Council a Municipal budget and an explanatory budget message. The budget authority of the Council shall be limited to the final determination of the total appropriations to be made to each of the several offices, departments, and agencies of the Town, including the School Committee. The Municipal Budget shall contain:

**00.07.03.01**

A statement of the financial condition of the Town.

**00.07.03.02**

An itemized statement of appropriation recommended for current expenses and for permanent improvements, with comparative statements in parallel columns of budgeted appropriations for the current year, actual expenditures for the year to date, and proposed appropriations for the next fiscal year. An increase or decrease in any item shall be indicated.

**00.07.03.03**

Any itemized statement of estimated revenues from all sources, other than taxation, and a statement of taxes required, comparative figures in parallel columns of proposed and actual revenues to date for the current year and estimated revenues for the next fiscal year.

**00.07.03.04**

Such other information as may be required by the Council.

The proposed budget prepared by the Town Manager shall be reviewed by the Town Council which shall approve the budget with or without amendment.

The complete Town budget, including the School budget, as approved by the Council shall be published and the Council shall fix the time and place for holding a public hearing for the budget, and shall give public notice of such hearing. The Council shall then review the budget and recommend it, with or without change, to the annual Town Meeting.

**00.07.04 Budget Established Appropriations**

From the date of adoption of the budget the several amounts stated therein as proposed appropriations shall be and become appropriated to the several agencies and purposes therein named.



**00.07.05 Budget Establishes Amount to be Raised by Property Tax; Certification to Town Assessor.**

From the date of adoption of the budget, the amounts stated therein as the amount to be raised by property tax shall constitute a determination of the amount of the levy for the purposes of the Town in the corresponding tax year. A copy of the budget as finally adopted shall be certified by the Clerk and filed with the Tax Assessor, whose duty it shall be to levy such taxes for the corresponding tax year.

**00.07.06 Budget Summary**

At the head of the budget there shall appear a summary of a budget, which need not be itemized, further than by principal sources of anticipated revenue, stating separately the amount to be raised by property tax, and shall be itemized also by departments and kinds of expenditures, in such a manner as to present to taxpayers a simple and clear summary of detailed estimates of the budget. Copies of the proposed budget in detail shall be included with each Town Report.

**00.07.07 Expenditures and Department Revenue**

The budget for all departments, including the School Department, shall include all proposed expenditures, and the Town Meeting shall make a gross appropriation for each department, including the School Department, for the ensuing fiscal year. The gross appropriation for each department shall not be exceeded. The school budget shall be expended under the direction and control of the School Committee.

**00.07.08 Work Program; Allotments**

Before the beginning of the budget year, the head of each office or department shall submit to the Town Manager when required by the Manager a work program of the year, which program shall show the requested allotments of appropriations for such office or department, by stated periods, for the entire budget year. The Town Manager shall review the requested allotments of appropriations for such office or department, by stated periods, for the entire budget year, and present same to the Budget Committee. The Budget Committee shall review the requested allotments in the light of the work program of the office or department, and may revise, alter, or change such allotments before approving the same. The aggregate of such allotments shall not exceed the total appropriations available to said office or department for the Budget year appropriations available to said office or department of for the Budget year. The Budget Committee shall return the approved proposed budget to the Town Manager.

**00.07.09 Transfers of Appropriations**

At the request of the Manager with exception of the school budget, the Town Council may by resolution transfer any unencumbered appropriation balance or portion thereof, from one appropriation to another.

**00.07.10 Interim Expenditures**

In the period between the beginning of the fiscal year and the appropriation of funds, the Council may authorize expenditures for current departmental expenses chargeable to the appropriations for the year when made in amounts sufficient to cover the necessary expenses of various departments.

**00.07.11 Lapse of Appropriations**

Every general fund appropriation shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered, except that an appropriation for a capital expenditure shall not lapse until the purpose for which it was made is accomplished or abandoned or until four years pass without any disbursement from or encumbrance of the appropriation.

**00.07.12 Payments and Obligations Prohibited**

No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the Manager first certifies that there is sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal; such action shall be cause for removal of any officer who knowingly authorized or made such payment or incurred such obligation, and that officer shall also be liable to the Town for any amount so paid. However, except where prohibited by law, nothing in this Chapter shall be construed to prevent the making of authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, provided such action is made or approved by ordinance.

**00.07.13 Capital Program**

The Manager shall prepare and submit to the Council a five-year capital program at least three months prior to the final date for submission of the budget. The capital program shall include:

**00.07.13.01**

A clear general summary of its contents;

**00.07.13.02**

A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessities for such improvements;

**00.07.13.03**

Cost estimates, method of financing and recommended time schedules for each such improvement;

**00.07.13.04**

The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

This information may be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition. The proposed capital program shall be reviewed by the Council, which shall approve it with or without amendments.

The Council shall fix the time and place for holding a public hearing on the capital program and shall give public notice of such hearing. The Council shall approve the capital program with or without amendments after such public hearing.

**00.07.14 Independent Annual Audit**

Prior to the end of each fiscal year, the Town Council shall designate the State Department of Audit or certified public accountants who, as of the end of the fiscal year shall make an independent audit of accounts and other evidences of financial transactions of the town government and shall submit their report to the Council and to the Manager. Such accountants shall not maintain any accounts or records of the town business but shall post audit the books and documents kept by the department of finance and any separate or subordinate accounts kept by any other office or department of the town government including the school department.

**00.08 NOMINATIONS AND ELECTIONS**

**00.08.01 Municipal Elections**

The regular election for the choice of members of the Town Council and the School Committee shall be held from 8:00 a.m. to 8:00 p.m. on the second Tuesday in June.

**00.08.02 Nomination**

Any qualified voter of the Town may be nominated for the Town Council or School Committee in accordance with Title 30 M.R.S.A. §2528, as the same may be amended or replaced from time to time.

**00.08.03 Election Provisions**

Provisions of the laws of the State of Maine relating to the qualifications of voters, registration, the manner of voting, the duties of election officers and all other particulars respective to preparation for conducting and management of elections so far as they may be applicable, shall govern all municipal elections, except as otherwise provided in this Charter.

**00.09 TOWN MEETING**

**00.09.01 Annual and Special Town Meeting**

An annual Town Meeting for the consideration of the budget to the extent herein provided and the transaction of other Town business which voters are authorized to vote upon shall be held on the second Tuesday in June, at 8:00 p.m. Special Town Meetings may be called by the Council.

**00.09.02 Purpose of the Town Meeting**

The Town Meeting is required for approval of the following:

**00.09.02.01**

Annual Budget

**00.09.02.02**

Any appropriation for any amount which exceeds one and one-half percent (1.5) of the most recently approved municipal annual budget, excluding the budget for the School Department

**00.09.02.03**

The issuance of bonds or notes, except notes in anticipation of taxes to be paid within the fiscal year in which issued.

The above appropriations shall become effective only after approval at a Town Meeting by the vote of a majority of those voting on the article at such meeting.

The Town Meeting shall not increase or decrease the amount of any appropriation recommended by the Council by more than one and one-half percent [1.5] and shall not increase the amount of any bond issue above the amount recommended by the Council.

**00.09.03 Method of Abolishing the Town Meeting**

At any time after the adoption of this Charter, not less than 10 percent of the registered voters of the Town may petition over their personal signature for a special Town Meeting to vote upon the question of submitting to a referendum vote on the ballot at a special Town election the proposition of abolishing the Town Meeting. The Council shall call a public hearing to be held within thirty days from the date of the filing of such petition with the Town Clerk, and shall within 14 days after said public hearing call a special Town Meeting for the purpose of submitting to a referendum vote the question of abolishing the Town Meeting in the Town of Veazie. If at such special election a majority of the voters of the Town voting on the question shall vote for the abolition of the Town Meeting of the Town of Veazie, the powers heretofore vested in the Town Meeting shall be conferred upon and exercised by the Town Council.

**00.10 INITIATIVE AND REFERENDUM**

**00.10.01 General Authority**

**00.10.01.01 Initiative**

The qualified voters of the Town shall have power to propose ordinances to the Council and, if the Council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at an election, provided that such power shall not extend to the budget or capital program or any ordinance relating to the appropriation of money, levy of taxes, or salaries of officers and employees.

**00.10.01.02 Referendum**

The qualified voters of the Town shall have power to require reconsideration by the Council of any adopted ordinance and, if the Council fails to repeal an ordinance so reconsidered, to approve or reject it at a Town election provided that such powers shall not extend to the budget or capital program or any emergency ordinance or ordinance relating to the appropriation on money, levy of taxes, or salaries of officers and employees.

**00.10.02 Commencement of Proceedings; Petitioners' Committee; Affidavit**

Any five registered voters may commence initiative or referendum proceedings by filing with the Clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form stating their names and street addresses and specifying the mailing address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. Promptly after the affidavit of the petitioners' committee is filed the Clerk shall issue the appropriate petition blanks to the petitioners' committee.

**00.10.03 Petitions**

**00.10.03.01 Number of Signatures**

Initiative and referendum petitions must be signed by qualified voters of the Town equal in number to at least 5% of the total number of qualified voters registered to vote at the last regular Municipal election.

**00.10.03.02 Form and Content**

All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink and shall be followed by the printed name and street address of the person signing. Petitions shall contain or have attached hereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.

**00.10.03.03 Affidavit of Circulator**

Each paper of a petition shall have attached to it when filed an affidavit executed by the circulator thereof stating that the circulator personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in the circulator's presence, that the circulator believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had the opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

**00.10.03.04 Time for Filing Referendum Petitions**

Referendum petitions must be filed within 30 days after adoption by the Council of the Ordinance sought to be reconsidered.

**00.10.03.05 Time for Filing Initiative Petitions**

The petitioners' committee shall have 30 days from the filing of the affidavit with the Clerk to cause the petition to be signed by at least 5% of the total number of qualified voters registered to vote at the last Municipal election.

**00.10.03.06 Failure to Secure Necessary Signatures**

Should fewer qualified voters than required by the Charter sign the petition in the specified time, the petition shall have no further force or effect, and all proceedings thereon shall be terminated. In the case of initiative, a request to initiate the same ordinance may not be accepted by the Clerk until 120 days after the expiration of the previous filing period.

**00.10.04 Procedure After Filing**

**00.10.04.01 Certificate of Clerk; Amendment**

Within 20 days after the petition is filed, the Clerk shall complete a certificate as to its sufficiency, specifying if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the petitioners' committee by mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if a petitioners' committee files a notice of intention to amend it with the Clerk within two days after receiving the copy of the certificate and files a supplementary petition upon additional papers within ten days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of sections 00.10.03.02, 00.10.03.03, 00.10.03.05 and 00.10.03.06, and within five days after it is filed the Clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by mail as in the case of an original petition. If a petition or amended petition is certified sufficient or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request Council review under section 00.10.04.02 within the time required, the Clerk shall promptly present the certificate to the Council and then the certificate shall then be a final determination as to the sufficiency of the petition.

**00.10.04.02 Council Review**

If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee may, within two days after receiving a copy of such certificate, file a request that it may be reviewed by the Council. The Council shall review the certificate at its next meeting following the filing of such request and approve or disapprove it, and the Council's determination as to the sufficiency of the petition.

**00.10.04.03 Court Review; New Petition**

A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency, even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose.

**00.10.05 Referendum Petitions; Suspension of Effect of Ordinance**

When a referendum petition is filed with the Town Clerk, the ordinance to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:

**00.10.05.01**

There is a final determination of insufficiency of the petition, or

**00.10.05.02**

The petitioners' committee withdraws the petition, or

**00.10.05.03**

The Council repeals the ordinance, or

**00.10.05.04**

Thirty days have elapsed after a vote of the Town on the ordinance.

**00.10.06 Action on Petitions**

**00.10.06.01 Action by Council**

When an initiative or referendum petition has been determined sufficient, the Council shall within fourteen days hold a public hearing thereon, and thereafter shall consider the proposed ordinance or reconsider the referred ordinance. If the Council fails to adopt the proposed ordinance without any change in substance within 60 days or fails to repeal the referred ordinance within 30 days, after the date the petition was determined sufficient, the Council shall submit to a vote the question of adopting or repealing such ordinance.

**00.10.06.02 Submission to Voters**

The vote on a proposed or referred ordinance shall be held not less than 30 days and not later than one year from the date of the final Council vote thereon, or the date of the deadline for Council action set forth above, whichever is earlier. If no regular Town election is to be held within the period prescribed in this section, the Council shall provide for a special election; otherwise, the vote shall be held at the same time as such regular election, except that the Council may at its discretion provide for a special election at an earlier date within the prescribed period. Copies of the proposed or referred ordinance shall be made available at the polls.

**00.10.06.03 Withdrawal of Petitions**

An initiative or referendum may be withdrawn at any time prior to the thirtieth day preceding the day scheduled for a vote of the voters by filing with the Clerk a request for withdrawal signed by at least four members of the petitioners' committee. Upon the filing of such request the petition shall have no further force or effect and all proceedings thereon shall be terminated.

**00.10.07 Results of Election**

**00.10.07.01 Initiative**

If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the Council. If conflicting ordinances of the same kind are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

**00.10.07.02 Referendum**

If a majority of the qualified electors voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the election results.

**00.11 RECALL**

**00.11.01**

Any five qualified voters may begin at any time proceedings to recall a Council member or a School Committee member by requesting in writing to the Town Clerk for the appropriate petition blanks. These five registered voters shall be referred to as the Recall Committee.

All papers of the petition shall be uniform in size and style and shall be assembled as one instrument for filing. They shall contain or have attached thereto throughout their circulation a statement detailing the reason or reasons for recall and the names of the Recall Committee.

**00.11.02**

The Recall Committee shall have 30 days from the acceptance date of the request by the Town Clerk to cause the petition to be signed by 25 percent of the qualified voters of the Town. Each voter's signature shall be followed by the printed name and street address of the person signing.

**00.11.03**

Within seven days after the petition circulation period ends the Town Clerk shall certify to the Council that the petition has been signed by not less than 25 percent of the qualified voters of the Town, that the circulator believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity to read the statement detailing the reason or reasons for recall.

**00.11.04**

Should fewer qualified voters than required by the Charter sign the petition in the specified time, the petition shall have no further force or effect, and all proceedings thereon shall be terminated and request for recall of the same Councilman, Assessor or School Committeeman may not be accepted by the Clerk until 180 days after the expiration of the previous filing period.

**00.11.05**

Upon receipt of certification the Council shall within 30 days hold a municipal election for the purpose of submitting to vote the question of recall. A Council member or School Committee member shall be recalled when a majority of those voting thereon shall have voted in the affirmative. The Council shall, within 30 days after the voters have recalled a Council member or School Committee member hold a special election to fill the vacancy.

**00.11.06**

A Council member or School Committee member that is recalled by the voters shall be allowed to seek re-election at the special election called for the purpose of filling the vacancy created by the recall by filing a notice with the Town Clerk that the recalled official wishes to have that person's name appear on the ballot. The notice must be filed no later than the deadline to file nomination papers for the position. Other qualified voters who seek to fill the vacancy created by the recall shall have until the fifteenth day preceding the election to file nomination papers with the Town Clerk. The nomination papers shall be made available by the Town Clerk no later than the second business day after the Town Council orders the election on the recall. Except as provided herein, the nomination process shall be in accordance with Section 00.08.02.

**00.11.07**

Pending action by the voters of the Town, the Council member or School Committee member that recall proceedings have been initiated against shall continue to exercise all the privileges of the member's office.



**00.11.08**

The ballot for recall shall contain the following question: "Shall (name of person being subjected to recall) be recalled from the office of (name of office)?" Immediately below such question shall appear in the following order, the words "Yes" and "No" and to the right of each a square in which the voter may cast the vote.

**00.12 GENERAL PROVISIONS**

**00.12.01 00.12.01 Elected Officers; Term**

The term of any elected officer shall begin the first business day following the final determination of the election of said officer. Any officer shall serve for the prescribed term or until the officer's successor is elected and qualified. If a person is elected to fill a vacancy in office, that term shall begin immediately upon taking the oath of office.

**00.12.02 Swearing in Officers**

Every Town officer or official shall be sworn to the faithful discharge of the duties incumbent upon the officer or official according to the Constitution and Laws of the State of Maine and the Charter and ordinances of the Town and shall be sworn to support the Constitution of the United States and Constitution of the State of Maine.

**00.12.03 Personal Financial Interest**

Any officer or employee who has a financial interest, direct or indirect or by reason of ownership of stock in any corporation, in any contract with the Town or in the sale of any land, materials, supplies or services to the Town or to a contractor supplying the Town shall make known that interest and shall refrain from voting upon or otherwise participating in the individual's capacity as an officer or employee in making of such sale or in the making or performance of such contract. Any officer or employee who willfully conceals such a financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit the office or position. Violation of this section with the knowledge express or implied of the person or corporation contracting with or making a sale to the Town shall render the contract or sale voidable by the Council.

**00.12.04 Prohibitions**

**Activities Prohibited:**

**00.12.04.01**

No elected Town officer shall hold more than one elected Town office concurrently.

**00.12.04.02**

No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any Town position or appointive Town administrative office in accordance with the Maine Human Rights Act, 5 M.R.S.A. §4551-4634, as the same may be amended from time to time.

**00.12.04.03**

No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the personnel provisions of this Charter or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.

**00.12.04.04**

No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for any appointment, proposed appointment, promotion, or proposed promotion to, or any advantage in, a position in the municipal service.

**00.12.04.05**

No person who holds a compensated appointive Town position shall solicit any assessments, contributions, or services for any political party from any employee in the municipal service.

**00.12.05 Exceptions**

Nothing herein contained shall affect the right of any person to hold membership in, and support, a political party, to vote as the person chooses, to express privately and publicly opinions on all political subjects and candidates, to maintain political neutrality, and to attend political meetings.

**00.12.06 Penalties**

The Council shall enact an ordinance prescribing penalties for the above. Any person found in violation of this section, or any ordinance enacted pursuant to this section by a court of competent jurisdiction or by the Council acting in a judicial capacity shall be ineligible for a period of five years thereafter to hold any Town office or employment and shall immediately forfeit the office or position.

**00.12.07 Separability**

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.