

Charter of Rutland Redevelopment Authority

24 V.S.A. Appendix Chapter 36

§ 9-36.1. Declaration of necessity

We hereby find and declare that there currently exists within the City of Rutland an urgent need to reduce the property tax burden on residential homeowners; to redevelop dilapidated and blighted structures, to revitalize the commercial and industrial sectors of our economy, and to promote economic opportunity for all citizens, particularly those who are aged or of lower income.

§ 9-36.2. Creation of redevelopment authority

There is hereby created an independent agency, a body corporate and political, to be known as the Rutland Redevelopment Authority, whose purposes and powers shall be as set forth in this charter.

§ 9-36.3. Purposes

The authority, in the exercise of the powers created and granted under Section 3 of this charter, shall foster and carry out the following purposes:

- (1) To enhance and promote economic opportunity within the City of Rutland.
- (2) To plan for public and private improvements and development within the City of Rutland, dedicated to the promotions of industrial and commercial benefit.
- (3) To create employment opportunities.
- (4) To enhance the acquisitions, development and improvement of taxable real and personal property within the City of Rutland.
- (5) To promote the development, improvement, acquisition and rehabilitations of industrial and commercial property within the City of Rutland.
- (6) To foster commercial and industrial growth within the City of Rutland.
- (7) To promote and support investments and improvements which will result in the elimination of slum and blight.
- (8) To support and promote the development of those recreational, social and public facilities which directly, or indirectly, create or enhance commercial or industrial activity within the city.

§ 9-36.4. Powers

In addition to the powers conferred upon municipal corporations generally under chapter 85 of Title 24, Vermont Statutes Annotated, the authority is hereby granted the following powers, rights, privileges and prerogatives.

- (1) To adopt, administer and enforce ordinances relating to the power of eminent domain with the approval of the board of aldermen. A finding of public necessity consistent with the provisions of Section 3 of this charter shall be deemed conclusive for all purposes.
- (2) To enter into agreements, contracts, ventures and associations of every kind, style and nature with public and private persons and entities and governmental agencies in order to effect and achieve the purposes set forth in Section 1 of this charter.
- (3) To assess, in the name of the City of Rutland, impact fees and special benefit assessments within those parts of the City of Rutland designated by the board of aldermen.
- (4) To create tax increment financing districts, and to issue instruments of tax increment financing debt upon the concurrence of the board of aldermen, for any purpose permitted by the general law of the State of Vermont. Notwithstanding the purposes for which special assessment may be made under 24 V.S.A. § 3252, the City of Rutland may adopt special assessments for the purpose of funding special marketing management and promotional programs and neighborhood or district programs in accordance with the provisions of the Rutland City charter. Notwithstanding the assessment procedure under 24 V.S.A. § 3254, establishment of assessment district boundaries, modification thereof, imposition of a special assessment, and determination thereof, may be undertaken by the board of aldermen or the Rutland Redevelopment Authority by ordinance. Special assessments may be collected by the Rutland City Treasurer or the Rutland Redevelopment Authority under the provisions of 24 V.S.A. § 3255, in full within 90 days of imposition, in installments over a term not to exceed ten years, or annually under a continuing resolution of the Rutland Board of Aldermen or the Rutland Redevelopment Authority.
- (5) To undertake and be responsible for the development of municipal plans and economic benefit goals within those parts of the City of Rutland designated by its board of aldermen.
- (6) To apply and accept on behalf of the City of Rutland, state, federal and private economic development grants-in-aid, and to manage, administer and disburse the same.
- (7) To establish development standards consistent with the following criteria:
 - (i) The ability of a proposed development to meet the purposes of the city's plan adopted under chapter 117 of Title 24, Vermont Statutes Annotated.

- (ii) The ability of a proposed development to eradicate blighted conditions, or threats to public health, safety and welfare.
- (iii) The ability of a proposed development to conform to a capital plan or capital budget adopted by the City of Rutland.
- (iv) The ability of a proposed development to benefit low and moderate-income residents of the City of Rutland.
- (v) The ability of the proposed development to provide permanent employment opportunities.
- (8) To adopt and enforce regulations and ordinances under the general laws of the State of Vermont, in the furtherance of the purposes and powers of the authority.
- (9) To adopt rules of procedure, and to engage such staff, consultants, attorneys, and contractors as deemed necessary.
- (10) To provide technical and advisory services, as requested by the board of aldermen.
- (11) To issue, with the concurrence of the board of aldermen instruments of debt under subchapter 2, chapter 53 of Title 24, Vermont Statutes Annotated.

§ 9-36.5. Board of commissioners, composition

(a) The administration, management and supervision of the authority shall be vested in a board of commissioners, except as provided otherwise herein. The board shall consist of nine (9) members, all of whom shall be residents of the City of Rutland for their respective terms of office. One member of the board shall be the city treasurer, and one member will be appointed from the board of aldermen for a one (1) year term. The remaining seven (7) members of the board shall be appointed by the mayor with the approval of the board of aldermen pursuant to the charter of the City of Rutland. All members appointed except for members appointed for creation of this board shall serve for periods of three (3) years. Upon creation, three (3) members shall be appointed for a term to expire on April 1 of the third calendar year after appointment; two (2) members shall be appointed for a term to expire April 1 of the second calendar year after appointment; and two (2) members shall be appointed for a term to expire on April 1 of the first calendar year after appointment. All terms shall thereafter expire on April 1 of the third calendar year following appointment. A person appointed to fill an unexpired term shall serve to the end of that term. At the creation of the commission, the appointments may only be denied by a majority vote of the board of aldermen and then thereafter, all appointments will be made pursuant to the charter of the city.

(b) Annually the board shall elect a chairman, treasurer and clerk whose names shall be certified to the city clerk.

(c) If any commissioner or employee of an authority owns or controls an interest, direct or indirect in any property included or planned to be included in any project, he or she immediately shall disclose the same in writing to the authority and such disclosure shall be entered upon the minutes of the authority, and that person will refrain from any participation in that matter, but will not be precluded from involvement in any other matters.

§ 9-36.6. General law; application

Unless provided for to the contrary in this section, the authority and its board of commissioners shall be subject to and have the benefit of all general laws of the State of Vermont relating to municipal corporations, provided, however, that the authority and its board of commissioners shall not have the power to:

- (a) Levy general property taxes or sewer benefit assessments.
- (b) Enact zoning or subdivision ordinances.
- (c) Pledge the full faith and credit of the City of Rutland.
- (d) Encumber or pledge any property of the City of Rutland.

§ 9-36.7. Redevelopment plan

Annually, and after notice and public hearing, the authority shall develop and promulgate redevelopment master plans, standards and criteria, which may be amended and modified from time to time.

§ 9-36.8. Severability

If any provisions of this chapter shall be declared invalid, such declaration shall not affect the remaining provisions hereof.

§ 9-36.9. Effective date of charter

This act shall be effective upon adoption following approval by the City of Rutland at any annual or special meeting thereof.