

CHAPTER 8. CLERK

Roles and Responsibilities

The municipal clerk plays a central role in the operation of local government, with duties that bring him or her into regular contact with the public. The clerk's statutory duties range from recording, preserving, and certifying public documents to administering oaths of office, complying with public information requests, posting notices on the town's bulletin board, running the local elections, maintaining the grand list, selling fish and game licenses, issuing marriage licenses, and licensing animals. The town clerk has many unofficial duties as well that vary from town to town. These duties may include acting as the custodian of ticket books for local civil ordinance enforcement, attending and taking minutes of selectboard meetings, acting as mail clerk for the town, and sending out the town's correspondence.

- The clerk is elected from the legally qualified voters at annual town meeting for a one-year term unless the town votes to make the office a three-year term. 17 V.S.A. § 2646(2). The town clerk will also act as the school clerk unless otherwise voted. 16 V.S.A. § 425.
- Municipal clerks are compensated either by fees collected for performing their duties or by a salary in addition to or in lieu of fees. This salary is established by vote at town meeting or is set by the selectboard. 32 V.S.A. §§ 1224, 1401; 24 V.S.A. §§ 932, 933.
- The municipal clerk is an independently elected official, answerable only to the electorate. He or she may set the clerk's office hours and may appoint one or more assistant clerks who serve at the clerk's pleasure. 24 V.S.A. § 1170. Files and records maintained by the clerk must be available for public inspection upon proper request at all reasonable hours. 24 V.S.A. § 1165.
- The town clerk is a voting member of the board of civil authority and certifies the grand list. 17 V.S.A. § 2103(5); 24 V.S.A. § 801; 32 V.S.A. § 4151(c). The clerk has the power to administer oaths in all cases in which an oath is required. 24 V.S.A. § 1160. The clerk and the assistant clerk are ex officio notaries public. 24 V.S.A. § 441(b).
- The clerk must appoint at least one assistant clerk who holds office during the term of the clerk or until such appointment is revoked by the clerk. 24 V.S.A. § 1170. The assistant clerk is authorized to perform the recording and filing duties of the town clerk and to issue licenses and certified copies of records. In the absence, death, or disability of the town clerk, the assistant clerk is authorized to perform all other duties of the clerk. 24 V.S.A. § 1171.
- The clerk manages all of the town's public records, records all public documents, including maps, plats, mortgages, liens and records of land transactions, and forwards property transfer tax returns and tax money to the state.
- The clerk issues dog licenses, marriage licenses, fish and game licenses (if he or she wishes) and any other municipal license that might be required. 10 V.S.A. § 4254 (e)(1); 18 V.S.A. § 5131; 20 V.S.A. § 3581.
- The commissioner of the Department of Motor Vehicles may authorize the clerk to renew motor vehicle, snowmobile, or motorboat registrations. 23 V.S.A. § 6.

For more information about the duties and functions of the municipal clerk, please consult VLCT's *Handbook for Vermont Municipal Clerks* (2000). This handbook may be viewed (under "League Resources") or purchased (under "Marketplace") at www.vlct.org.