Municipal Law
Course Syllabus
Spring Semester 2020

Class will meet on Thursdays at 3:35 to 5:15 pm in Oakes 210.

Students will be expected to attend a Town Meeting on March 3, 2020.

Required Text: Municipal Law Casebook. Reading and work assignments may be revised throughout the semester to take advantage of emerging issues, class discussion, and reinforcement of key concepts.


Section I. Introduction and Municipal Law Basics
January 16th
Introduction to Municipal Law:
—Forms and Structures of Municipal Governments
—Origins of Municipal Entities
—Services and Functions of Municipal Government
—Sources of Municipal law: Statute; Charter, Ordinances; and Bylaws
—What Makes a Municipality Different from State and Federal Government?
—Who Does the Attorney Work for in a Municipality?

January 23rd
Municipal Law Basics Cont’d
Writing Assignment #1: Crisis in the Treasurer’s Office (Due Jan. 30th)

January 30th
Wrap-Up on Municipal Law Basics and Discussion of Writing Assignment
Reading Assignment: Finberg v. Murnane; Galloway v. Town of Hartford; Price v. Fairlee

Section II. Public Meetings and Public Records
February 6th
Public Records Introduction
**Reading Assignment:** Wesco v. Sorrell; Doyle v. City of Burlington; Munson Earth Moving v. City of South Burlington (trial court op.)

**February 13th**
Public Records Cont’d and Public Meetings  
*Assignment #2:* Public Records Request and Response (Due Feb. 20th)  
*Reading Assignment:* Trombley v. Bellows Falls Union School; Rowe v. Brown; Valley Realty v. Town of Hartford; Kevan v. Town of Randolph

**February 20th**
Discussion of Public Records Assignment and Review of Public Meeting Statute/Introduction to Public Meeting Issues

**February 27th**
Finish Public Records and Meeting Material  

*Section III. Employment Issues*

**March 5th**
Possible Guest Speaker  
Employment Law Basics  
Terminating Employees: Notice and Process

**March 19th**
What Process is Due  
Due Process Issues/1983 Claims  
*Reading Assignment:* Libercent v. Aldrich; Levinsky v. Diamond; Hudson v. Town of East Montpelier; Morway v. Trombly

*Section IV. Liability and Immunity*

**March 26th**
Municipal and Officer Liability  
Officer Immunity  
Town Meeting Discussion  
*Reading Assignment:* Langlois v. Town of Proctor, 2014 VT 130; Welsh v. Village of Rutland, 56 Vt. 228 (1883); Hillerby v. Town of Colchester  
*Assignment #3:* Liability Problem (Due April 2nd)

**April 2nd**
Municipal Liability/Immunity Cont’d  
Liability Cont’d; Municipal Immunity  
—Statutory Immunity  
—Municipal v. State Immunity  
—Officer Immunity  
—Employee Immunity

Section V. Police Powers
April 9th
How an Ordinance Is Enacted
How Ordinances Are Enforced
Health and Noise Ordinances
Municipal Police Powers/Nuisance Powers
Reading Assignment: Sondergeld v. Town of Hubbardton; American Museum of Fly Fishing v. Town of Manchester; Town of Killington v. Vermont Dept. of Taxes; Town of Victory v. Vermont Dept. of Taxes; Lesage v. Town of Colchester.
Assignment #4 Memo on hearing and process for alleged violations of health and noise ordinance: Brief/Memorandum (Due last class)

Section VI. Property Taxation
April 16th
Police Powers Continued
Property Tax Basics
—Listers
—Grand List
—Homestead exemption
—Abatement
—Non-Profit exemptions
Introduction to Eminent Domain
Reading Assignment: Munson v. City of South Burlington (ED case); Lysobey v. Okemo Mtn.; Stearns v. City of Barre.

Section VII. Eminent Domain
April 23rd
Eminent Domain Powers
—Sources of authority
—Limitations on authority
—Purposes for legitimate takings
—Necessity and Damage Components
Specific Eminent Domain Powers
—Municipal Land
—Water Works
—Urban Renewal