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H.623

Introduced by Representative Myers of Essex

Referred to Committee on

Date:

Subject: Housing; common interest communities; personal agriculture

Statement of purpose of bill as introduced: This bill proposes to prohibit a condominium or homeowner association from unreasonably restricting the right to garden in a common interest community.

An act relating to protecting the right to garden in a common interest community

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 27 V.S.A. § 1306a is added to read:

§ 1306a. RIGHT TO GARDEN

A covenant, declaration, bylaw, or rule may impose reasonable conditions on, but shall not unreasonably burden or restrict, an apartment or site owner's right to cultivate edible or ornamental plants for personal use within the common areas and facilities in the immediate vicinity of his or her apartment or site.

1 Sec. 2. 27A V.S.A. § 3-125 is added to read:

2 § 3-125. RIGHT TO GARDEN

3 A covenant, declaration, bylaw, or rule may impose reasonable conditions  
4 on, but shall not unreasonably burden or restrict, a unit owner's right to  
5 cultivate edible or ornamental plants for personal use within his or her unit or  
6 within the common elements in the immediate vicinity of his or her unit.

7 Sec. 3. EFFECTIVE DATE

8 This act shall take effect on July 1, 2018.