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H.948

Introduced by Committee on Government Operations

Date:

Subject: Municipal and county government; municipal quasi-judicial  
proceedings; temporary provisions

Statement of purpose of bill as introduced: This bill proposes to authorize  
municipalities to hold any municipal quasi-judicial proceeding through  
electronic means and suspend requirements for certain in-person inspections of  
property subject to appeal.

An act relating to temporary municipal proceedings provisions in response  
to the COVID-19 outbreak

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

~~Sec. 1. MUNICIPAL QUASI JUDICIAL PROCEEDINGS; TEMPORARY  
SUSPENSION OF IN-PERSON HEARING AND INSPECTION  
REQUIREMENTS~~

~~(a) Notwithstanding any provision of law to the contrary, during a declared  
state of emergency under 20 V.S.A. chapter 1 due to COVID-19, a  
municipality is authorized to conduct any municipal quasi-judicial proceeding  
through electronic means, provided that the municipality complies with all  
other requirements for the conduct of the proceeding. The municipality shall~~

1 ~~not be required to designate a physical location for the proceeding.~~

~~(b) Notwithstanding 32 V.S.A. § 4404(c), during a declared state of emergency under 20 V.S.A. chapter 1 due to COVID-19, a board of civil authority shall not be required to physically inspect any property that is the subject of an appeal. *If the appellant requests in writing that the property be inspected for purposes of the appeal, a member or members of the Board shall conduct the inspection through electronic means. If the appellant does not facilitate the inspection through electronic means, then the appeal shall be deemed withdrawn. "Electronic means" means the transmittal of video or photographic evidence by the appellant at the direction of the Board members.*~~

2 Sec. 2. EFFECTIVE DATE

3 ~~This act shall take effect on passage.~~

*Sec. 1. MUNICIPAL QUASI-JUDICIAL PROCEEDINGS; TEMPORARY  
SUSPENSION OF IN-PERSON HEARING AND INSPECTION  
REQUIREMENTS*

*(a) Notwithstanding any provision of law to the contrary, during a declared state of emergency under 20 V.S.A. chapter 1 due to COVID-19, a municipality is authorized to conduct any municipal quasi-judicial proceeding through electronic means, provided that the municipality complies with all other requirements for the conduct of the proceeding. The municipality shall not be required to designate a physical location for the proceeding.*

*(b)(1) Notwithstanding 32 V.S.A. § 4404(c), during a declared state of emergency under 20 V.S.A. chapter 1 due to COVID-19, a board of civil authority shall not be required to physically inspect any property that is the subject of an appeal. *If the appellant requests in writing that the property be inspected for purposes of the appeal, a member or members of the Board shall conduct the inspection through electronic means. If the appellant does not facilitate the inspection through electronic means, then the appeal shall be deemed withdrawn.**

*(2) Notwithstanding 32 V.S.A. § 4467, during a declared state of emergency under 20 V.S.A. chapter 1 due to COVID-19, a hearing officer shall not be required to physically inspect any property that is the subject of an appeal. *If the appellant requests in writing that the property be inspected for purposes of the appeal, the hearing officer shall conduct the inspection through electronic means. If the appellant does not facilitate the inspection through electronic means, then the appeal shall be deemed withdrawn.**

(3) As used in this subsection, “electronic means” means the transmittal of video or photographic evidence by the appellant at the direction of the Board members or hearing officer conducting the inspection.

*Sec. 2. EFFECTIVE DATE*

*This act shall take effect on passage.*