

1 H.592

2 Introduced by Representative Satcowitz of Randolph

3 Referred to Committee on

4 Date:

5 Subject: Municipal government; regulatory provisions; miscellaneous
6 regulatory powers; maintenance and cleaning of premises

7 Statement of purpose of bill as introduced: This bill proposes to authorize
8 municipalities to adopt an ordinance extending State and local enforcement
9 authority concerning scrapyards to any premises within the municipality that
10 constitutes a public nuisance due to the accumulation of rubbish, scrap, junk,
11 or abandoned vehicles.

12 An act relating to municipal ordinances governing nuisance properties
13 containing salvage and scrap

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

15 Sec. 1. 24 V.S.A. § 2246 is amended to read:

16 § 2246. EFFECT OF LOCAL ORDINANCES

17 (a) This subchapter shall not be construed to be in derogation of zoning
18 ordinances or ordinances for the control of salvage yards now or hereafter
19 established within the proper exercise of the police power granted to
20 municipalities; if those ordinances impose stricter limitations upon salvage

1 yards. If the limitations imposed by this subchapter are stricter, this subchapter
2 shall control.

3 (b) The legislative body of a municipality may adopt an ordinance pursuant
4 to subdivision 2291(30) of this title to extend the regulatory authority
5 established in this subchapter to any premises that constitutes a public nuisance
6 due to the accumulation of rubbish, scrap, junk, or abandoned vehicles,
7 provided that the ordinance shall otherwise be consistent with this subchapter.

8 Sec. 2. 24 V.S.A. § 2291 is amended to read:

9 § 2291. ENUMERATION OF POWERS

10 For the purpose of promoting the public health, safety, welfare, and
11 convenience, a town, city, or incorporated village shall have the following
12 powers:

13 * * *

14 (30) To extend the regulation of salvage yards, pursuant to section 2246
15 of this title, to any premises that constitutes a public nuisance due to the
16 accumulation of rubbish, scrap, junk, or abandoned vehicles. The legislative
17 body may direct the property owner to clean any premises that does not receive
18 a certificate of approved location. Unpaid civil penalties or fines that are
19 imposed pursuant to this subdivision shall constitute a lien on the property in
20 the same manner and to the same extent as taxes assessed on the grand list, and
21 all procedures and remedies for the collection of taxes shall apply to the

1 collection of the penalties or fines; provided, however, that the legislative body
2 has adopted rules to define what constitutes a public nuisance in this context
3 and includes provisions for notice in accordance with 32 V.S.A. § 5252(3) to
4 the property owner prior to imposing penalties or fines.

5 Sec. 3. EFFECTIVE DATE

6 This act shall take effect on July 1, 2022.