

1 S.242

2 Introduced by Senators Harrison, Brock, Clarkson, Cummings, Ram Hinsdale
3 and Wrenner

4 Referred to Committee on

5 Date:

6 Subject: Municipal and county government; regulatory provisions; police
7 power of municipalities; miscellaneous regulatory powers;
8 maintenance and repair of property

9 Statement of purpose of bill as introduced: This bill proposes to authorize
10 municipalities to adopt an ordinance governing the maintenance or repair of
11 buildings that pose a risk to the health and safety of the public or the occupants
12 of the property.

13 An act relating to the maintenance of properties for the health and safety of
14 the public

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

16 Sec. 1. 24 V.S.A. § 2291 is amended to read:

17 § 2291. ENUMERATION OF POWERS

18 For the purpose of promoting the public health, safety, welfare, and
19 convenience, a town, city, or incorporated village shall have the following
20 powers:

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(13) To compel the cleaning or repair of any premises that in the judgment of the legislative body is dangerous to the health or safety of the public and to establish health and safety standards for premises within the municipality in order to protect building occupants or the public or prevent ~~physical~~ injury to other properties in the vicinity.

* * *

(24) Upon the determination by a municipal building inspector, health officer, or fire marshal that a building within the boundaries of the town, city, or incorporated village is uninhabitable, poses a risk to the health and safety of the public or occupants, or may contain a hazardous substance such as lead, to recover all expenses incident to the maintenance of the ~~uninhabitable~~ building with the expenses to constitute a lien on the property in the same manner and to the same extent as taxes assessed on the grand list, and all procedures and remedies for the collection of taxes shall apply to the collection of those expenses; provided, however, that the town, city, or incorporated village has adopted rules to determine the habitability, safety, or sanitary condition of a building, including provisions for notice in accordance with 32 V.S.A. § 5252(3) to the building’s owner prior to incurring expenses and including provisions for an administrative appeals process.

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- 1 Sec. 2. EFFECTIVE DATE
- 2 This act shall take effect on passage.