

1 H.723

2 An act relating to posting of land

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

4 Sec. 1. 10 V.S.A. § 5201 is amended to read:

5 § 5201. NOTICES; POSTING

6 (a)(1) An owner, or a person having the exclusive right to take game upon
7 land or the waters thereon, who desires to protect ~~his or her~~ the owner's land or
8 private pond or propagation farm over which ~~he or she~~ the owner has exclusive
9 control may maintain notices stating that:

10 (A) the ~~shooting~~ hunting, trapping, or taking of game or wild animals
11 is prohibited or is by permission only;

12 (B) fishing or the taking of fish is prohibited or is by permission
13 only; or

14 (C) fishing, hunting, trapping, or taking of game or wild animals is
15 prohibited or is by permission only.

16 (2) "Permission only signs" authorized under this section shall contain
17 the owner's name and a method by which to contact the property owner or a
18 person authorized to provide permission to hunt, fish, or trap on the property.

19 (b) ~~Notices prohibiting the taking of game~~ Notice signs shall be erected
20 upon or near the boundaries of lands to be affected with notices at each corner
21 and not over 400 feet apart along the boundaries thereof. ~~Legible~~ Notice signs
22 ~~must~~ shall be maintained at all times ~~and shall be dated each year~~. ~~These~~

1 Notice signs shall be of a standard size and design as the Commissioner shall
2 specify.

3 (c) The owner or person posting the lands shall record this posting annually
4 in the town clerk's office of the town in which the land is located. The posting
5 shall be valid and enforceable for 365 days after the date the posting is
6 recorded. The recording form shall be furnished by the Commissioner and
7 shall be filled out in triplicate, one copy to be retained by the town clerk, one
8 copy to the Commissioner, and one copy to be retained by the person having
9 the right to post the lands. The forms shall contain the information as to the
10 approximate number of acres posted, location in town, date of posting, and
11 signature of person so posting the lands. The town clerk shall file the record,
12 and it shall be open to public inspection. The town clerk shall retain a fee of
13 \$5.00 for this recording.

14 (d) Land posted and recorded as provided in ~~subsection (b)~~ of this section
15 shall be enclosed land for the purposes herein. Accidental or unintentional
16 deviations from the requirements of subsections (a) and (b) of this section shall
17 still be deemed effective to prohibit or permit by permission only hunting,
18 fishing, trapping, or taking of game or wild animals if the notice signs would
19 lead a reasonable person to believe that hunting, fishing, trapping, or taking of
20 game or wild animals is prohibited on the land. Property owners with actual

1 notice that their notice signs deviate from the requirements of this section shall
2 take reasonable steps to ensure their notice signs comply with this section.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on passage.