

1 S.192

2 Introduced by Senator Clarkson

3 Referred to Committee on

4 Date:

5 Subject: Municipal and county government; regulatory provisions; police

6 powers of municipalities; miscellaneous regulatory powers;

7 enumeration of powers; ordinances; authority to compel the cleaning

8 or repair of premises

9 Statement of purpose of bill as introduced: This bill proposes to authorize
10 municipalities to adopt ordinances compelling the cleaning or repair of
11 premises that are deemed vacant, blighted, or hazardous to the public.

12 An act relating to municipal authority to compel the cleaning or repair of
13 premises

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

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

16 § 2291. ENUMERATION OF POWERS

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

20 * * *

1 (13)(A) To establish health and safety standards for premises within the
2 municipality and compel the cleaning or repair of any premises that ~~in the~~
3 ~~judgment of:~~

4 (i) the legislative body determines to be vacant, blighted, or
5 damaging to the general appearance of the municipality;

6 (ii) may injure other property in the vicinity; or

7 (iii) is dangerous to the health or safety of the public and to
8 ~~establish health and safety standards for premises within the municipality in~~
9 ~~order to protect the public or prevent physical injury to other properties in the~~
10 ~~vicinity.~~

11 (B) To control the removal of rubbish, waste, and objectionable
12 material from any premises that is subject to this subdivision (13).

13 (C) To clean or repair any premises that is subject to this subdivision
14 (13) and recover all expenses incident to the cleaning or repair. The expenses
15 incurred shall constitute a lien on the property in the same manner and to the
16 same extent as taxes assessed on the grand list. All procedures and remedies
17 for the collection of taxes shall apply to the collection of expenses pursuant to
18 this subdivision (13). Prior to incurring any expenses pursuant to this
19 subdivision (C), the town, city, or incorporated village shall adopt rules
20 governing the compelled cleaning or repair of a premises, including provisions

1 for an administrative appeals process and notice pursuant to 32 V.S.A.
2 § 5252(a)(3).

3 * * *

4 (24) Upon the determination by a municipal building inspector, health
5 officer, or fire marshal that a building within the boundaries of the town, city,
6 or incorporated village is uninhabitable, to recover all expenses incident to the
7 maintenance of the uninhabitable building with the expenses to constitute a
8 lien on the property in the same manner and to the same extent as taxes
9 assessed on the grand list, and all procedures and remedies for the collection of
10 taxes shall apply to the collection of those expenses; provided, however, that
11 the town, city, or incorporated village has adopted rules to determine the
12 habitability of a building, including provisions for notice in accordance with 32
13 V.S.A. § ~~5252(3)~~ 5252(a)(3) to the building's owner prior to incurring
14 expenses and including provisions for an administrative appeals process.

15 * * *

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on July 1, 2026.