

The Vermont Statutes Online

The Statutes below include the actions of the 2025 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 18 : Health

Chapter 003 : Department of Health; Commissioner of Health

(Cite as: 18 V.S.A. § 126)

§ 126. Health orders

(a) The Commissioner or the selectboard may issue a health order to:

- (1) prevent, remove, or destroy any public health hazard;
- (2) mitigate a significant public health risk;
- (3) correct any violation of this title or any rules adopted pursuant to this title; or
- (4) correct any violation of a permit restriction or requirement.

(b) The issuing authority for a State health order shall be the Commissioner. The issuing authority for a local health order shall be the selectboard.

(c) Prior to issuance of a health order under this section, the issuing authority shall provide notice as provided in this subsection.

(1) The health officer shall prepare a notice of intent to seek a health order, setting forth the health officer's reasons to believe a health order should be issued.

(2) The notice of intent, together with the supporting evidence, and a statement of procedural rights available under this section, shall be served in person by a health officer on the person against whom the health order is sought or in accordance with the procedures set forth in Vermont Rules of Civil Procedure. If the person resides out of state, the notice of intent shall be served on the person against whom the health order is sought through certified mail.

(3) Upon request of the person against whom the health order is sought, a hearing shall be held before the issuing authority. At such hearing, the person against whom the order is sought shall be given an opportunity to rebut the allegations and demonstrate that no health order should issue.

(d) A health order shall be effective upon issuance and may require any person responsible for contributing to the public health hazard or significant public health risk to take actions to protect the public health. Such actions may include the following:

(1) the prohibition of transportation, sale, distribution, or supplying of water, food, or any other materials or services;

(2) the repair, installation, construction, operation, or implementation of purification equipment or methods;

(3) testing, sampling, monitoring, surveying, or other analytical operations required to determine the nature, extent, duration, or severity of the public health hazard or public health risk;

(4) the impounding, destruction, or removal of any public health hazard;

(5) the quarantine or isolation of any area, persons, animals, or materials;

(6) the closing of and the prohibition of assemblage in any food or lodging establishment, church, school, or any other place of assemblage;

(7) the cessation of any acts, discharges, or processes contributing to a public health hazard or public health risk;

(8) the medical or veterinary treatment of any agent that is contributing to a public health hazard or a public health risk;

(9) the giving of notice to potential users, including travelers, of the goods or services, of the nature, extent, and possible health effects of the public health hazard or public health risk, and precautions to be taken by such users; or

(10) any other affirmative acts or prohibitions necessary to mitigate a significant public health risk. (Added 1985, No. 267 (Adj. Sess.), § 10; amended 2021, No. 15, § 7; 2023, No. 6, § 94, eff. July 1, 2023.)