

- ***Title 24, Chapter 61, Subchapter 10: Salvage Yards***
- **§ 2241. Definitions**

For the purposes of this subchapter:

(1) "Abandoned" means a motor vehicle as defined in 23 V.S.A. § 2151.

(2) "Board" means the State Transportation Board, or its duly delegated representative.

(3) "Highway" means any highway as defined in 19 V.S.A. § 1.

(4) "Interstate or primary highway" means any highway, including access roads, ramps, and connecting links, which have been designated by the State with the approval of the Federal Highway Administration, Department of Transportation, as part of the National System of Interstate and Defense Highways, or as a part of the National System of Primary Highways.

(5) "Junk" means old or scrap copper, brass, iron, steel, and other old or scrap or nonferrous material, including rope, rags, batteries, glass, rubber debris, waste, trash, or any discarded, dismantled, wrecked, scrapped, or ruined motor vehicles or parts thereof.

(6) "Junk motor vehicle" means a discarded, dismantled, wrecked, scrapped, or ruined motor vehicle or parts thereof, or a motor vehicle, other than an on-premise utility vehicle, which is allowed to remain unregistered or uninspected for a period of 90 days from the date of discovery.

(7) "Salvage yard" means any place of outdoor storage or deposit for storing, keeping, processing, buying, or selling junk or as a scrap metal processing facility. "Salvage yard" also means any outdoor area used for operation of an automobile graveyard. It does not mean a garage where wrecked or disabled motor vehicles are stored for less than 90 days for inspection or repairs.

(8) "Legislative body" means the city council of a city, the selectboard of a town, or the board of trustees of a village.

(9) "Main traveled way" means the portion of a highway designed for the movement of motor vehicles, shoulders, auxiliary lanes, and roadside picnic, parking, rest, and observation areas and other areas immediately adjacent and contiguous to the traveled portion of the highway and designated by the Transportation Board as a

roadside area for the use of highway users and generally but not necessarily located within the highway right-of-way.

(10) "Motor vehicle" means any vehicle propelled or drawn by power other than muscular power, including trailers.

(11) "Notice" means by certified mail with return receipt requested.

(12) "Scrap metal processing facility" means a manufacturing business which purchases sundry types of scrap metal from various sources including the following: industrial plants, fabricators, manufacturing companies, railroads, junkyards, auto wreckers, salvage dealers, building wreckers, and plant dismantlers and sells the scrap metal in wholesale shipments directly to foundries, ductile foundries, and steel foundries where the scrap metal is melted down and utilized in their manufacturing process.

(13) "Secretary" means the Secretary of Natural Resources or the Secretary's designee.

(14) "Automobile hobbyist" means a person who is not primarily engaged in the business of:

(A) selling motor vehicles or motor vehicle parts; or

(B) accepting, storing, or dismantling junk motor vehicles.

(15) "Automobile graveyard" means a yard, field, or other outdoor area on a property owned or controlled by a person and used or maintained for storing or depositing four or more junk motor vehicles. "Automobile graveyard" does not include:

(A) an area used by an automobile hobbyist to store, organize, restore, or display motor vehicles or parts of such vehicles, provided that the hobbyist's activities comply with all applicable federal, State, and municipal law;

(B) an area used for the storage of motor vehicles exempt from registration under 23 V.S.A. chapter 7;

(C) an area owned or used by a dealer registered under 23 V.S.A. § 453 for the storage of motor vehicles; or

(D) an area used or maintained for the parking or storage of operational commercial motor vehicles, as that term is defined in 23

V.S.A. § 4103(4), that are temporarily out of service and unregistered but are expected to be used in the future by the vehicle operator or owner. (Added 1969, No. 98, § 1; amended 1971, No. 36, § 1, eff. April 1, 1971; 1973, No. 164 (Adj. Sess.), § 2, eff. July 1, 1974; 1983, No. 185 (Adj. Sess.), § 1; 2003, No. 101 (Adj. Sess.), § 2; 2009, No. 56, § 4; 2009, No. 93 (Adj. Sess.), § 2; 2013, No. 161 (Adj. Sess.), § 72.)

- **§ 2242. Requirement for operation or maintenance**

(a) A person shall not operate, establish, or maintain a salvage yard unless he or she:

(1) holds a certificate of approval for the location of the salvage yard; and

(2) holds a certificate of registration issued by the Secretary to operate, establish, or maintain a salvage yard.

(b) The issuance of a certificate of registration under subsection (a) of this section shall not relieve a salvage yard from the obligation to comply with existing state and federal environmental laws and to obtain all permits required under State or federal environmental law.

(c) The Secretary may require a person to obtain a salvage yard certificate of registration under this section upon a determination, based on available information, that the person has taken action to circumvent the requirements of this subchapter. (Added 1969, No. 98, § 1; amended 1983, No. 185 (Adj. Sess.), § 2; 2009, No. 56, § 5; 2009, No. 93 (Adj. Sess.), § 3.)

- **§ 2243. Administration; duties and authority**

The Agency of Transportation and the Secretary of Natural Resources are designated as responsible for carrying out the provisions of this subchapter and shall have the following additional responsibilities and powers:

(1) The Agency of Transportation or the Secretary of Natural Resources may make such reasonable rules and regulations as he or she deems necessary, provided such rules and regulations do not conflict with any federal laws, rules, and regulations, or the provisions of this subchapter.

(2) The Agency of Transportation shall enter into agreements with the U.S. Secretary of Transportation or his or her representatives

in order to designate those areas of the State which are properly zoned or used for industrial activities, and to arrange for federal cost participation.

(3) The Secretary shall adopt and enforce requirements for adequate fencing and screening of salvage yards.

(4) The Agency of Transportation may seek an injunction against a salvage yard which is in violation of the relevant provisions of this subchapter. The Secretary may enforce the relevant provisions of this chapter under 10 V.S.A. chapter 201.

(5) The Agency of Transportation or the Secretary may issue necessary orders, findings, and directives, and do all other things reasonably necessary and proper to carry out the purpose of this subchapter. (Added 1969, No. 98, § 1; amended 1983, No. 185 (Adj. Sess.), § 3; 1993, No. 172 (Adj. Sess.), § 31; 2009, No. 56, § 6.)

- **§ 2244. Repealed. 1993, No. 172 (Adj. Sess.), § 67(5).**
- **§ 2245. Incinerators, sanitary landfills, etc., excepted**

The provisions of this subchapter shall not be construed to apply to solid waste management facilities regulated under 10 V.S.A. chapter 159. (Added 1969, No. 98, § 1; amended 1971, No. 36, § 2, eff. April 1, 1971; 2009, No. 56, § 7.)

- **§ 2246. Effect of local ordinances**

This subchapter shall not be construed to be in derogation of zoning ordinances or ordinances for the control of salvage yards now or hereafter established within the proper exercise of the police power granted to municipalities, if those ordinances impose stricter limitations upon salvage yards. If the limitations imposed by this subchapter are stricter, this subchapter shall control. (Added 1969, No. 98, § 1; amended 2009, No. 56, § 8.)

- **§ 2247. Salvage yard certificate of registration**

The provisions of this subchapter shall not be construed to repeal or abrogate any other provisions of law authorizing or requiring a certificate of registration to own, establish, operate, or maintain a salvage yard, but no certificate of registration shall be issued in contravention of this subchapter, or continue in force after the date on which the salvage yard for which it is issued becomes illegal under this subchapter regardless of the term for which the certificate of

registration is initially issued if the salvage yard is not satisfactorily screened. (Added 1969, No. 98, § 1; amended 2009, No. 56, § 9.)

- **§ 2248. Salvage yard operational standards**

(a) Beginning July 1, 2010, a salvage yard shall meet the following operational standards:

(1) The salvage yard shall comply with the screening and fencing requirements of section 2257 of this title.

(2) Motor vehicles shall be drained of all fluids prior to crushing and within 365 days of receipt by the salvage yard, except that a vehicle with visible signs of leaking fluids shall be drained immediately. Fluids shall be drained, collected, and stored according to standards established by the Secretary in order to prevent release to the environment. The fluids that shall be drained, collected, and stored under this subdivision include antifreeze, oil, brake fluid, fuel, refrigerants, and transmission fluid.

(3) Vehicles shall be drained and crushed:

(A) on or over a surface that is designed to retain seepage or draining fluids and that is designed to prevent releases to groundwater, discharges to surface waters, or other releases to the environment; or

(B) by a crusher with an onboard fluid-recovery and storage system that prevents releases to groundwater, discharges to surface waters, or other releases to the environment.

(4) A salvage yard issued a certificate of registration under section 2242 of this title after July 1, 2010, shall not be sited or operated within 100 feet of a Class I or Class II wetland as those terms are defined in 10 V.S.A. § 902. This subdivision shall not apply to the renewal of a valid certificate of registration under this subchapter.

(5)(A) A salvage yard issued a certificate of registration under section 2242 of this title after July 1, 2010, shall not be sited or operated within 300 feet of a potable water supply, as that term is defined in 10 V.S.A. § 1972, unless:

(i) the water supply provides water to the salvage yard; or

(ii) the Agency of Natural Resources approves management practices or remedial measures to prevent contamination of the potable water supply.

(B) This subdivision shall not apply to the renewal of a valid certificate of registration under this subchapter.

(b) On or before March 31, 2011, the Secretary shall adopt by rule requirements for the siting, operation, and closure of salvage yards. The rules shall establish requirements for:

(1) the siting of salvage yards, including setbacks from surface waters, wetlands, and potable water supplies. Siting requirements under this subdivision may include site-specific conditions for salvage yards operating under a valid certificate of registration under section 2242 of this title, provided that such site-specific conditions are designed to prevent releases to groundwater, discharges to surface waters, or other risks to public health and the environment. A site-specific condition under this subdivision may include the requirement that the owner or operator of a salvage yard obtain an individual certificate of registration under section 2242 of this title instead of operating under a general permit adopted by the Secretary under subsection (c) of this section;

(2) exemptions from the requirement to obtain a certificate of registration under section 2242 of this title;

(3) when an instrument of financial responsibility may be required by the Secretary in amounts necessary to:

(A) remediate potential or existing environmental contamination caused by the salvage yard; or

(B) assure proper management of salvage materials upon closure of the salvage yard;

(4) removal of solid waste or tires from the salvage yard for proper disposal;

(5) establishment and maintenance of screening or fencing of salvage yards from public view;

(6) assuring proper closure of a salvage yard facility;

(7) postclosure environmental monitoring of a salvage yard;

(8) classes or categories of salvage yards, including those handling total loss vehicles from insurance; and

(9) additional measures that the Secretary determines necessary for the protection of public health, safety, and the environment.

(c)(1) The Secretary may issue a general permit for a certificate of registration issued to salvage yards under section 2242 of this title. The general permit may include a provision allowing a holder of a valid certificate of registration issued under this subchapter to self-certify compliance with the applicable standards of this subchapter and rules adopted under this subchapter. A general permit issued under this section shall be adopted by rule and may be incorporated into the rule required under subsection (b) of this section.

(2) If the Secretary adopts a general permit for the regulation of salvage yards under subdivision (1) of this subsection, the Secretary may require an owner or operator of a salvage yard that is operating under the general permit or that is applying for coverage under the general permit to obtain an individual certificate of registration under section 2242 of this title if any one of the following applies:

(A) the salvage yard does not qualify for the general permit;

(B) a salvage yard operating under the general permit is in violation of the terms and conditions of the general permit;

(C) the size, scope, or nature of the activity of the salvage yard exceeds the parameters of the general permit;

(D) the owner or operator of the salvage yard has a history of noncompliance; or

(E) the salvage yard presents a potential risk to public health or the environment.

(d) No person may deliver salvage vehicles to or operate a mobile salvage vehicle crusher at a salvage yard that does not hold a certificate of registration under this subchapter. A salvage yard holding a certificate of registration under this subchapter shall post a copy of its current certificate in a clearly visible location in the proximity of each entrance to the salvage yard.

(e) The requirement under subdivision (a)(2) of this section or rules adopted under this section to drain a vehicle within 365 days of receipt shall not apply to a salvage yard holding a certificate of registration under this subchapter that, as of January 1, 2010, is conducting business, the primary activity of which is the handling of total loss vehicles from insurance companies. (Added 2009, No. 93 (Adj. Sess.), § 1; amended 2011, No. 36, § 5, eff. May 19, 2011.)

- **§ 2249. Salvage yard operator training**

At least annually, the owner or operator of a salvage yard shall attend a training workshop conducted by or approved by the Agency of Natural Resources regarding the requirements of this subchapter, best management practices, existing and proposed environmental standards, and other applicable federal, State, or municipal requirements. (Added 2009, No. 93 (Adj. Sess.), § 1.)

- **§ 2251. Application for certificate of approved location**

Application for a certificate of approved location shall be made in writing to the legislative body of the municipality where the salvage yard is located or where it is proposed to be located, and, in municipalities having a zoning bylaw, subdivision regulations established under sections 4301-4498 of this title, or a municipal ordinance or rule established under sections 1971-1984 of this title, the application shall be accompanied by a certificate from the legislative body or a public body designated by the legislative body. The legislative body or its designee shall find the proposed salvage yard location is not within an established district restricted against such uses or otherwise contrary to the requirements or prohibitions of such zoning bylaw or other municipal ordinance. The application shall contain a description of the land to be included within the salvage yard, which description shall be by reference to so-called permanent boundary markers. (Added 1969, No. 98, § 1; amended 1973, No. 164 (Adj. Sess.), § 3; 2009, No. 56, § 10.)

- **§ 2252. Time of hearing**

A hearing on the application shall be held within the municipality not less than two or more than four weeks from the date of the receipt of the application by the legislative body. Notice of the hearing shall be given to the applicant by mail, postage prepaid, to the address given in the application and shall be published once in a newspaper having a circulation within the municipality, which publication shall be not less than seven days before the date of the hearing. (Added 1969, No. 98, § 1.)

- **§ 2253. Location requirements**

(a) At the time and place set for hearing, the legislative body shall hear the applicant, the owners of land abutting the facility, and all other persons wishing to be heard on the application for certificate of approval for the location of the salvage yard. The legislative body shall consider the following in determining whether to grant or deny the certificate:

(1) proof of legal ownership or the right to such use of the property by the applicant;

(2) the nature and development of surrounding property, such as the proximity of highways and State and town roads and the feasibility of screening the proposed salvage yard from such highways and State and town roads; the proximity of places of worship; schools; hospitals; existing, planned, or zoned residential areas; public buildings; or other places of public gathering; and

(3) whether or not the proposed location can be reasonably protected from affecting the public health, safety, environment, or from a nuisance condition.

(b)(1) A person shall not establish, operate, or maintain a salvage yard which is within 1,000 feet of the nearest edge of the right-of-way of the interstate or primary highway systems and visible from the main traveled way thereof at any season of the year.

(2) On or after July 1, 2009, no person shall establish or initiate operation of a new salvage yard within 100 feet of the nearest edge of the right-of-way of a State or town road or within 100 feet of a navigable water, as that term is defined in 10 V.S.A. § 1422.

(c) Notwithstanding subsection (b) of this section, salvage yards and scrap metal processing facilities may be operated within 1,000 feet of the nearest edge of the right-of-way of the interstate and primary highway system or within 100 feet of the nearest edge of the right-of-way of a State or town road, provided that the area in which the salvage yard is located is zoned industrial under authority of State law, or if not zoned industrial under authority of State law, is used for industrial activities as determined by the Board with the approval of the U.S. Secretary of Transportation. (Added 1969, No. 98, § 1; amended 1973, No. 164 (Adj. Sess.), § 4; 2009, No. 56, § 11.)

- **§ 2254. Aesthetic, environmental, and community welfare considerations**

At the hearing regarding location of the salvage yard, the legislative body may also take into account the clean, wholesome, and attractive environment which has been declared to be of vital importance to the continued stability and development of the tourist and recreational industry of the state and the general welfare of its citizens by considering whether or not the proposed location can be reasonably protected from having an unfavorable effect thereon. In this regard the legislative body may consider collectively the type of road servicing

the salvage yard or from which the salvage yard may be seen, the natural or artificial barriers protecting the salvage yard from view, the proximity of the proposed salvage yard to established tourist and recreational areas or main access routes, thereto, proximity to neighboring residences, groundwater resources, surface waters, wetlands, drinking water supplies, consistency with an adopted town plan, as well as the reasonable availability of other suitable sites for the salvage yard. (Added 1969, No. 98, § 1; amended 2009, No. 56, § 12.)

- **§ 2255. Grant or denial of application; appeal**

(a) After the hearing the legislative body shall, within 30 days, make a finding as to whether or not the application should be granted, giving notice of their finding to the applicant by mail, postage prepaid, to the address given on the application.

(b) If approved, the certificate of approved location shall be issued for a period not to exceed five years and shall contain at a minimum the following conditions:

(1) conditions requiring compliance with the screening and fencing requirements of section 2257 of this title;

(2) approval shall be personal to the applicant and not assignable;

(3) conditions that the legislative body deems appropriate to ensure that considerations of section 2254 of this title have been met;

(4) any other condition that the legislative body deems appropriate to ensure the protection of public health, the environment, or safety or to ensure protection from nuisance conditions; and

(5) a condition requiring a salvage yard established or initiated prior to July 1, 2009 to be setback 100-feet from the nearest edge of a right-of-way of a State or town road or from a navigable water as that term is defined in 10 V.S.A. § 1422, provided that if a salvage yard cannot demonstrate during the application process that it meets the 100-foot setback requirement of this subdivision, a municipality may regulate the salvage yard as a nonconforming use, nonconforming structure, or nonconforming lot under a municipal nonconformity bylaw adopted under section 4412 of this title, provided that no enlargement or further encroachment within a setback required under this subdivision shall be allowed.

(c) Certificates of approval shall be renewed thereafter for successive periods of not more than five years upon payment of the

renewal fee without hearing, provided all provisions of this subchapter are complied with during the preceding period, and the salvage yard does not become a public nuisance under the common law.

(d) Any person may appeal the issuance or denial of a certificate of approved location to the Environmental Division within 30 days of the decision. No costs shall be taxed against either party upon such appeal. (Added 1969, No. 98, § 1; amended 1973, No. 164 (Adj. Sess.), § 5; 1973, No. 193 (Adj. Sess.), § 3, eff. April 9, 1974; 2009, No. 56, § 13; 2009, No. 154 (Adj. Sess.), § 236.)

- **§ 2256. Certificate fees**

The initial or renewal application fee is \$25.00 to be paid at the time application is made. If the application is not granted, the fee shall be returned to the applicant. A municipality, in addition to the application fee, may assess the applicant with the costs of advertising such application and such other reasonable costs incident to the hearing as are clearly attributable thereto and may make the certificate of approval conditional upon payment of same. (Added 1969, No. 98, § 1.)

- **§ 2257. Screening requirements; fencing**

(a) A salvage yard shall be screened by a fence or vegetation which effectively screens it from public view and which complies with the rules of the Secretary relative to the screening and fencing of salvage yards, and shall have a gate which shall be closed after business hours.

(b) Fences and artificial means used for screening purposes as hereafter provided shall be maintained neatly and in good repair. They shall not be used for advertising signs or other displays which are visible from the main traveled way of a highway or State or town road.

(c) All junk stored or deposited in a salvage yard shall be kept within the enclosure, except while being transported to or from the salvage yard. All wrecking or other work on the junk shall be accomplished within the enclosure.

(d) Where the topography, natural growth of timber, or other natural barrier screens the salvage yard from view in part, the legislative body shall upon granting the certificate of approved location require the applicant to screen only those parts of the salvage yard not screened. A legislative body may inspect a salvage yard in order to determine compliance with the requirements of this chapter and a certificate of approved location issued under this chapter. A municipality may request that the Secretary initiate an enforcement action against a

salvage yard for violation of the requirements of this subchapter or statute or regulation within the authority of the Secretary. (Added 1969, No. 98, § 1; amended 1983, No. 185 (Adj. Sess.), § 4; 1993, No. 172 (Adj. Sess.), § 32; 2009, No. 56, § 14.)

- **§ 2261. Application**

Application for a certificate of registration for a salvage yard shall be made in writing to the Secretary upon a form prescribed by the Secretary. (Added 1969, No. 98, § 1; amended 1993, No. 172 (Adj. Sess.), § 33; 2009, No. 56, § 15.)

- **§ 2262. Eligibility**

The Secretary shall issue a certificate of registration upon finding:

(1) The applicant is able to comply with the provisions of this subchapter.

(2) The applicant has filed a currently valid certificate of approval of location with the Secretary.

(3) The applicant has complied with any regulations of the Secretary issued under section 2243 of this title and with screening or fencing requirements which, under limitations of the surrounding terrain, are capable of feasibly and effectively screening the salvage yard from view of the main traveled way of all highways. (Added 1969, No. 98, § 1; amended 1973, No. 164 (Adj. Sess.), § 6; 1973, No. 185 (Adj. Sess.), § 5; 1993, No. 172 (Adj. Sess.), § 34; 2009, No. 56, § 16.)

- **§ 2263. Repealed. 2009, No. 134 (Adj. Sess.), § 32(c).**
- **§ 2264. Repealed. 2009, No. 56, § 17.**
- **§ 2271. Unauthorized disposal of vehicles**

No one may place, discard or abandon a junk motor vehicle in a place where it is visible from the main traveled way of a highway nor may anyone abandon or discard any motor vehicle upon the land of another with or without the consent of the land owner. Motor vehicles so placed, discarded or abandoned are hereby declared to be a public nuisance. (Added 1969, No. 98, § 1.)

- **§ 2272. Taking title to junk motor vehicles**

(a) A junk motor vehicle discovered in violation of section 2271 of this title shall be removed from view of the main traveled way of the highway by the owner of the land upon which it is discovered, upon

receiving written notice from the agency of transportation to do so, if such owner holds title to the motor vehicle.

(b) If the owner of the land upon which a junk motor vehicle is discovered in violation of section 2271 of this title, does not hold or disclaims title, and the true owner of the motor vehicle is known or can be ascertained, the motor vehicle owner shall dispose of such motor vehicle in such a manner that it is no longer visible from the main traveled way of the highway upon receiving written notice from the agency of transportation to do so.

(c) The owner of land upon which a motor vehicle is left in violation of section 2271 of this title may, without incurring any civil liability or criminal penalty to the owner of such vehicles, remove the vehicle from the place where it is discovered to any other place on any property owned by him, and if so removed, he shall notify the agency of transportation and local or state police, in writing, forthwith. Within ten days after notification, the agency of transportation shall cause the vehicle to be taken under its control and disposed of as hereafter provided.

(d) [Repealed.] (Added 1969, No. 98, § 1; amended 1973, No. 164 (Adj. Sess.), § 8; 1981, No. 87, § 4; 1983, No. 185 (Adj. Sess.), § 7; 1989, No. 39; 2003, No. 101 (Adj. Sess.), § 3.)

- **§ 2273. Agency of transportation; duties; general authority**

The agency of transportation is authorized to contract in the name of the state for the service of independent contractors under bond to carry on at the contractor's expense junk car collection and disposal operations. The agency shall maintain a continuing inventory of junk cars for disposal, select areas appropriate for collection, storage and disposal of junk motor vehicles, and have general authority to contract and do all things reasonably necessary to carry out the purposes of this subchapter. Notwithstanding any other provision of this subchapter the agency may petition the superior court of the county in which a junk motor vehicle is discovered in violation of section 2271 of this title for an order directing the owner to remove the motor vehicle from view of the main traveled way of the highway. (Added 1969, No. 98, § 1; amended 1983, No. 185 (Adj. Sess.), § 8; 1993, No. 172 (Adj. Sess.), § 35.)

- **§ 2274. Construction with other statutes**

In the event the provisions of this subchapter conflict with any other law relating to abandoned or unclaimed property, this subchapter

controls, and its provisions shall not be construed to repeal or abrogate any other provisions of law relating to junkyards but to be in aid thereof or as an alternative. (Added 1969, No. 98, § 1.)

- **§ 2281. Injunctive relief; other remedies**

(a) In addition to the penalty in section 2282 of this title, the legislative body may seek a temporary restraining order, preliminary injunction, or permanent injunction against the establishment, operation, or maintenance of a salvage yard which is in violation of the relevant municipal requirements of this subchapter and may obtain compliance with the relevant municipal requirements of this subchapter and the terms of a certificate of approved location issued under this subchapter by complaint to the Environmental Division for the county in which the salvage yard is located.

(b) In addition to the penalty in section 2282 of this title, the Agency of Transportation may seek appropriate injunctive relief in the Superior Court to enforce the provisions of this subchapter within its regulatory authority. (Added 1969, No. 98, § 1; amended 1993, No. 172 (Adj. Sess.), § 36; 2009, No. 56, § 18; 2009, No. 154 (Adj. Sess.), § 236.)

- **§ 2282. Penalty**

A person who violates this subchapter shall be fined not less than \$5.00 nor more than \$50.00 for each day of the violation. (Added 1969, No. 98, § 1.)

- **§ 2283. Appeals**

After exhausting the right of administrative appeal to the board under 19 V.S.A. § 5(d)(5), a person aggrieved by any order, act, or decision of the Agency of Transportation may appeal to the Superior Court, and all proceedings shall be de novo. Any person, including the Agency of Transportation, may appeal to the Supreme Court from a judgment or ruling of the Superior Court. Appeals of acts or decisions of the Secretary of Natural Resources or a legislative body of a municipality under this subchapter shall be appealed to the Environmental Division under 10 V.S.A. § 8503. (Added 1969, No. 98, § 1; amended 1971, No. 185 (Adj. Sess.), § 199, eff. March 29, 1972; 1973, No. 193 (Adj. Sess.), § 3, eff. April 9, 1974; 1993, No. 172 (Adj. Sess.), § 37; 2009, No. 56, § 19; 2009, No. 154 (Adj. Sess.), § 236.)