| 1 | H.752 |
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| 2 | Introduced by Representatives O'Sullivan of Burlington, Buxton of |
| 3 | Tunbridge, Christie of Hartford, Gonzalez of Winooski, Pearson |
| 4 | of Burlington, Poirier of Barre City, Stuart of Brattleboro, and |
| 5 | Till of Jericho |
| 6 | Referred to Committee on |
| 7 | Date: |
| 8 | Subject: Municipal government; land planning; substance abuse recovery |
| 9 | homes |
| 10 | Statement of purpose of bill as introduced: This bill proposes to require a |
| 11 | municipality to treat a substance abuse recovery home as a single-family |
| 12 | residential home under its land use bylaws. |
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| | |
| 13 14 | An act relating to regulation of substance abuse recovery homes under local land use bylaws |
| 15 | It is hereby enacted by the General Assembly of the State of Vermont: |

§ 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

Notwithstanding any existing bylaw, the following land development

Sec. 1. 24 V.S.A. § 4412 is amended to read:

provisions shall apply in every municipality:

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| 1 | (1) Equal treatment of housing and required provisions for affordable |
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| 2 | housing. |
| 3 | * * * |
| 4 | (G) A residential care home or group home to be operated under state |
| 5 | State licensing or registration, serving not more than eight persons who have a |
| 6 | disability as defined in 9 V.S.A. § 4501, shall be considered by right to |
| 7 | constitute a permitted single-family residential use of property, except that no |
| 8 | such home shall be so considered if it is located within 1,000 feet of another |
| 9 | existing or permitted such home. |
| 10 | (H) Notwithstanding subdivision (G) of this subdivision (1), a |
| 11 | substance abuse recovery home shall be considered by right to constitute a |
| 12 | permitted single-family residential use of property regardless of its proximity |
| 13 | to another existing or permitted home. As used in this subdivision, "substance |
| 14 | abuse recovery home" means a residence for individuals who are recovering |
| 15 | from a substance abuse disorder, operated for profit or otherwise, that is free of |
| 16 | alcohol and illegal drug use. |
| 17 | * * * |
| 18 | Sec. 2. EFFECTIVE DATE |
| 19 | This act shall take effect on July 1, 2016. |