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S.151

Introduced by Senators Pollina, Cummings and Perchlik

Referred to Committee on

Date:

Subject: Fish and Wildlife; posting land; notice; use of paint markings

Statement of purpose of bill as introduced: This bill proposes to authorize land owners to prohibit hunting or fishing on land they own by maintaining visible paint markings on trees, posts, or other objects at or near the border of the land.

An act relating to the posting of land with paint markings

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

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

§ 5201. NOTICES; POSTING

(a)(1) An owner, or a person having the exclusive right to take game upon land or the waters thereon, who desires to protect his or her land or private pond or propagation farm over which he or she has exclusive control may ~~maintain notices stating that~~ prohibit hunting or fishing on the land by:

(A) maintaining notices stating that:

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

1 ~~(B)(ii)~~ fishing or the taking of fish is prohibited or is by
2 permission only; or

3 ~~(C)(iii)~~ fishing, hunting, trapping, or taking of game is prohibited
4 or is by permission only.

5 (B) maintaining paint markings on trees, posts, or other objects,
6 provided that the marking shall:

7 (i) consist of one painted line of purple paint that is a minimum of
8 eight inches high and two inches wide;

9 (ii) be painted at between three to six feet above ground level;

10 (iii) be painted on a tree, post, or other object that is visible to a
11 person approaching the land; and

12 (iv) comply with the requirements of subdivision (b)(1) of this
13 section.

14 (2) “Permission only signs” authorized under this section shall contain
15 the owner’s name and a method by which to contact the property owner or a
16 person authorized to provide permission to hunt, fish, or trap on the property.

17 (b)(1) Notices or paint markings prohibiting the taking of game shall be
18 erected or painted upon or near the boundaries of lands to be affected with
19 notices or paint markings at each corner and not over 400 feet apart along the
20 boundaries thereof.

1 (2) Legible Notice signs erected under subdivision (a)(1)(A) of this
2 section must be legible and maintained at all times and shall be dated each
3 year. ~~These~~ Notice signs erected under subdivision (a)(1)(A) of this section
4 shall be of a standard size and design as the Commissioner shall specify.

5 (c)(1) The owner or person posting the lands with notice signs under
6 subdivision (a)(1)(A) of this section shall record this posting annually in the
7 town clerk's office of the town in which the land is located.

8 (2) The owner or person posting lands with paint markings under
9 subdivision (a)(1)(B) of this section shall record the posting with the town
10 clerk's office of the town in which the land is located when the land is
11 originally marked with paint and shall not be required to update the notice
12 annually.

13 (3) The recording form required under this subsection shall be furnished
14 by the Commissioner and shall be filled out in triplicate, one copy to be
15 retained by the town clerk, one copy to the Commissioner, and one copy to be
16 retained by the person having the right to post the lands. The forms shall
17 contain the information as to the approximate number of acres posted, location
18 in town, date of posting, and signature of person so posting the lands. The
19 town clerk shall file the record, and it shall be open to public inspection. The
20 town clerk shall retain a fee of \$5.00 for this recording.

1 (d) Land posted as provided in subsection (b) of this section shall be
2 enclosed land for the purposes herein.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2022.