

Burlington Board of Health

STATEMENT OF PROCEDURAL RIGHTS

Pursuant to 18 V.S.A. §§ 126 & 127, you are hereby notified of your rights.

1. You may appeal a health order in writing to the Burlington Board of Health and be given the opportunity for a hearing, at which time you shall be given the opportunity to rebut the allegations upon which the order is based. You must appeal an emergency health order in writing within five (5) days from receipt of the order.
2. You have the right to appeal any act, decision or order of the Burlington Board of Health to the State Board of Health.
3. Your appeal to the State Board of Health must be made within 30 days of the act, decision, or order.
4. The appeal hearing before the State Board of Health shall be subject to the provisions of 3 V.S.A., Ch. 25, the Administrative Procedure Act, relating to contested cases.
5. The State Board of Health will hear your appeal de novo, that is, it will consider your case anew, and all persons and parties of interest, as determined by Board rule, may appear and be heard. A decision on your appeal will be made within 30 days following the conclusion of the hearing.
6. You may appeal the decision of the State Board of Health to the Vermont Supreme Court.
7. Failure to comply with the provisions of the Health Order issued by the Burlington Board of Health or the Emergency Health Order of the health officer may subject you to further legal action including civil enforcement of the order in the superior court and criminal penalties.