Statutory Authority for the Brattleboro Selectboard (Brattleboro's local Board of Health)

to enact a COVID -19 Mask Mandate:

Title 18 : Health

Chapter 011 : Local Health Officials

(Cite as: 18 V.S.A. § 613)
§ 613. Powers of local board

(a) A local board of health may make and enforce rules in such town or city relating to the prevention, removal, or destruction of public health hazards and the mitigation of public health risks, provided that such rules have been approved by the Commissioner. Such rules shall be posted and published in the same manner that ordinances of the municipality are required to be posted and published.

(b) A local board's jurisdiction over sewage disposal includes emergent conditions which create a risk to the public health as a result of sewage treatment and disposal, or its effects on water supply, but does not include the power to adopt ordinances, rules, or regulations relating to design standards for on-site sewage disposal systems. The board may act to abate nuisances affecting public health caused by the failure of a sewage disposal system to:

(1) prevent surfacing of sewage and the creation of a health hazard; or

(2) prevent the pollution or contamination of drinking water supplies, groundwater, and surface water; or

(3) maintain sanitary and healthful conditions during operation.

(c) All rules or ordinances adopted by a local board of health shall be consistent with the purposes, policies, and provisions of this title.