

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Tram T. Nguyen

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing for planning board meeting postponement due to inclement weather.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>1/22/2020</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>1/23/2020</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>1/23/2020</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/27/2020</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>1/30/2020</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>1/30/2020</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>1/30/2020</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>1/30/2020</i>

HOUSE No.

By Ms. Nguyen of Andover, a petition (subject to Joint Rule 12) of Tram T. Nguyen and others relative to planning board meeting postponements due to inclement weather. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act providing for planning board meeting postponement due to inclement weather.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 81T of chapter 41 of the General Laws is hereby amended by adding the
2 following paragraph:-

3 In a city or town choosing to accept the provisions of this paragraph pursuant to the
4 procedure set forth in section 4 of chapter 4, the chair of the planning board of such city or town
5 may determine that the public hearing, and any public hearing required by section 9 of chapter
6 40A when such planning board is also the special permit granting authority, may be postponed
7 because of a weather-related emergency. The chair of the planning board shall consult with local
8 public safety officials and then, upon the chair of the planning board’s own declaration of a
9 weather-related emergency, the chair of the planning board shall recess and continue the public
10 hearing to a time, date and place certain. If due to the weather-related emergency, a new public
11 hearing time and place may be required but cannot be then identified, the chair of the planning
12 board may recess and continue the public hearing and shall within 3 days of the declaration of

13 recess and continuance select a public hearing time and place and the chair of the planning board
14 shall declare the meeting location. If due to the weather-related emergency no suitable municipal
15 facility is available for a public hearing, the chair of the planning board may move the public
16 hearing to a suitable place in a contiguous municipality. The chair of the planning board shall
17 announce the declaration of recess and continuance as far in advance of the public hearing being
18 continued as is practicable; provided that, a notice of the declaration of recess and continuance
19 shall be prepared by the chair of the planning board and printed in a legible, easily
20 understandable format and shall contain the date, time and place of the continued public hearing,
21 state the reason for the declaration and identify the date and time that the chair of the planning
22 board announced the recess and continuance. If the chair of the planning board does not identify
23 the location of the continued meeting in the notice, within 3 days of the announcement of the
24 declaration of recess and continuance the chair of the planning board shall issue an amended
25 notice which identifies the public hearing time and place. Notice shall be filed with the municipal
26 clerk as soon as practicable and then posted in a manner conspicuously visible to the public at all
27 hours in or on the municipal building in which the clerk's office is located. One copy of the
28 notice of declaration of recess and continuance or the amended notice shall be posted at the main
29 entrance of the place of the public hearing as soon as is practicable. In addition, the chair of the
30 planning board may use any electronic, broadcast or print media convenient to circulate the
31 notice of recess and continuance and any amended notice. Those municipalities that have a
32 municipal website shall post a copy of the notice of declaration of recess and continuance or
33 amended notice on the municipal website as soon as practicable.