

HOUSE No. 4035

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 municipal meeting postponement due to inclement weather.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>2/18/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>3/15/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>7/22/2021</i>

HOUSE No. 4035

By Ms. Nguyen of Andover, a petition (accompanied by bill, House, No. 4035) of Tram T. Nguyen, Marcos A. Devers and Michelle L. Ciccolo relative to providing for municipal meeting postponement due to inclement weather. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act providing for municipal 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 Chapter 41 of the General Laws is hereby amended by adding the following section:-

2 Section 134. (a) In a city or town choosing to accept the provisions of this section
3 pursuant to the procedure set forth in section 4 of chapter 4, the chair of any municipal board
4 including, but not limited to, a planning board established pursuant to section 81A or a board of
5 appeals established pursuant to section 81Z, may determine that a public hearing of the board
6 may be postponed because of a weather-related emergency. The chair of the municipal board
7 shall consult with local public safety officials and then, upon the chair of the municipal board’s
8 own declaration, the chair of the municipal board shall recess and continue the public hearing to
9 a time, date and place certain. If due to the weather-related emergency, a new public hearing
10 time and place may be required but cannot then be identified, the chair of the municipal board
11 may recess and continue the public hearing and shall within 3 days of the declaration of recess
12 and continuance select a public hearing time and place and the chair of the municipal board shall

13 declare the meeting location. If due to the weather-related emergency no suitable municipal
14 facility is available for a public hearing, the chair of the municipal board may move the public
15 hearing to a suitable place in a contiguous municipality.

16 The chair of the municipal board need not appear at the place of the public hearing to
17 announce the declaration of recess and continuance. The chair of the municipal board shall
18 announce the declaration of recess and continuance as far in advance of the public hearing being
19 continued as practicable.

20 (b) A notice of the declaration of recess and continuance shall be prepared by the chair of
21 the municipal board and printed in a legible, easily understandable format and shall contain the
22 date, time and place of the continued meeting, state the reason for the declaration and identify the
23 date and time that the chair of the municipal board announced the recess and continuance. If the
24 chair of the municipal board does not identify the location of the continued meeting in the notice,
25 within 3 days of the announcement of the declaration of recess and continuance the chair of the
26 municipal board shall issue an amended notice that identifies the public hearing time and place.
27 Notice shall be filed with the municipal clerk as soon as practicable and then posted in a manner
28 conspicuously visible to the public at all hours in or on the municipal building in which the
29 clerk's office is located. One copy of the notice of declaration of recess and continuance or the
30 amended notice shall be posted at the main entrance of the place of the public hearing as soon as
31 is practicable. In addition, the chair of the municipal board may use any electronic, broadcast or
32 print media convenient to circulate the notice of recess and continuance and any amended notice.
33 Those municipalities that have a municipal website shall post a copy of the notice of declaration
34 of recess and continuance or amended notice on the municipal website as soon as practicable.