



Bourne Board of Health
508-759-0600 ext. 1513



Procedures for Board of Health Continuances

In order to maintain consistency between all applicants appearing before the Bourne Board of Health, official procedures for Continuance Requests are as follows:

- A. If the Board requests or requires additional information prior to closing a public hearing and taking the matter under advisement, the public hearing must be continued to a date and time certain as determined by the Chair.
- B. The date and time of the continuance must be announced at the public meeting where the public hearing was last noticed. As for the time, it is recommended that the Board set the time that it will convene the meeting as the time of the hearing. Hearings may not be reopened before the set time but may be opened later than the set time.
- C. Prior to the Chair granting a public hearing continuance, the applicant should present the project to the Board and the public to the fullest extent possible. This will allow the Board Members to determine if they require additional information, or revised plans, prior to the close of the hearing.
- D. If an applicant requests that a public hearing be continued, for any reason, they can do so verbally at the public meeting where the item is noticed. If requested verbally, the Board should direct Health Department staff to memorialize the request and follow up with the applicant to obtain the applicant's verification of the same. The applicant can also request a continuance by sending a written request to the Health Department at any time prior to the public meeting. Health Department staff will not accept any verbal continuance requests from applicants.
- E. The Chair shall determine if any hearing will be continued to a future date certain at the public meeting where the public hearing was last noticed. Continuances do not require a vote of the Board or majority approval. The Chair should be mindful of any statutory deadlines for rendering a decision and, as necessary, obtain an applicant's consent to toll the statutory deadline for the duration of the continuance - *i.e.*, each of the days during the continuance will not count toward calculation of the statutory deadline.
- F. At no time shall the Health Department staff confirm a continued hearing date prior to the public meeting when the public meeting was last noticed. All continuation dates should be considered tentative prior to the Chair's announcement at the public meeting. Health Department staff should instruct any applicant who requests a continuance to appear or have a representative appear at the hearing in question.
- G. If the Board fails to open and/or continue a public hearing due to a lack of quorum, or inability to meet, the public hearing must be reopened at a future public meeting, after sending new certified mail notice to all required abutters. **Failure of the Board to meet as scheduled for a previously noticed public hearing does not constitute a new application. All statutory deadlines remain in effect based on the original application date, unless an extension of time is granted by the applicant.**

Endorsed by the Board of Health at the public meeting on _____.