

Municipal Permitting Timelines Resume on December 1

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Effective December 1, municipal boards must follow the usual permitting deadlines following a COVID-19 statute enacted last week.

Towns and cities had been operating under **Section 17 of Chapter 53 of the Acts of 2020**, which tolled the deadlines for commencing public hearings and issuing decisions while the Governor's COVID-19 state of emergency remained in effect, and for 45 days after the end of the emergency. **Chapter 201 of the Acts of 2020** eliminated this indefinite tolling period as of December 1, 2020.

While many municipal permitting boards have continued holding hearings and issuing decisions during the COVID-19 emergency using in-person or remote meetings, others have pushed out matters – without the risk of constructive approvals. That relief ends on December 1, when the usual timelines to hold a hearing and issue a decision resume.

The new statute allows boards to appeal to the Department of Housing and Economic Development for relief from permitting deadlines if the board:

- is unable to conduct such meetings or hearings in person in accordance with applicable public health orders regulating gatherings during the state of emergency.
- is unable to conduct meetings and public hearings remotely due to a lack of access to broadband or other technical limitations; and

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addressing the COVID-19 emergency.