

## **PART II – POLICIES**

### **Section 1 - Local Regulations**

- A. All regulations promulgated by the Board of Health shall be filed with the Town Clerk.
- B. All revisions, additions or deletions to current regulations shall be proposed in such a way that the Board of Health vote to adopt contains the phrase: “To read as follows” and followed by the the revision, addition or deletion.
- C. All regulations submitted to the Town Clerk must contain:
  - a. Adoption date.
  - b. Names of Board members voting in favor of adoption.
  - c. Advertising dates in newspaper for Public Hearing and for adopted regulation.
- D. All Board of Health regulations must be posted on the Town website.

### **Section 2 - Plan Review Requirement**

- A. Prior to submission of an application for any new license, permit or approval, transfer of an existing license, permit or approval to a new location or owner, or an amendment to any license permit or approval, the applicant shall submit a plan of proposed development to the Health Department.
- B. Unless another time frame is specifically required for the license, permit or approval at issue, said plan shall be submitted to the Health Department at least thirty (30) days prior to submission of a formal application.
- C. The plan shall include review narratives, site or design plans, material schedules, and other relevant documents pertaining to the relevant codes and regulations under the Board of Health’s jurisdiction.
- D. The Board of Health may deny any application that is not accompanied by a plan first submitted to the Health Department as required by this section.

### **Section 6 – Correspondence**

- A. Copies of all letters sent by the Health Agent concerning the citizens of Provincetown shall be made available to the Board of Health.
- B. Copies of all letters sent by governmental agencies concerning Health Department or Board of Health-related matters shall be provided to all Board of Health members in a timely manner.

### **Section 7 – Emergencies**

- A. Emergency situations will be reported to the Chair within twenty-four (24) hours.

## **Section 8 – News Media Statements**

- A. All statements to the news media pertaining to the Board of Health shall be made by the Chair.
- B. If the Chair is not available, the Vice Chair may make statements to the media on behalf of the Board of Health.
- C. The Health Department staff may make statements to the news media on behalf of the Health Department, but not on behalf of the Board of Health unless otherwise instructed.

## **Section 9 – Communications Between Town Boards**

- A. Any Board of Health vote that pertains to a matter or property before another Town of Provincetown Board, officer or commission, shall be relayed to the staff liaison for said board, officer or commission within seven (7) days of the vote, or within such time as is requested by the other board, officer or commission.

## **Section 10 – Health Department Applications Generally, Staff Responsibilities**

- A. Health Department staff will work with all applicants during the application process to assist in properly submitting applications.
  - 1. Applications will be reviewed and a decision promptly rendered or, in the case of a matter for which Board review is required under Section-11, a recommendation from the staff will be shared with the applicant prior to the Board of Health meeting at which their application is considered.
  - 2. Other than applications under Section11, or when the Health Department requires clarification from the Board of Health regarding application of a law or regulation, the staff will render a decision on all other applications consistent with applicable federal and state laws and regulations, Town By-laws and Board of Health regulations and policies.
- B. Any party aggrieved by a determination made by Health Department staff may appeal such determination to the Board of Health by filing a Request to Appear Before the Board of Health within ten (10) days of the Health Department's decision. The appeal shall include the basis upon which the party is appealing.
- C. Health Department staff will present a summary of activities in writing at each Board of Health meeting.
- D. In the absence of Health Department staff, any incident or procedure requiring emergency action from the Health Department staff will be referred to the Chair, or their absence the Vice Chair.

### **Section 11 - Operating a Board of Health Licensed Entity without a License**

- A. No person, business or entity shall engage in any business or activity in the Town of Provincetown without first obtaining any license, permit or approval from the Board of Health as may be required by the Massachusetts General Laws, regulations of the Provincetown Board of Health, or any other federal, state or local law or regulation.
- B. In addition to any fines or penalties assessed for operating without a license, permit or approval required by the Board of Health, any person, business, or entity that engages in any business or activity without the requisite license, permit or approval from the Board of Health shall be required to pay double the application fee(s) assessed for the license, permit or approval, in order to continue or re-engage in the business or activity.

### **Section 12 – Review of Policies**

- A. These policies shall be reviewed annually following the normal annual reorganization of the Board of Health or more often if necessary and dictated by changes in the Board of Health’s composition.

### **Section 13 – Effective Date**

These policies are effective March 1, 2016, updated in public hearing on May 18, 2023, revised effective upon publication (deleting Title 5 sections).