

# SENATE . . . . No. 352

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## The Commonwealth of Massachusetts

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SENATE, Feb. 9, 1931.

The committee on Bills in the Third Reading, to which was referred the House Bill relative to certain rules, regulations and orders of the Department of Public Safety and the State Fire Marshal relating to fire prevention (printed in House, No. 86), reports recommending that the same be amended by substituting therefor a new draft entitled "An Act relative to the Enforcement of Certain Rules, Regulations and Orders pertaining to Fire Prevention" (Senate, No. 352), and that, when so amended, the same will be correctly drawn.

For the committee,

EDWARD H. NUTTING.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-One.

An Act relative to the Enforcement of Certain Rules, Regulations and Orders pertaining to Fire Prevention.

1 *Whereas*, The deferred operation of this act  
2 would, in part, defeat its purpose, therefore it  
3 is hereby declared to be an emergency law, neces-  
4 sary for the immediate protection of the public  
5 safety.

*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 one hundred and forty-eight of the  
2 General Laws is hereby amended by striking out  
3 section thirty, as appearing in section one of  
4 chapter three hundred and ninety-nine of the  
5 acts of nineteen hundred and thirty, and inserting  
6 in place thereof the following: —

7 *Section 30.* If any city or town, or any head  
8 of a fire department, or any officer, servant or  
9 agent of the commonwealth or of any city or town  
10 refuses or unreasonably neglects to obey any  
11 lawful rule, order or regulation of the depart-  
12 ment or any lawful order of the marshal, punish-  
13 ment whereof is not otherwise provided for,

14 such city or town, upon information presented  
15 by the commissioner or by the marshal shall be  
16 liable to a fine of not more than one thousand  
17 dollars, and such head of a fire department or  
18 officer, servant or agent shall be punished by a  
19 fine of not more than fifty dollars. Violation or  
20 unreasonable neglect of such a rule, order or  
21 regulation, or of any lawful order or rule of the  
22 head of a fire department, by any person other  
23 than as aforesaid shall be punished by a fine of  
24 not more than ten dollars for each day during  
25 which such violation continues after notice to  
26 the offender. Such notice may be given by per-  
27 sonal service or by posting the same in a con-  
28 spicuous place on the premises affected thereby.  
29 Any lawful rule or regulation of the department,  
30 or order of the marshal, or order or rule of the  
31 head of a fire department, upon application re-  
32 spectively of the commissioner, the marshal or  
33 the head of the fire department, may be enforced  
34 by the supreme judicial or superior court by writ  
35 of mandamus or otherwise.

