

within the Southeastern Massachusetts air pollution control district during the period from February fifteenth, nineteen hundred and seventy-six to March fifteenth, nineteen hundred and seventy-six, and from February fifteenth, nineteen hundred and seventy-seven to March fifteenth, nineteen hundred and seventy-seven. Said person shall obtain a permit as provided in section thirteen of chapter forty-eight of the General Laws. Such permit shall be valid except on days when the department of public health determines that atmospheric ventilation will be unsuitable or that air stagnation is forecast in the specific area and for a time specified in the permit.

Such open burning shall be performed in accordance with the following requirements: (a) without causing a nuisance; (b) with smoke minimizing starters, if fire starters are necessary; (c) between ten o'clock ante meridian and four o'clock post meridian; (d) on land proximate to the place of generation of such products, or at such other place as may be designated in the permit.

Violation of any provision of this act shall be punishable by a fine of not more than fifty dollars per day and each day's violation shall constitute a separate offense.

Approved March 31, 1975.

Chap. 92. AN ACT PROVIDING FOR THE LEASING OF AIR RIGHTS OVER CERTAIN LAND IN THE TOWN OF BRAINTREE BY SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any general or special law, rule, regulation, ordinance or by-law to the contrary, the Massachusetts Bay Transportation Authority shall, in acquiring any land owned by the town of Braintree by eminent domain or otherwise for the construction of transportation facilities in said town, reserve to said town the right to lease the air rights over any land so acquired. Any lease of such air rights by said town shall conform with the zoning by-laws and other applicable by-laws and regulations of said town.

Approved April 3, 1975.

Chap. 93. AN ACT PROVIDING FOR THE CERTIFICATION OF A CERTAIN CIVIL SERVICE LIST FOR PROMOTION TO POLICE SERGEANT IN THE TOWN OF BRAINTREE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, the division of civil service shall certify to the town of Braintree the civil service list for promotion to police sergeant in said town due to a vacancy that was created as a result of promotion to lieu-