

HOUSE No. 567.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 21, 1894.

The committee on Judiciary, to whom was referred the petition of the mayor of Somerville for the regulation of the storage and manufacture of petroleum and its products, report the accompanying Bill.

For the Committee,

JAMES A. BAILEY, JR.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-four.

AN ACT

Concerning the Storage of Petroleum or any of its Products,
and the Erection and Use of Buildings Therefor.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 SECTION 1. No building for the storage, keeping,
2 manufacture or refining of crude petroleum or any of its
3 products shall be erected or put up to be used in any
4 city or town, unless the mayor and aldermen or select-
5 men thereof have granted a license therefor, prescribing
6 the place where such building shall be erected, and the
7 particular location, materials and construction thereof,
8 with such regulations as to the height of chimneys, dimen-
9 sions of building and protection against fire as they deem
10 necessary for the safety of the neighborhood; and no
11 building heretofore erected and not now used for the
12 storage, keeping, manufacture or refining of crude
13 petroleum or any of its products shall be hereafter used
14 for any of said purposes in any city or town, unless the
15 mayor and aldermen or selectmen thereof have granted a
16 license therefor, with such regulations as to the height of

17 chimneys and protection against fire as they deem neces-
18 sary for the safety of the neighborhood.

1 SECT. 2. Any license, as hereinbefore provided for,
2 may be granted on a written application, and shall be
3 recorded in the records of the city or town. Upon
4 application for such license, the mayor and aldermen or
5 selectmen shall assign a time and place for the con-
6 sideration of the same, and cause at least fourteen days'
7 public notice thereof to be given at the expense of the
8 applicant in such manner as they may direct, in order
9 that all persons interested may be heard thereon.

1 SECT. 3. Any person, firm or corporation engaged in
2 the business of, or using the building for, the storage,
3 keeping, manufacture or refining of crude petroleum or
4 any of its products in any city or town shall conform to
5 such regulations as to the height of chimneys and pro-
6 tection against fire as the mayor and aldermen or select-
7 men of such city or town shall deem necessary for the
8 safety of the neighborhood; but no regulations which
9 the mayor and aldermen or selectmen have not now
10 authority to impose shall be imposed upon or apply to a
11 building or premises now and heretofore used for the
12 business aforesaid.

1 SECT. 4. Any person erecting, occupying or using a
2 building, or occupying or using a building erected, in
3 violation of the provisions of this act, or of any license
4 or regulations granted or made, as hereinbefore provided,
5 shall be punished by fine not exceeding one hundred
6 dollars, or imprisonment in the jail or house of cor-
7 rection not exceeding one month, or by both, in the
8 discretion of the court.

1 SECT. 5. The supreme judicial court, or a justice
2 thereof, or the superior court, or a justice thereof, in
3 term time or vacation, may, by injunction or other suit-
4 able process in equity, restrain the erection, occupation
5 or use of a building, or the occupation or use of a
6 building erected, in violation of the provisions of this
7 act, or of any license or regulations granted or made as
8 hereinbefore provided.

1 SECT. 6. This act shall take effect upon its passage.