

By Mr. Natsios of Holliston, petition of Andrew S. Natsios for legislation to authorize the open burning of trees, tree branches, brush, leaves and other materials blown down, dislodged or uprooted as a result of the hurricane of September twenty-seventh of the current year. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Five.

AN ACT AUTHORIZING CERTAIN OPEN BURNING.

1 *Whereas*, The deferred operation of this act would tend to defeat
2 its purpose which is to allow for the immediate disposal, by open
3 burning, of trees, branches and brush and other material downed
4 as a result of a certain hurricane, therefore it is declared to be an
5 emergency law, necessary for the immediate preservation of the
6 public safety and convenience.

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

1 Notwithstanding the provisions of section one hundred and
2 forty-two A or section one hundred and forty-two B of chapter one
3 hundred and eleven of the General Laws or any other provision of
4 law to the contrary, the commonwealth, its departments and agen-
5 cies and its political subdivisions, and any private person during
6 the period from October fifteenth, nineteen hundred and eighty-
7 five, to November 15, 1985 inclusive, may conduct the open burn-
8 ing of trees, tree branches, brush, leaves and other materials blown
9 down, dislodged or uprooted as a result of the hurricane of Sep-
10 tember twenty-seventh, nineteen hundred and eighty-five. Any
11 private person desiring to conduct such burning shall first obtain a
12 permit as provided in section thirteen of chapter forty-eight of the
13 General Laws. Such permit shall be valid except on days when the
14 department of public health determines that atmospheric ventila-
15 tion will be unsuitable or that air stagnation is forecast in the
16 specific area and for a time specified in the permit.

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

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