

HOUSE No. 1078

At the request of Mr. Graham of Boston, the petition of Joseph P. Graham and William F. A. Graham for legislation to regulate the discharge of smoke in certain establishments, was taken from the files of the preceding annual session. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT TO REGULATE THE DISCHARGE OF SMOKE IN CERTAIN ESTABLISHMENTS.

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. On and after January first, nineteen
2 hundred and fifty, no building shall be permitted to
3 be maintained, constructed, or to stand which houses
4 locomotive engines or in which locomotive engines
5 are permitted to stand, or any other mechanical ob-
6 jects which discharge smoke or soot, unless the same
7 are equipped with sieves or sifters or mechanical
8 devices which prevent the discharge of smoke, carbon
9 or soot from said building or structure in a concen-
10 trated form, or through any chimney or egress, unless
11 said chimney or means of smoke egress are protected
12 so that the same shall not be discharged in a mass.

1 SECTION 2. In the event that said building is
2 maintained or erected on or after January first, nine-

3 teen hundred and fifty, the attorney general, district
4 attorney, the law officer of any town or municipality,
5 any registered voter or any property owner may bring
6 and maintain an action in the superior court in equity
7 in the county in which said building exists for the
8 abatement of the same. If the presiding judge of the
9 superior court finds as a fact that said Section 1 is be-
10 ing violated, he shall forthwith enter a permanent
11 order prohibiting said building from being used for
12 the same.

1 SECTION 3. After a permanent order or injunction
2 is issued by a Judge of the superior court, any person,
3 persons or corporation which continues to violate this
4 law shall be punished in contempt proceedings either
5 by a sentence to the common jail or by a fine of not
6 less than twenty dollars per day for such time after
7 the said date set by the judge of the superior court for
8 abatement of said violation.