

By Mr. Dwinell of Millbury, petition of Richard J. Dwinell relative to the time within which certain open burning may be permitted. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT RELATIVE TO THE TIME WITHIN WHICH CERTAIN OPEN BURNING
MAY BE PERMITTED.

*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 91 of the Acts of 1975 is hereby amended by striking
2 out said chapter and inserting in place thereof the following new
3 chapter:—

4 Notwithstanding the provisions of section one hundred and
5 forty-two A or section one hundred and forty-two B of chapter
6 one hundred and eleven of the General Laws, any person during
7 the period from January first to March fifteenth may conduct the
8 open burning of products of open space land husbandry and
9 management, including materials commonly referred to as brush,
10 including vegetation such as tree branches, brush, cane,
11 driftwood and other forestry debris, but excluding grass, hay or
12 leaves. Said person shall obtain a permit as provided in section
13 thirteen of chapter forty-eight of the General Laws. Such permit
14 shall be valid except on days when the department of public
15 health determines that atmospheric ventilation will be unsuitable
16 or that air stagnation is forecast in the specific area and for a time
17 specified in the permit.

18 Such open burning shall be performed in accordance with the
19 following requirements: (a) without causing a nuisance; (b) with
20 smoke minimizing starters, if fire starters are necessary; (c)

21 between ten o'clock ante meridian and four o'clock post
22 meridian; (d) on land proximate to the place of generation of such
23 products, or at such other place as may be designated in the
24 permit.

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