

By Mr. Healy of Charlemont, petition of Jonathan L. Healy relative to extending the time for open burning. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING CERTAIN OPEN BURNING.

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 III of the General Laws is hereby amended by
2 inserting after section 142H, inserted by chapter 99 of the acts of
3 1975, the following section:—

4 *Section 142I.* Notwithstanding the provisions of section one
5 hundred and forty-two A or section one hundred and forty-two B
6 of this chapter, any person during the period from March
7 fifteenth to April fifteenth, and from November first to
8 November thirtieth of each year, may conduct, except within the
9 Southeastern Massachusetts air pollution control district, the
10 open burning of products of open space land husbandry and
11 management, including materials commonly referred to as brush,
12 including vegetation such as tree branches, brush, cane,
13 driftwood and other forestry debris, but excluding grass, hay, or
14 leaves. Such burning may be conducted within the Southeastern
15 Massachusetts air pollution control district during the period
16 from February fifteenth to March fifteenth, and from November
17 first to November thirtieth of each year. Said person shall obtain
18 a permit as provided in section thirteen of chapter forty-eight.
19 Such permit shall be valid except on days when the department of
20 public health determines that atmospheric ventilation will be
21 unsuitable or that air stagnation is forecast in the specific area
22 and for a time specified in the permit.

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

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