

SENATE No. 380

The Commonwealth of Massachusetts

SENATE, April 3, 1930.

The committee on Public Safety, to whom was referred so much of the report of the special commission (Commissioner of Public Safety and others) established (under Chapter 14 of the Resolves of 1929) to study the laws relative to fire prevention and the rules and regulations of the Department of Public Safety pertaining thereto (House, No. 1060), as relates to setting of fires in the open air report the accompanying Bill (Senate, No. 380).

For the committee,

DONALD W. NICHOLSON.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty.

An Act relative to the Setting of Fires in the Open Air.

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. Chapter forty-eight of the General
2 Laws, as most recently amended in section thir-
3 teen by chapter one hundred and sixty of the
4 acts of nineteen hundred and twenty-seven, is
5 hereby further amended by striking out said
6 section thirteen and inserting in place thereof the
7 following:—

8 *Section 13.* No person shall set, maintain or
9 increase a fire in the open air at any time unless
10 the ground is substantially covered with snow,
11 except during a period of ten days subsequent
12 to the date of issue of written permission of the
13 forest warden or chief of the fire department in
14 cities and towns, or, in cities having such an
15 official, the fire commissioner; provided, that
16 débris from fields, gardens and orchards, and
17 leaves and rubbish from yards, may be burned
18 on ploughed fields by the owners thereof, their
19 agents or lessees, if such fire is at least two hun-
20 dred feet distant from any sprout or forest land

21 and at least fifty feet distant from any building
22 and is properly attended until extinguished; and
23 provided, further, that persons above the age of
24 eighteen may set or maintain a fire for a reason-
25 able purpose upon sandy land, or upon salt
26 marshes or sandy or rocky beaches bordering on
27 tide water, if the fire is enclosed within rocks,
28 metal or other non-inflammable material. The
29 forester may make rules and regulations relating
30 to the granting and revocation of such permits
31 binding throughout the commonwealth. Such
32 rules and regulations shall take effect subject to
33 section thirty-seven of chapter thirty, when
34 approved by the governor and council. The
35 forest wardens in towns and officials performing
36 the duties of forest wardens in cities shall cause
37 public notice to be given of the provisions of this
38 section and shall enforce the same. Whoever
39 violates any provision of this section may be
40 punished by a fine of not more than one hundred
41 dollars or by imprisonment for not more than
42 one month, or both.

1 SECTION 2. Section fourteen of said chapter
2 forty-eight, as amended by section one of chapter
3 two hundred and eighty of the acts of nineteen
4 hundred and twenty-seven, is hereby repealed.

