

SENATE No. 1954

The Commonwealth of Massachusetts

PRESENTED BY:

Michael Barrett

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act to protect public health during unseasonably warm weather..

PETITION OF:

NAME:

Michael Barrett

DISTRICT/ADDRESS:

Third Middlesex

SENATE No. 1954

By Mr. Barrett, a petition (subject to Joint Rule 12) of Michael Barrett for legislation to provide landlords and owners a heating variance during unseasonable warm weather. Public Health.

The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen
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An Act to protect public health during unseasonably warm weather..

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: Section 127A of Chapter 111 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by inserting after the last paragraph the following
3 paragraph:-

4 At its discretion, any board of health or the department may grant a blanket heating
5 variance relieving all landlords or owners in its jurisdiction from any obligation in the code to
6 provide heat when the board of health or department determines such a variance is warranted by
7 unseasonably warm outdoor temperatures; provided however, that a variance may be granted in
8 advance of unseasonably warm outdoor temperatures based on forecasted weather, as necessary
9 to provide sufficient notice for landlords who may provide air conditioning instead of heat during
10 the variance; provided further, that any such variance shall last no longer than 96 hours; provide
11 however, that multiple consecutive variances may be issued in a row when unseasonably warm
12 temperatures continue. Upon receiving a written request for a heating variance from 10 or more
13 residents, owners or landlords under its jurisdiction, a local board of health shall consider issuing
14 a blanket heating variance and issue a decision within 72 hours.