

SENATE No. 983

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the creation of the fire prevention regulations appeals board..

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 22D of the General Laws, as so appearing, is hereby amended by
2 adding the following new section:-

3 “(5)(A) There is hereby established a Fire Prevention Regulations Appeals Board.
4 The Board shall consist of the thirteen members of the Board of Fire Prevention Regulations,
5 established pursuant to section 4.

6 The Governor shall from time to time designate a member of said board as Chairman.
7 The State Fire Marshal, and heads of fire departments serving on this board shall receive no
8 compensation for their services on the board. All other members of said board shall each be paid
9 fifty dollars for each day while in actual performance of his duties but such pay shall not exceed
10 two thousand five hundred dollars in any fiscal year for each eligible member plus all expenses
11 necessarily incurred by him in connection with his official duties as such member of the Appeals
12 Board.

13 The board may, subject to appropriation, with the approval of the State Fire Marshal,
14 employ such clerical, technical, and other assistants as may be required by such board.

15 (B) Whoever is aggrieved by any act, rule, order, decision, requirement, or direction, by
16 any state or local Official charged with the enforcement of the state fire code, relative to the fire
17 protection requirements relating to buildings or structures, may within forty-five days after the
18 service of notice thereof, appeal from said act, rule, order, decision, requirement, or direction to
19 said appeals board.

20 Appeals hereunder shall be on a form as provided by the appeals board and shall be
21 accompanied by such fee as said appeals board may determine. The state, city, or town officer in
22 charge of the records and all other persons in possession or control of such records papers and
23 documents relative to an appeal, shall forthwith, upon request of the appeals board, transmit such
24 papers and documents to said appeals board.