

SENATE No. 1161

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. 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 adoption of the accompanying bill:

An Act to protect public health during unseasonably warm weather.

PETITION OF:

NAME:

Michael J. Barrett

DISTRICT/ADDRESS:

Third Middlesex

SENATE No. 1161

By Mr. Barrett, a petition (accompanied by bill, Senate, No. 1161) of Michael J. Barrett for legislation to protect public health during unseasonably warm weather. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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 127A of Chapter 111 of the General Laws, as appearing in the 2014 Official
2 Edition, is hereby amended by adding the following paragraph:-

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