

HOUSE No. 4117

The Commonwealth of Massachusetts

PRESENTED BY:

Tami L. Gouveia

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 authorizing the town of Concord to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>8/19/2021</i>

HOUSE No. 4117

By Ms. Gouveia of Acton, a petition (accompanied by bill, House, No. 4117) of Tami L. Gouveia (by vote of the town) that the town of Concord be authorized to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction in said town. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act authorizing the town of Concord to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction.

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. Notwithstanding chapter 164 of the General Laws, section 13 of chapter
2 142 of the General Laws, the State Building Code, or any other general or special law or
3 regulation to the contrary, the town of Concord is hereby authorized to adopt and further amend
4 general or zoning by-laws that restrict new construction projects that do not qualify as fossil-
5 fuel-free, as defined in section 3 of this act.

6 SECTION 2. Notwithstanding section 7 of chapter 40A of the General Laws, or any other
7 general or special law or regulation to the contrary, the Building Inspector of the town of
8 Concord, or any designee thereof, shall be authorized to enforce restrictions on new construction
9 that do not qualify as fossil-fuel-free, as defined in Section 3 of this act, including through the
10 withholding of building permits.

11 SECTION 3. As used in this act, the term “fossil-fuel-free” shall refer to construction that
12 results in an entire building or an entire condominium unit that does not utilize coal, oil, natural
13 gas other fuel hydrocarbons (including synthetic equivalents), or other fossil fuels in support of
14 its operation.

15 SECTION 4. This act shall take effect upon its passage. Any bylaw previously approved
16 by the Concord Town Meeting consistent with Sections 1 through 3 of this act, including,
17 without limitation, the bylaw adopted by the 2021 Concord Annual Town Meeting by
18 affirmative vote on Article 31, is hereby ratified.

19 SECTION 5. If any provision or section of this act is invalidated, the remainder shall
20 survive in full force and effect.