

SENATE No. 2473

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 Brookline to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Cynthia Stone Creem

First Middlesex and Norfolk

Tommy Vitolo

15th Norfolk

SENATE No. 2473

By Ms. Creem, a petition (accompanied by bill, Senate, No. 2473) of Cynthia Stone Creem and Tommy Vitolo (by vote of the town) for legislation to authorize the town of Brookline to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction. 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 Brookline 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. Article 839 of the Town of Brookline's General By-laws, entitled
2 "Prohibition on New Fossil Fuel Infrastructure in Certain Construction," is hereby ratified as
3 adopted pursuant to Warrant Article 21 of the Town's Fall 2019 Special Town Meeting, and shall
4 be in full force and effect as of the effective date of this act.

5 SECTION 2. Notwithstanding chapter 164 of the General Laws, section 13 of chapter
6 142 of the General Laws, the State Building Code, or any other general or special law or
7 regulation to the contrary, the town of Brookline is hereby authorized to adopt and further amend
8 general or zoning by-laws that restrict new construction or major renovation projects that do not
9 qualify as fossil-fuel-free, as defined in section 4 of this act.

10 SECTION 3. Notwithstanding section 7 of chapter 40A of the General laws, or any other
11 general or special law or regulation to the contrary, the Building Commissioner of the town of

12 Brookline, or any designee thereof, shall be authorized to enforce restrictions on new
13 construction and major renovation projects that do not qualify as fossil-fuel-free, as defined in
14 section 4 of this act, including through the withholding of building permits.

15 SECTION 4. As used in this act, the term "fossil fuel-free" shall refer to construction or
16 renovation that results in an entire building or an entire condominium unit that does not utilize
17 coal, oil, natural as or other fossil fuels in support of its operation.

18 SECTION 5. This act shall take effect upon its passage.