

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 84**

S. P. 58

In Senate, January 7, 1981

Referred to the Committee on Energy and Natural Resources. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Hichens of York.

Cosponsor: Senator Rolde of York.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT to Prohibit Open Burning in Areas Determined as Urban Areas.**

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Be it enacted by the People of the State of Maine, as follows:

12 MRSA § 9325 is enacted to read:

**§ 9325. Burning prohibited in heavily populated areas**

The municipal officials of every municipality with a population over 5,000 shall, in cooperation with the State Fire Marshal and in accordance with regulations promulgated by the Commissioner of Public Safety, determine those areas of the municipality which are heavily populated areas. These areas shall be designated as closed fire areas. No out-of-door burning or out-of-door fire including incinerators may be used in any such area and no permits for such burning or fire within a closed fire area may be issued.

The municipal officials of any municipality containing any closed fire areas shall maintain a municipal map clearly showing those areas which are closed fire areas. That map shall be made available for public inspection.

Designation of closed fire areas within a municipality, may be revised or altered, as may be necessary, to increase protection in heavily populated areas under regulations promulgated by the Commissioner of Public Safety.

Any person violating this section is guilty of a Class E crime.

STATEMENT OF FACT

The purpose of this bill is to prohibit out-of-door burning and out-of-door fires in heavily populated areas in any municipality.