

ARTICLE _____. To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for special legislation, as set forth below, to (1) ratify the adoption, at the Fall 2019 Special Town Meeting under Warrant Article 21, an amendment to the Town's General By-Laws inserting Article 8.39 entitled "Prohibition on New Fossil Fuel Infrastructure in Major Construction;" (2) authorize the Town to adopt and further amend general or zoning by-laws that regulate natural gas infrastructure; and (3) authorize the Building Commissioner to administer such by-laws, including through the withholding of building permits; provided, however, that the General Court may make clerical or editorial changes of form only to the special legislation, unless the Select Board approves amendments to the bill before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve such amendments that are within the scope of the objectives of this petition:

AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO ADOPT AND ENFORCE LOCAL REGULATIONS RESTRICTING NEW FOSSIL FUEL INFRASTRUCTURE IN MAJOR CONSTRUCTION.

Be it enacted as follows:

SECTION 1. Article 8.39 of the Town of Brookline's General By-laws, entitled "Prohibition on New Fossil Fuel Infrastructure in Major Construction," is hereby ratified as adopted pursuant to Warrant Article 21 of the Town's Fall 2019 Special Town Meeting, and shall be in full force and effect as of the effective date of this act.

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

SECTION 3. Notwithstanding section 7 of chapter 40A of the General Laws, or any other general or special law or regulation to the contrary, the Building Commissioner of the town of Brookline, or any designee thereof, shall be authorized to enforce restrictions on new construction and major renovation projects that do not qualify as fossil-fuel-free, as defined in section 4 of this act, including through the withholding of building permits.

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

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

or to take any other action in relation thereto.