

TRIBAL CODE

CHAPTER 50:

FIRE PREVENTION ORDINANCE

CONTENTS:

50.101 Purpose and Policy..... 50-2
50.102 Application..... 50-2
50.103 Administration and Enforcement..... 50-2
50.104 Fire Prevention Practices 50-2
50.105 Items Not Covered 50-3

HISTORY NOTE:

Adopted by Tribal Resolution 10-23-90, October 23, 1990, effective immediately.

Reenacted in Tribal Code format as part of the Tribal Code July 5, 1995, Resolution No. 95-89, effective immediately.

TRIBAL CODE

CHAPTER 50:

FIRE PREVENTION ORDINANCE

50.101 Purpose and Policy.

(1) The purpose of this ordinance is the protection of persons and buildings and of their contents from fire.

(2) This ordinance contains basic minimum provisions considered necessary for the safety of persons and the protection of their property. Compliance with this ordinance, proper precautions, and compliance with Tribal building and electrical codes shall result in conditions basically free from the hazards of fire.

50.102 Application.

This ordinance shall apply to all Tribal trust land under the jurisdiction of the Tribe's Board of Directors. Cooperation of other governing bodies with jurisdiction over contiguous land areas will be sought in the enforcement of fire prevention practices.

50.103 Administration and Enforcement.

This ordinance shall be administered by the Tribe's land use administrator. Violations are offenses under the Tribal Law and Order Code, Tribal Code Chapters 70 and 71, punishable under §70.125. Conditions which violate this ordinance constitute nuisances, which the Tribal Court may order abated under §71.141 or may order removed or remedied by the Board of Directors at the expense of the person causing, permitting or maintaining the condition.

50.104 Fire Protection Practices.

(1) The construction of new buildings -- residential, commercial and industrial -- shall be in conformity with building, electrical and plumbing codes of the Tribe.

(2) Heating units shall be installed by qualified workmen in a safe and workmanlike manner. Fuel for heating units shall be stored safely and separately from the heating unit.

(3) Flammable materials shall be stored only in areas where there is not hazard of fire by contact with heating, cooking or electrical utilities. Storage of such materials in closed areas where spontaneous combustion may occur is prohibited.

(4) Dwelling units shall be constructed with sufficient distance separating them to prevent the spread of fire from one unit to another.

(5) The burning of trash shall be performed in receptacles only and with someone standing watch until the fire is extinguished. The burning of fields shall be carried out with due consideration to weather conditions and with one or more persons in constant attendance; no burning shall be done when the fire hazard is high as rated by the Forest Service.

50.105 Items Not Covered.

All items not covered herein shall be governed by the recommendations of the National Fire Protection Association.