

## ORDINANCE NO. 8

### FIRE PERMITS

**Statement of Purpose:** An Ordinance to regulate open burning on Tribal land, to reduce the possibility of a fire hazard by prohibiting open burning with a permit to promote and protect the health, property and welfare of Tribal members under Article VI Section 1(f) of the Constitution of the Saginaw Chippewa Indian Tribe of Michigan.

**BE IT ENACTED** by the Saginaw Chippewa Tribal Council as follows:

**SECTION 1. Prohibition without Permits:** Starting of an open fire on Tribal land or allowing of a fire to burn in his\her presence by a person or persons is hereby prohibited unless a permit to burn is first obtained from the Chief of the Saginaw Chippewa Fire Department.

**SECTION 2. Open Fire Defined:** An open fire as used in this Ordinance shall mean any fire to burn brush, grass, stubble, debris, rubbish or other inflammable material not enclosed in a stove, sparkproof incinerator, or established fire place approved or constructed by a public agency in designated recreation areas.

**SECTION 3. Application to Burn:** In order for approval to be obtained for an open fire, an individual must submit an application for a permit, which shall contain the following information:

- (a). Name of person or persons applying for permit;
- (b). Address of applicant(s);
- (c). Purpose of burning
- (d). Specific location of burning;
- (e). Specific date and time of burning; and
- (f). What will be burned.

**SECTION 4. When a Permit may be Issued:** No burning permit shall be issued unless:

- (a). Proper weather condition exist;
- (b). There is no danger to life or property;
- (c). That the burning location will not provide danger to life and property; and
- (d). Conditions are established which will prohibit spread of any fire.

**SECTION 5. Authority of Fire Chief:** The Chief of the Saginaw Chippewa Fire Department shall have the authority to issue burning permits. Upon receipt of an application the Fire Chief shall review the request and issue or deny such a permit based upon the criteria set out in the application and in Section 4 of this Ordinance.

**SECTION 6. Revocation of a Permit:** The Chief of the Saginaw Chippewa Fire Department may revoke a permit issued by him upon the change of climate or other conditions which he considers would make burning unsafe.

**SECTION 7. Violations, Jurisdiction:**

- (a). Any person who violates this Ordinance by failing to obtain a permit, shall be liable for a civil penalty of not more than fifty dollars (\$50), and Court costs.
- (b). Any person who knowingly violates this Ordinance resulting in a fire which has to be extinguished shall be guilty of a criminal offense punishable by a fine of not more than five hundred dollars (\$500), or by imprisonment for not more than six (6) months, or both, and Court costs.
- (c). The Saginaw Chippewa Community Court shall have jurisdiction over all violations of this Ordinance.