

COQUILLE INDIAN TRIBAL CODE

Chapter 311

Part 3 – Human Services

Fire Protection Regulation

COQUILLE TRIBAL REGULATION
Chapter 311
Fire Protection Regulation

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311.010 General

This regulation is adopted by the Coquille Tribal Administration to prescribe rules and procedures necessary to carry out the provisions of the Fire Protection Ordinance, CITC Chapter 310.

1. Purpose.

The purpose of this regulation is to set forth the requirements for incinerator usage in order to protect persons, buildings, personal property, real property, and forest lands from uncontrolled fire. Permits are required for all incinerators during fire season.

2. Background and Intent

- a. CITC Chapter 310 recognizes that uncontrolled fire is a danger to the safety of persons and property. Compliance with Chapter 310 and this Regulation, proper precautions, and compliance with building and electrical codes shall reduce hazards of fire.

- b. It is the intent of the Tribal Council and the Tribal Administration to protect the health and welfare of the Tribe, its members, employees, residents, visitors, and its children, by establishing policies and procedures to minimize the possibility of the occurrence of uncontrolled fire. CITC 310.501 states, "Using the regulations procedures set forth in CITC Chapter 120, the Executive Director shall have the authority to prescribe such rules and regulations as it deems necessary to carry out the purpose of this ordinance and to facilitate its operation." These regulations are adopted with the authority granted to the Tribal Executive Director under CITC 310.501.

- c. The Tribal Executive Director adopts these regulations also to provide actual and/or constructive notice to third parties regarding what is required to comply with the Fire Protection Ordinance, CITC Chapter 310.

3. Definitions

- a. Adult shall mean a person over eighteen years of age.

- b. Fire Season shall have the same definition as set forth by the Oregon Department of Forestry in setting the time during which burning permits are required for incinerators.

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311.050 Standards for Incinerators

The following standards must be met in order for a burning permit to be issued for an incinerator:

1. Burning may only occur in a metal barrel with no holes in the sides or bottom of the barrel; and
2. The barrel must be topped by a screen made of heavy mesh, at least fourteen gauge wire with ¼ inch holes; and
3. The ground around the barrel must be cleared of all burnable materials for a safe distance; and
4. One adult must be in attendance with a charged water hose and handtool while the incinerator is in use; and
5. Burning may only occur between the hours of 8 am and 10 am; and
6. No burning of petroleum based products or wet garbage in the incinerator.

311.100 Permits for Incinerators

1. Permits for incinerators can be obtained by contacting the Coquille Indian Housing Authority.
2. Permits will be issued by the Land Resources and Environmental Services Department of the Coquille Indian Tribe.
3. All permits will clearly state the conditions under which burning may occur, as set forth in 311.050.
4. All permits shall contain:
 - a. Name and address where burning will occur
 - b. A phone number where questions about the permit may be directed
 - c. The name of the person issuing the permit

311.200 Liability and Penalties

Possession of a permit for an incinerator does not relieve the permit holder from responsibility for the payment of costs for suppression or for damages if the burning escapes control. Burning in compliance with a permit does not relieve the permit holder from responsibility for payment of costs for suppression or for damages if the burning escapes control. Violation of or failure to comply with any provision of this Regulation is punishable upon conviction by a fine not to exceed \$750.00.

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History of Amendments to Chapter 311 Fire Protection Regulation

Approved September 25, 2010

Effective December 1, 2010