

TRIBAL CODE  
CHAPTER 53  
FIRE PREVENTION CODE

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HISTORY NOTE:

Current Ordinance

Adopted March 27, 1967, Resolution No. 24(67), effective immediately.

Amendments

Section 53.106, April 20, 1998, Resolution No. 156(98).

TRIBAL CODE

CHAPTER 53

FIRE PREVENTION CODE

53.101 Purpose and Policy.

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

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

53.102 Application.

(1) This code shall apply to all land on the reservation under the jurisdiction of the reservation governing body. Cooperation of other governing bodies with jurisdiction over continuous land areas will be sought in the enforcement of fire prevention practices.

53.103 Administration and Enforcement.

This code will be administered in accordance with the code compliance ordinance of the reservation governing the administration and enforcement of codes generally, Tribal Code Ch. 64.

53.104 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 reservation.

(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 no hazard of fire by contact with heating, cooking or electrical utilities. Storage of such material 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.

53.105 Items Not Covered.

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

53.106 Designation of Alternative Code.

(1) In place of the standards set out above, the Tribe, or its tribally-designated housing entity (“TDHE”), may elect designate, adopt and enforce the standards of the Uniform Building Code (“UBC”) or Council of American Building Officials (“CABO Codes”) with respect to a housing construction project or existing housing that is owned, manages or operated by the Tribe or the TDHE, provided:

(a) the Tribe or the TDHE makes the designation identifying the construction project or existing housing to be governed by the UBC or CABO Codes; and

(b) provides written notice of the alternative designation to all interested parties, including, as applicable, contractors, lenders and government agencies.

(2) With respect to any construction or existing housing governed by the UBC or CABO Codes pursuant to a designation under this section, inspections may be performed only by inspectors licensed by the Tribe under Chapter 57 of the Tribal Code.

(3) For purposes of this Chapter, “UBC” means the Uniform Building Code as published by the International Conference of Building Officials as of the date of inspection.

(4) For purposes of this Chapter, “CABO Codes” means the Codes of the Council of American Building Inspectors in effect as of the date of inspection.