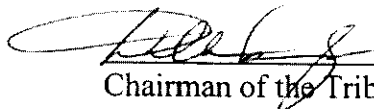


**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

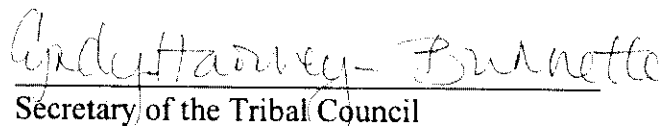
- WHEREAS**, the Tribal Council of the White Mountain Apache Tribe finds fire suppression and fire prevention to be critical service needs for the protection of lives and properties on the Fort Apache Indian Reservation; and
- WHEREAS**, the Tribal Council of the White Mountain Apache Tribe has designated the White Mountain Apache Fire & Rescue Department as the official fire department for the Fort Apache Indian Reservation; and
- WHEREAS**, the Tribal Council of the White Mountain Apache Tribe has passed Resolution No. 05-96-100 which bans open burning on the Fort Apache Indian Reservation, with the exception of (1) campfires in designated campgrounds, and (2) outdoor burning at homes for cooking purposes; and
- WHEREAS**, the Tribal Council of the White Mountain Apache Tribe has adopted a fire prevention code which requires an OPEN BURNING PERMIT policy; and
- WHEREAS**, both the White Mountain Apache Fire & Rescue Department and the Fort Apache Agency's Fire Management finds it very costly, time consuming and dangerous when responding to "good intent calls" involving "control burning"; and
- WHEREAS**, residents often conduct "control burning" in a dangerous fashion and/or at dangerous times and/or under dangerous weather conditions; and
- WHEREAS**, both the White Mountain Apache Fire & Rescue Department and the Fort Apache Agency's Fire Management believes that an OPEN BURNING PERMIT policy is needed to conserve time and money and to ensure that such control burning by residents is performed under the safest conditions.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the White Mountain Apache Fire & Rescue Department to institute an approved OPEN BURNING PERMIT policy for the Fort Apache Indian Reservation.
- BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the White Mountain Apache Fire & Rescue to enforce the approved OPEN BURNING PERMIT policy throughout the Fort Apache Indian Reservation.

Resolution No. 05-99-99

The foregoing resolution was on May 12, 1999 duly adopted by a vote of six for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (f), (h), (i), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

White Mountain Apache Fire & Rescue Department
P.O. Box 1929
Whiteriver, Arizona 85941
(520) 338-4311

OPEN BURNING PERMIT

PERMIT #: _____

DATE: _____

Permission to burn the following material: _____
at the following location: _____
is hereby granted to: _____
whose address is: _____ telephone number: _____

by the White Mountain Apache Fire & Rescue Department subject to the following conditions:

1. This permit is valid on the following day(s): _____
2. Burning shall be conducted between the following times: _____
3. Material to be burned shall be readily combustible and in such quantities that it will be completely consumed within the permitted hours.
4. Material shall be no less than 30 feet from any structure.
5. Open burning of the following materials is forbidden: garbage, asphalt shingles, tar paper, plastic and rubber products, waste petroleum products, hazardous materials, etc.
6. No fire shall be ignited during any air pollution emergency episode which is in effect in the area of the burn or during periods when smoke can be expected to accumulate to the extent that it will significantly impair visibility.
7. The White Mountain Apache Fire & Rescue Department shall be notified prior to the setting of the fire. The Department may prohibit open burning when local conditions make such fires hazardous.
8. Fires shall be attended at all times and the person attending the fire shall have available the necessary equipment (water supply, water hose, shovel, etc.) to control the burning and to put out the fire if and when the need arises. Fires must be completely extinguished before leaving the area unattended.
9. This permit shall not be construed to relieve the person assigned the permit from liability from resulting damages or the obligation to comply with the other applicable laws, regulations, and or ordinances.
10. Person(s) conducting open burning authorized by this permit shall have a copy of the permit on site during permitted open burning operations.

Printed Name of Person Receiving Permit: _____

Signature of Person Receiving Permit: _____

Issued by: _____ Title: _____