

CHAPTER 18-07 FIREBREAKS IN COUNTIES

18-07-01. Petition to board of county commissioners to establish firebreaks - Tax levied.

Whenever a petition asking that firebreaks be established in a county is signed by at least ten percent of the qualified electors of the county, as determined by the number of votes cast for the office of governor at the last preceding general election, and is presented to the board of county commissioners, the board, at the time of levying other taxes in each year, may levy an amount not exceeding the limitation in section 57-15-06.8 for the purpose of making firebreaks in the county. The money collected as a result of the levy must be known as the firebreak fund.

18-07-02. Board of county commissioners to divide county into fire districts.

The board of county commissioners, from time to time, if a levy is made for a firebreak fund, shall divide the county into as many fire districts as may be necessary. Each district must be known and designated as "Fire District No. _____". The board may map out each fire district in any form, consistent with the amount of funds available, so that when firebreaks are made a prairie fire will be confined to the smallest possible area. When forming fire districts, the board may take advantage of any creek, river, broken or plowed field, or other natural or artificial barrier to prairie fires.

18-07-03. Board of county commissioners to appoint fire wardens - Compensation - Oath - Bond.

The board of county commissioners may appoint a fire warden for each fire district. The warden shall reside in the fire district and must be paid such sum as is fixed by the board, not exceeding three dollars for each day actually employed in the discharge of the warden's duties. The warden shall take and subscribe the oath required of civil officers and shall file a bond in the penal sum of five hundred dollars, with at least two good and sufficient sureties to be approved by the board, conditioned for the faithful discharge of the warden's duties.

18-07-04. Fire warden to make firebreaks - When made.

The fire wardens shall carry out in their respective districts all of the instructions of the board of county commissioners with reference to making firebreaks and preventing the spread of prairie fires. All firebreaks made under the provisions of this chapter must be made in each year at as early a date as possible with a view to the most efficient protection of property from prairie fires.

18-07-05. Legal firebreak defined.

A legal firebreak consists of a strip of land two hundred feet [60.96 meters] wide, plowed on either side and burned out inside the plowing.

18-07-06. When prairie may be set on fire to make firebreak.

For the purpose of making a firebreak, a strip of prairie not exceeding one hundred feet [30.48 meters] in width, protected on each side by a strip of plowed or burned land not less than five feet [1.52 meters] wide, may be set on fire. At least four men must be present when the prairie is burned and must be prepared, with water and suitable appliances, to keep the fire under control.

18-07-07. Board of county commissioners may provide tools to make firebreak.

A board of county commissioners may provide, from the firebreak fund, such tools and appliances as may be necessary to aid and assist in making firebreaks to prevent the spread of prairie fires.