

TITLE 3: HUMAN RESOURCES
DIVISION 5: PUBLIC SAFETY

§ 5302. Fires to Clear Land: Penalties.

(a) A person who, without proper and valid authorization sets any fire in violation of 3 CMC § 5301 shall be guilty of a misdemeanor, and may be fined up to \$100, or imprisoned not more than one month, or both.

(b) A person who, without proper and valid authorization:

(1) Willfully, maliciously, or negligently sets on fire or causes to be set on fire any woods, brush, prairies, grass, grain or stubble on any lands not owned, leased or controlled by that person; or

(2) Willfully, maliciously, or negligently allows a fire to escape from land owned, leased, or controlled by that person, causing the property of another to be injured or destroyed; or

(3) Accidentally sets or causes to be set any fire on land not owned, leased or controlled by him or sets or causes to be set any fire on land owned, leased or controlled by him which spreads to the land of another, and allows the fire to escape from his control without using every effort to extinguish it;

shall be guilty of a misdemeanor and may be fined not more than \$100, or imprisoned for a period of not more than six months, or both.

(c) Setting such fires or causing or permitting them to be set or allowing them to escape is prima facie proof of willfulness, malice, or negligence under this section; provided, that nothing in this section applies to a person who in good faith sets a backfire to check a fire already burning; provided further, that nothing in this chapter shall be construed to prohibit the use of food, brush, grass, or other vegetable fuels in properly set and controlled cooking, heating or industrial fires.

Source: 63 TTC § 452.