

CHAPTER 223.

[S. B. 216.]

FORESTS AND FOREST FIRES.

AN ACT relating to forests, permits to burn waste forest material, the abatement of nuisances resulting from logging or clearing operations, and amending Chapter I, Title XXXVI of Remington's Compiled Statutes by adding two new sections to be known as Section 5788-1 and Section 5792-1.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That chapter I, Title XXXVI, of Remington's Compiled Statutes be amended by adding thereto a new section to be known as section 5788-1, to read as follows:

§ 2565-1.
Pierce's
Code.

Section 5788-1. Anyone desiring to dispose of the refuse or waste forest material resulting from logging, clearing, or other operation on forest lands, by burning during the closed season, may make written application to the state supervisor of forestry, or to any duly appointed and authorized warden or ranger, for a permit so to do. Every such application shall state the location and extent of the area sought to be burned over, and by whom the burning is to be done. Upon receipt of any such application, the state supervisor of forestry shall inspect, or shall cause to be inspected by a warden or ranger, the area described in the application and no permit shall be issued until after such inspection, and until the party making the inspection is satisfied as a result thereof that all requirements of law and of the rules and regulations prescribed by the director of the department of conservation and development relating to fire fighting equipment and the work to be done or precautions to be taken before commencing such burning, applicable to the particular area described in the application for the permit, shall have been complied with.

Permit for
burning
during
closed
season.

Application.

Inspection
of area
described.

Period of
permit.

Any permit issued upon such an application and after such inspection, shall be effective only for the time or period stated, but with respect to any fires started by the permittee within such period, shall be conclusive evidence of the compliance by the permittee with all such laws, rules and regulations, except as shall be noted or endorsed upon the permit when issued.

§ 2569-1,
Pierce's
Code.

SEC. 2. That chapter I, Title XXXVI, of Remington's Compiled Statutes be amended by adding thereto a new section to be known as section 5792-1, to read as follows:

Effort to
remove fire
hazard.

Section 5792-1. Any one who has been engaged in logging operations or in the clearing of land, and who shall have made an effort to remove the fire hazard thereby created, by burning the waste and other debris resulting therefrom, and anyone who shall have made an effort to abate any nuisance as defined and described in section 5792, may apply in writing to the state supervisor of forestry for a certificate of clearance.

Application
for certifi-
cate of
clearance.

Inspection of
burned
over area.

As soon as practicable after the receipt of such written request said state supervisor shall cause the burned over area to be carefully inspected, and if it is found that the said waste and debris has been properly disposed of or the nuisance abated, the said supervisor shall issue a certificate of clearance in duplicate, one copy to be delivered to the applicant, and one copy to be retained in the records of his office. Each such certificate of clearance shall describe the slashing, chopping or other area on which the waste or other debris or nuisance has been satisfactorily disposed of with reasonable accuracy, by subdivision, section, township and range, shall give the approximate acreage of the area to which the certificate applies, shall name the person, firm or corporation which created such slashing, chopping,

Certificate
issued.

Contents
of certificate.

waste material or nuisance if known, and name the person, firm or corporation by whom such burning was done, shall give the date on which such area was inspected and the name of the person making the inspection, and shall certify that in the opinion of the said inspector such waste forest material or debris has been properly disposed of and the nuisance abated. Such certificate of clearance may be issued for any fraction or part of the area inspected when the inspector finds that only such fraction or part meets the requirements of satisfactory and legal disposition of such waste material or debris and of the abatement of such nuisance.

Certificate
for portion
of area.

All such certificates of clearance shall be conclusive evidence of the satisfactory and legal disposition and abatement of the waste material and debris and the nuisance created thereby to the extent in such certificate set forth; but any such certificate may be cancelled or set aside by the state supervisor of forestry for fraud or collusion in the procuring for issuance thereof.

Certificates
as evidence.

Cancellation
for fraud.

Passed the Senate February 18, 1927.

Passed the House March 8, 1927.

Approved by the Governor March 19, 1927.