WE WAI KAI NATION
Clean Air Law
NO. 2021-8

We Wai Kai

Lands Department

Final November 15, 2021

WE WAI KAI NATION
CLEAN AIR LAW NO. 2021-8

WHEREAS the We Wai Kai Nation has an inherent right to self-government which emanates from its people, culture, language, Aboriginal rights, including title, over its traditional lands, which includes, but is not limited to, our We Wai Kai Lands, and is recognized and affirmed by section 35 of the *Constitution Act, 1982* and the *United Nations Declaration on the Rights of Indigenous Peoples;*

WHEREAS as an aspect of our inherent right of self-government, We Wai Kai Nation has the jurisdiction to address issues such as the right to regulate environmental matters, including air quality and burning on We Wai Kai Lands, and this inherent right has not been extinguished;

WHEREAS the We Wai Kai Nation has taken control of its We Wai Kai Lands and resources pursuant to the *Framework Agreement on First Nation Land Management* (the "Framework Agreement") and the *First Nations Land Management Act,* S.C. 1999, c. 24, and has enacted the Land Code, which came into force and effect on December 7, 2009;

WHEREAS pursuant to section IV of the Land Code, the Council can make laws with respect to the use, management and administration of We Wai Kai Lands and Natural Resources;

WHEREAS pursuant to section 5.8 of the Land Code, Council shall develop laws consistent with the Land Code regarding the management, administration, use and protection of We Wai Kai Lands and Natural Resources;

WHEREAS it is essential to the health and survival of the We Wai Kai Nation that we maintain our community through the passage of laws; and

AND WHEREAS Council deems it advisable and in the best interests of the We Wai Kai Nation to enact a law to regulate burning and provide for clean air on We Wai Kai Lands,

NOW THEREFORE Council hereby enacts the following Law:

1.0 SHORT TITLE

1.1 This Law may be cited as the "*We Wai Kai Nation Clean Air Law*".

2.0 PURPOSE

2.1 The general objective and purpose of this Law shall be to regulate burning and the emission of air pollutants and promote clean air on We Wai Kai Lands.

3.0 INTERPRETATION

3.1 For the purposes of this Law, terms have the same definitions as in the Land Code.

3.2 The following definitions apply in this Law:

"**Application**" means an application to the Lands Administration Officer for a Permit in accordance with article 6.0;

"Canadian CSA standard" means the *Performance Testing of Solid-Fuel-Burning Heating Appliances CAN/CSA-B415.1* standard published by the Canadian Standards Association, as amended from time to time;

"**Enforcement Notice**" means a notice as described in section 4.1 of the *We Wai Kai Nation Enforcement and Prosecution Law*;

"garbage" means any household and commercial waste or refuse;

"**Incinerator** means an apparatus designed and used for the controlled combustion of material at high temperatures with a stack or chimney to vent the emissions;

"**Land Code**" means the *We Wai Kai Nation Land Code*, which came into force and effect on December 7, 2009;

"Occupier" includes a person who owns, holds, leases, rents or occupies a property within We Wai Kai Lands;

"**Officer"** means the Lands Administration Officer ~~Director of Lands~~, a member of the local detachment of the Royal Canadian Mounted Police responsible for policing We Wai Kai Lands, a member of the Campbell River fire department responsible for inspecting We Wai Kai Lands, and any person appointed by Resolution from time to time to administer and enforce the provisions of We Wai Kai Laws, or for the purpose of maintaining law and order on We Wai Kai Lands, and includes any delegate and assisting personnel;

"Open burning" means the combustion of material, usually vegetation material, without control of the combustion air and without a stack or chimney to vent the emitted products of combustion to the atmosphere;

"Park" means any public green space used for recreation and any playground located on We Wai Kai Lands;

"person" includes a natural person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a person to whom the context can apply according to law;

"Permit" means the written authorization signed by Lands Administration Officer indicating permission to burn granted in accordance with article 6.0;

"posted" means a publicly posted notice at the administration office of the We Wai Kai Nation or through the Newsletter or website of the We Wai Kai Nation;

"Recreational fire" means the burning of clean, untreated wood for recreational purposes in an outdoor fireplace, barbecue or fire pit not larger than 60 centimeters (24 inches) in diameter that is designed and constructed to confine the fire and is suitable for such a purpose, or within a fully enclosed burner or similar device and used for the purposes of cooking food and the provision of heat;

"**Resolution**" means a formal motion moved and seconded by a member of Council requiring a decision of Council;

"Smoke or Vape" includes the smoking of a cigarette, cigar and pipe and vaping of an electronic cigarette or vaping device designed to heat or smoke tobacco, nicotine, cannabis, vaping products or other substances;

3.3 In this Law, the following rules of interpretation apply:

a) words in the singular include the plural, and words in the plural include the singular;

b) if a word or expression is defined, other parts of speech and grammatical forms of the same word or expressions have corresponding meanings;

c) the expression "shall" or "must" is to be construed as imperative, and the expression "may" be to be construed as permissive;

d) unless the context indicates otherwise, "including" means "including, but not limited to", and "includes" means "includes, but not limited to";

e) the headings given to the sections and paragraphs in this Law are for convenience of reference only, and do not form part of this Law; and

f) a reference to an enactment or a policy includes any amendment or replacement of it and every regulation made under it.

3.4 The headings given to the sections in this Law are for convenience of reference only and do not form part of this Law and must not be used in the interpretation of this Law.

3.5 In the event of a conflict between this Law and the Land Code, the Land Code shall prevail.

4.0 GENERAL BURNING REGULATIONS

4.1 No person shall light or start or knowingly permit or cause or conduct any open burning of a fire within We Wai Kai Lands except in accordance with the following:

a) the fire is permitted in accordance with this Law;

b) the fire is fed with dry fuel in such a way that rapid ignition and combustion occurs, and all reasonable precautions are taken to prevent heavy smoke being generated;

c) light material such as paper, dry leaves, etc., that could fly away while on fire, are at all times covered by heavier material or held down by wire mesh or other suitable means while being burned;

d) the fire is continuously supervised and controlled by a person over 16 years of age;

e) there is a means of extinguishing and controlling the fire that is easily accessible on site including, without limitation, a hose system or water source that can be immediately activated;

f) wind speeds are not greater than 10 km/hour;

g) only one fire is permitted per residential lot at any time;

h) the BC Air Quality **Venting Index is 65 or greater** and the Air Quality (Ventilation Category) is posted as "**Good**" for the Central Vancouver Island region on the day of the proposed fire;

i) all British Columbia and federal laws and regulations pertaining to open burning are complied with, including but not limited to the *Environmental Management Act* (British Columbia), Agricultural Waste Control Regulation, the *Wildfire Act* (British Columbia) and Regulations under the *Wildfire Act*;

j) all applicable fire bans and restrictions posted by BC Wildfire Services are complied with;

k) no applicable fire ban has been posted by the Lands Administration Officer; and

l) no person may ignite, conduct or maintain a fire on any land without permission of the Occupier of that land.

4.2 The burning of garbage, including, without limitation, any of the following noxious material is strictly prohibited at all times and in all fires on We Wai Kai Lands:

a) animal carcasses and waste;

b) asphalt and asphalt products;

c) batteries;

d) biomedical waste;

e) carpets;

f) construction waste other than lumber that has not been treated with wood preservatives or other chemicals and is not coated with paint, varnish, oil or other finishing material;

g) demolition waste;

h) drywall;

i) domestic waste;

j) electric wire;

k) fiberglass and other fibre-reinforced polymers;

l) fuel and lubricant containers;

m) furniture and appliances;

n) hazardous waste;

o) manure;

p) paint and varnish;

q) polystyrene foam;

r) rubber;

s) tar paper;

t) tires;

u) treated or painted products; and

v) used oil.

4.3 A person must not start or risk starting a wildfire, including an uncontrolled fire, in forest land or grass land or within one (1) km of forest land or grass land, by dropping, releasing or mishandling:

a) a burning substance; or

b) any other thing that the person reasonably ought to know is likely to cause a fire.

4.4 A person who does not comply with section 4.3 must immediately extinguish, if practicable:

a) the burning substance; and

b) any fire that results from dropping, releasing or mishandling the burning substance or the other thing, as the case may be.

5.0 BURNING WITHOUT A PERMIT

5.1 The open burning of fires on We Wai Kai Lands is permitted upon the satisfaction of the following conditions, subject to the prohibitions and requirements set out at sections 4.1–4.4:

a) burning may only take place between the hours or 7AM and 10PM during the months of October to April, or such times that the Lands Administration Officer determines and posts from time to time;

b) the fire is a hand piled fire no larger than 1.5 meters in height (5 feet) and 1.5 meters wide (5 feet); and

c) the fire is at least 4.6 meters (15 feet) from all property lines, buildings, shrubs, trees, wooden fences and any other combustible material.

5.2 The following additional fires are permitted on We Wai Kai Lands without a Permit, subject to the prohibitions and requirements set out at sections 4.1-4.4:

a) recreational fires;

b) necessary burning authorized by the Lands Administration Officer to reduce hazardous conditions; and

c) emissions from commercially available refuse camp incinerators if designated to serve fewer than 100 people.

5.3 When used as designed, commercial barbeques are exempt from regulation under this Law.

6.0 PERMITS FOR BURNING

6.1 The Occupier of a property may submit a written Application to the We Wai Kai Lands Department, in the form attached at Schedule "B" or as prescribed by the Lands Administration Officer from time to time, to be granted a Permit for open burning on that property that would otherwise constitute an offence under this Law.

6.2 For clarity, the prohibitions and requirements at article 4.0 shall apply to all burning conducted in accordance with a Permit, unless a specific written exemption is made in the Permit.

6.3 The Application fee for an open burning Permit set out at Schedule "A" shall be required upon submission of an Application.

6.4 The Application shall be submitted at least ten (**10**) business days prior to the proposed fire, and shall contain the following information:

a) the name of the Applicant;

b) the location and address of the subject property where the fire is requested to take place;

c) the nature of the proposed burning;

d) the date and time, or date range and times, of the proposed burning;

e) the reason the exemption from this Law is requested; and

f) any further information as required by the Lands Administration Officer.

6.5 The Lands Administration Officer shall review each Application and may request further information from the Applicant and from the residents and business owners of properties that may be affected by the Permit.

6.6 When the Lands Administration Officer determines that an Application is complete and has

reviewed all additional required information, the Lands Administration Officer shall evaluate the requested exemption, taking into consideration:

a) the nature of the fire being requested;

b) the current fire hazards;

c) the nature of the area or zone where the Permit is being requested and the potential effect of the exemption on members of the community and residents of or businesses on neighboring properties, if any;

d) the reason the Permit is being requested;

e) the health, safety and well-being of the community; and

f) any other factors the Lands Administration Officer considers relevant.

6.7 Upon consideration of the Application, the Lands Administration Officer may:

a) grant a Permit as requested in the Application;

b) grant a Permit with any conditions deemed appropriate by the Lands Administration Officer; or

c) refuse to grant a Permit.

6.8 A Person who has been refused a Permit by a decision of the Lands Administration Officer may apply to have the Chief Administrative Officer reconsider that decision in accordance with the following procedures:

a) the Person may apply by written notice to the Chief Administrative Officer within ten (10) business days of the decision;

b) the Person may address the Chief Administrative Officer in writing or in person concerning the Application and the reasons for the reconsideration for the Permit; and

c) the Chief Administrative Officer may consider the matter and may grant or refuse to grant the Permit.

6.9 Where an Application made in accordance with this article is refused, the Applicant shall not be entitled to submit another Application in respect of same proposed fire for a period of thirty (30) days from the date of the refusal, unless the Applicant can demonstrate that there has been a material change of circumstances.

6.10 A breach of any of the terms or conditions of a Permit or any provisions of this Law shall immediately render the Permit null and void.

6.11 Notwithstanding the issuance of a Permit, the Lands Administration Officer may prohibit or suspend burning under a Permit at any time if, in the opinion of the Lands Administration Officer hazardous conditions exist, including meteorological, venting or ambient air quality conditions.

7.0 SOLID FUEL BURNING APPLIANCES

7.1 No person shall install a solid fuel burning appliance that does not bear a certification mark certifying conformity with the current Canadian CSA standard.

8.0 LIMITATIONS ON SMOKING AND VAPING

8.1 No person shall Smoke or Vape, or carry or have in their possession a lighted cigarette, cigar, pipe, electronic cigarette or vaping device:

a) on the grounds of any park, except within a private vehicle 7 meters (22 feet) away from Park;

b) inside any building or structure, except in a private residence, or a tent, recreational vehicle or trailer in a campsite;

c) on the grounds of any school;

d) within 7 meters (22 feet) measured on the ground from a point directly below any doorway, window or air intake of a building where smoking is not permitted;

e) on the grounds of any soccer field, baseball field or any sports field;

f) within any community gardens;

g) on the grounds of any cemetery or grave site;

h) within 7 meters (22 feet) of a bus stop; and

i) in any public space designated as non-smoking by the Lands Administration Officer.

8.2 Section 8.1 does not apply to a ceremonial use of tobacco in relation to a traditional We Wai Kai Nation cultural practices.

9.0 VENTING OF CANNABIS

9.1 Any building or part of a building where cannabis or anything that will be used as an ingredient in a cannabis product is grown, produced, packaged, labelled, stored or tested, and which vents air to the exterior of the building, must be equipped with a system that:

a) filters air to prevent the escape of odors associated with cannabis plant material to the outdoors;

b) provides natural or mechanical ventilation with sufficient air exchange to provide clean air;

c) is accessible, if necessary, for its cleaning, maintenance or inspection, and is capable of being disassembled;

d) is capable of withstanding repeated cleaning; and

e) functions in accordance with its intended use.

10.0 FIRE HYDRANT ACCESS

10.1 No person shall place or maintain any object or matter on a sidewalk, street or boulevard which interferes with free access or approach to any fire hydrant.

10.2 Without limiting section 10.1, no person shall park a vehicle within 5 meters (16. 4 feet) of a fire hydrant measured from a point in the curb or edge of the roadway that is closest to the fire hydrant.

11.0 LIABILITY OF PERSONS IN CHARGE OF FIRE

11.1 A person who starts and an Occupier who allows to be started on their property any open burning or fire, and a person who has control or supervision of any open burning or fire, shall:

a) be responsible for such fire;

b) be liable for all expenses, damages and loss suffered by the We Wai Kai Nation caused by the fire and resulting from the fighting and extinguishing the fire; and

c) pay to We Wai Kai Nation all applicable fees and amounts set out in Schedule "A".

12.0 POWERS OF OFFICER

12.1 No person shall obstruct, interfere with or hinder an Officer, Council, any authorized employee, ~~officer~~ or agent in the carrying out of their duties and responsibilities under this Law.

12.2 An Officer is authorized to enter, at all reasonable times, upon any parcel of land or premises within We Wai Kai Lands in order to determine whether the provisions of this Law are being complied with.

12.3 An Officer may order any person who is causing or who threatens to cause a prohibited fire on We Wai Kai Lands in contravention of this Law to

a) refrain from causing the fire;

b) take certain actions to bring the fire into compliance with this Law; or

c) extinguish the fire.

12.4 An Officer may order any person who is installing or has installed a prohibited solid fuel burning appliance under this Law to remove the appliance, to refrain from burning any fires in the appliance, and to extinguish any fire burning in the appliance.

12.5 Without limiting anything in this article, an Officer may order any person who is violating a provision of this Law to cease causing the violation and to take any steps necessary to come into compliance with this Law within such period of time as is reasonable in the

circumstances.

12.6 Where a person who has been ordered to control or extinguish a fire in accordance with this Law fails or refuses to comply with the order, an Officer may take such reasonable measures as are necessary to control and extinguish the fire.

13.0 OFFENCES

13.1 Any person who:

a) violates any of the provisions of this Law;

b) violates any term or provision of an order, Resolution or Permit made in accordance with this Law;

c) suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Law;

d) fails or refuses to comply with an order of an Officer made under this Law;

e) fails to pay any amounts owing in accordance with this Law;

f) neglects to do or refrains from doing any act or thing required by any of the provisions of this Law;

g) obstructs, interferes with or hinders Council, an Officer or any authorized employee, or agent of We Wai Kai Nation in the carrying out of their duties and responsibilities under this Law, or any other We Wai Kai law;

h) is the employer of another person and thereby directs or counsels that other person to commit an offence under this Law as part of their employment, and that other person proceeds to commit the said offence; or

i) is the principal of another person and thereby directs or counsels that other person to commit an offence under this Law as their agent, and that other person proceeds to commits the said offence,

is guilty of an offence under this Law and is liable to the penalties imposed by this Law.

13.2 Each offence under this Law is a strict liability offence, unless expressly indicated otherwise.

14.0 ENFORCEMENT AND PENALTIES

14.1 The *We Wai Kai Nation Enforcement and Prosecution Law* applies to all offences or contraventions under this Law.

14.2 A person who commits an offence under this Law is liable on summary conviction to a fine not less than $75 and not more than $5,000 or to imprisonment for a term not exceeding thirty (30) days, or to both.

14.3 A person suspected of committing an offence under this Law may be served with an Enforcement Notice and can be subject to prosecution under the *We Wai Kai Nation Enforcement and Prosecution Law.*

14.4 For each offence under this Law, an Enforcement Notice may be issued to the person against whom an offence is alleged, in accordance with the *We Wai Kai Nation Enforcement and Prosecution Law.*

14.5 Each day a violation of this Law continues will be deemed to be a separate offence for which a separate fine or other remedy may be imposed.

14.6 Where more than one person commits an offence under this Law, they shall be jointly and severally liable for any penalties and recourses set out in accordance with this Law.

14.7 Nothing in this Law precludes the We Wai Kai Nation from pursuing any other enforcement action or remedy provided for in any other law.

14.8 Any We Wai Kai Citizen who refuses to pay a penalty will have those amounts deducted from any existing or future financial distributions.

14.9 The fines and penalties imposed pursuant to this Law are in addition to the fees payable in accordance with Schedule "A".

15.0 IMMUNITY

15.1 No action for damages lies, or may be instituted against present or past Council, or members, employees, servants or agents of either We Wai Kai Nation or Council:

a) for anything said or done or omitted to be said or done by that person in the performance or intended performance of the person's duty or the exercise of the person's authority; or

b) for any alleged neglect or default in the performance or intended performance of the person's duty or the exercise of the person's authority.

15.2 Section 15.1 does not provide a defense if Chief and Council, members, employees, servants or agents have, in relation to the conduct that is the subject matter of the action, been guilty of dishonesty, gross negligence or malicious or willful misconduct, or if the cause of action is libel or slander.

15.3 We Wai Kai Nation, present or past Chief and Council, or members, employees, servants or agents of any of We Wai Kai Nation or Council is not liable for any damages or other loss, including economic loss, sustained by any person, or to the property of any person, as a result of neglect or failure, for any reason, to discover or detect any contravention of this

Law, or from the neglect or failure, for any reason or in any manner, to enforce this Law or any other We Wai Kai Law.

15.4 All actions against the We Wai Kai Nation, present or past Chief and Council, or members, employees, servants or agents of any of We Wai Kai Nation or Council for the unlawful doing of anything that:

a) is purported to have been done by the We Wai Kai Nation under the powers conferred by this Law or any We Wai Kai Law; and

b) might have been lawfully done by the We Wai Kai Nation if acting in the manner established by law, must be commenced within six (6) months after the cause of action first arose, or within a further period designated by Chief and Council in a particular case, but not afterwards.

15.5 We Wai Kai Nation is in no case liable for damages unless notice in writing, setting out the time, place and manner in which the damage has been sustained, is delivered to the We Wai Kai Nation, within two months from the date on which the damage was sustained

15.6 If the party commencing an action against fails to deliver notice as required under section 15.5, the action must be struck and We Wai Kai Nation will not be liable for damages.

16.0 REGULATIONS, FEES AND OTHER DOCUMENTS

16.1 Council may, by Resolution, and in accordance with this Law, establish regulations associated with this Law, and must thereafter:

a) post notice of same in a public area of the We Wai Kai Nation administration building; and

b) make a copy of same available for viewing free of charge at the administrative offices of the We Wai Kai Nation, and available for distribution at a nominal charge to any person upon request.

16.2 Council may, by Resolution, establish, correct, revise or update the terms of any applicable fee schedules or other documentation which is contemplated in or which compliments and supports this Law and must:

a) post notice of same in a public area of the We Wai Kai Nation administration building; and

b) make a copy of same available for viewing free of charge at the administrative offices of the We Wai Kai Nation, and available for distribution at a nominal charge to any person upon request.

17.0 GENERAL

17.1 Where any federal act or regulation or provincial act or regulation or any other We Wai Kai Law may apply to any matter covered by this Law, compliance with this Law shall not relieve

the person from also complying with the provisions of the other applicable act, regulation or law.

17.2 If any section, subsection, paragraph or subparagraph of this Law is for any reason held invalid by a decision of a court of competent jurisdiction, the invalid section, subsection, paragraph or subparagraph must be severed from this Law in such a way as to minimize the effect of the severance on the remainder of the Law.

18.0 AMENDMENT

18.1 This Law may only be amended in accordance with section 33 of the Land Code.

19.0 COMING INTO FORCE

19.1 This Law shall come into force and effect on the date that it is enacted pursuant to Part IV of the Land Code.

THIS LAW IS HEREBY ENACTED BY THE approval of a quorum of five (5) members of Council on the 15 day of November, 2021.

Voting in favour of the law are the following members of Council:

Chief Ronnie Chickite

Councillor Glenn Assu

Councillor Nicole Assu

Councillor Ted Assu

Councillor Jonathan Chickite

Councillor Kim Duncan

Councillor Cindy Inrig

Councillor Mildred Price

Councillor Art Wilson

SCHEDULE A

FEES

The following fees shall apply in accordance with the *We Wai Kai Nation Clean Air Law*:

A. Open Burning Permit	$10.00 (waived for WWK Citizens)
B. Fire Fighting Services	
Call-out fee (attendance of fire engine or vehicle)	$100.00 per call-out
We Wai Kai Nation employee after-hours attendance at Fire (between the hours of 4pm and 8am on normal business and at any time on weekends and holidays)	$50.00/hour

C. Miscellaneous costs incurred by We Wai Kai Nation as a result of the fire:

Consulting & monitoring fees	As Invoiced
Analysis of materials or conditions	As Invoiced
Replacement of equipment	As Invoiced
Firefighting costs	As Invoiced

SCHEDULE B

WE WAI KAI NATION
CAPE MUDGE BAND
We Wai Kai Lands Department
690 Headstart Cres.
Campbell River, BC
V9H 1P9

BURNING PERMIT

[THIS PART TO BE COMPLETED BY WE WAI KAI NATION]

ISSUED BY: _____

Date Issued: _____ **Date in Effect:** _____ **Date Expired:** _____

[THIS PART TO BE COMPLETED BY APPLICANT]

DATE OF APPLICATION: _____

APPLICANTS NAME: _____

ADDRESS OF SUBJECT PROPERTY: _____

DATE and TIME(S) OF PROPOSED BURING: _____

TYPE OF FIRE: _____

WHY IS THIS PERMIT REQUIRED? _____

_____

I, the above noted Applicant, have read and by igniting a fire acknowledge the following permit conditions:

BURNING PERMIT CONDITIONS

1. Burning is permitted on designated We Wai Kai Reserve Lands only.
2. Burning is only permitted with signed permit and in accordance with the We Wai Kai Nation Clean Air Law.
3. Burning is not permitted unless the **Venting Index is 65 or greater** and the Air Quality Level is **Good**.
   Venting Index can be found at: http://www.env.gov.bc.ca/epd/epdpa/venting/
4. No Burning is permitted when a fire ban is posted by the BC Wildfire Service or by the Lands Administration Officer.
5. A minimum separation of 4.6 meters (15 feet) shall be maintained between the location of a fire and all property lines, buildings, slash, brush, dry grass, trees or any other burnable material.
6. The permittee shall be responsible for fire authorized by this permit.
7. The permittee shall take the following precautions to prevent escape of fires authorized by this permit:
   i) No burning to be done when there is a wind stronger than 10 kms/hr;

ii) Light material such as paper, dry leaves, etc., that could fly away while on fire, must be covered by heavier material or held down by wire mesh or other suitable means while being burned;
iii) The fires must be attended and safeguarded at all times & firefighting tools (including a water source) must be readily available; and
iv) All fires must be extinguished by 10 pm of the same day unless otherwise permitted.

8. The permittee shall extinguish all fires completely:
   i) on or before the expiry date of this permit;
   ii) upon suspension or cancellation of this permit; or
   iii) when instructed to do so by the Fire Chief.

PERMITTED BURNING MATERIALS: dry pruning, branches, brush, stumps etc., as long as they do not cause a smoke nuisance and are not listed in section 4.2 of the *We Wai Kai Nation Clean Air Law*.

PROHIBITED BURNING MATERIALS: garbage, tires, treated lumber, plastics, railroad ties, drywall, manure, demolition waste, rubber, domestic waste, asphalt, paint, asphalt products and all other material listed in section 4.2 of the *We Wai Kai Nation Clean Air Law*.

A designated person from the Nation or the Lands Administration Officer may at any time withhold or cancel any open burning permit if burning may create a hazard to persons, property or the environment.

PERMITTEE (Printed Name)	PERMITTEE (Signature)	Date Signed

PERMIT ISSUED BY (Printed Name)	PERMIT ISSUED BY (Signature)	Date Signed