TITLE 1: GOVERNMENT DIVISION 2: EXECUTIVE BRANCH

§ 28063. Contesting Fire Land Designation in Private Property.

- (a) A private property owner or tenant/lessee affected by a proposed fire lane designation by the Commissioner may contest the designation by filing a written notice of objection with the Department within the period set forth in 1 CMC § 28062, and serving copies of written notice of objection on the members of the appeals board established pursuant to subsection (b).
- (b) An appeals board is established comprised of the Zoning Administrator, the Secretary of Public Works, and the Commissioner of Public Safety for each respective senatorial district. The board shall issue, with at least two members concurring, a determination and order on the Commissioner's proposed fire lane designation and shall take effect after hearings are conducted pursuant to 1 CMC §§ 9109 and 9110. The board may affirm, modify, or reject the proposed fire lane designation and must set forth in a written order the reason(s) for its decision.
- (c) Publication of Fire Lane Designations Orders. The Commissioner shall cause all final orders and determination on the designation of fire lanes on public and private lands to be published in the Commonwealth Register in the month following its issuance.

Source: PL 19-69 § 2 (Sept. 28, 2016), modified.

Commission Comment: The Commission substituted "<u>1 CMC § 28062</u>" for "Section 102" and "subsection (b)" for "Section 103(b)" in (a) pursuant to <u>1 CMC § 3806(d)</u>.