

1 **1- VIOLATION**

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3 ***Public Resources Code 4435***

4 If any fire originates from the operating or use of any engine, machine, barbecue,
5 incinerator, railroad rolling stock, chimney, or any other device which may kindle a fire,
6 the occurrence of the fire is prima facie evidence of negligence in the maintenance,
7 operation, or use of such engine, machine, barbecue, incinerator, railroad rolling stock,
8 chimney, or any other device. If such fire escapes from the place where it originated and
9 it can be determined which person's negligence caused such a fire, such person is guilty
10 of a misdemeanor.

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12 ***Health and Safety Code 13009*** unequivocally provides that any person who negligently
13 sets a fire is liable for the suppression cost incurred in fighting the fire.

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