



# SQUAXIN ISLAND TRIBE

**RESOLUTION NO. 02-62**  
**Of the**  
**SQUAXIN ISLAND TRIBAL COUNCIL**

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises, and its agencies by authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

**WHEREAS**, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

**WHEREAS**, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and with protecting and managing the lands and treaty resources and rights of the Tribe; and

**WHEREAS**, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

**WHEREAS**, the Squaxin Island Tribal Council has previously adopted the Squaxin Island Fireworks and Safety Ordinance, codified at chapter 6.04 of the Squaxin Island Tribal Code, and amended by Resolution 02-61; and

**WHEREAS**, the Squaxin Island Tribal Council has previously adopted the Law and Order Code, including sections on arson, reckless burning, malicious mischief and damage to property, codified at chapter 9.12 of the Squaxin Island Tribal Code; and

**WHEREAS**, the Squaxin Island Tribal Council now finds that the discharge of fireworks on commercial properties of the Tribe should be prohibited to ensure public safety; and

**WHEREAS**, the Squaxin Island Tribal Council wishes to establish civil and criminal penalties for the discharge of fireworks on the commercial properties of the Tribe; and

**WHEREAS**, the Squaxin Island Tribal Council wishes to clarify that the definition of certain crimes under the Law and Order Code include fires or explosions caused by the discharge of fireworks.

**NOW THEREFORE BE IT RESOLVED**, that the Squaxin Island Tribal Council hereby amends the Squaxin Island Fireworks and Safety Ordinance as follows:

1. Section 6.04.030 Definitions: add the following definition after the two introductory paragraphs:

“Commercial properties of the Tribe” shall include all properties under the control or auspices of Island Enterprises, the Little Creek Casino, Skookum Creek Tobacco Co., Inc., or any other commercial enterprise of the Tribe.

2. Section 6.04.130 Violations and Penalties: add a new subsection (B)(3) as follows:

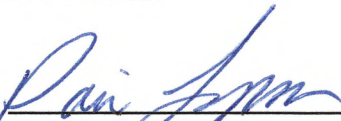
“3. It is unlawful to discharge fireworks on or onto any commercial properties of the Tribe.”

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Squaxin Island Tribal Council hereby declares that the crimes of arson, reckless burning, and malicious mischief as currently and hereafter defined by the Law and Order Code, codified at chapter 9.12 of the Squaxin Island Tribal Code, shall include fires or explosions caused by the discharge of fireworks; and

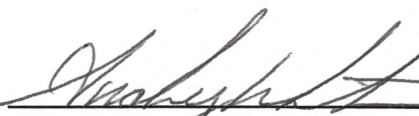
**NOW THEREFORE BE IT FINALLY RESOLVED**, that discharging of fireworks on or onto any commercial properties shall be a *per se* act of Reckless Burning in the Second Degree as currently and hereafter defined by the Law and Order Code, codified at chapter 9.12 of the Squaxin Island Tribal Code.

### CERTIFICATION

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 13<sup>th</sup> day of June, 2002 at which time a quorum was present and was passed by a vote of 5 for and 0 against with 0 abstentions.

  
\_\_\_\_\_  
David Lopeman, Chairman

Attested by:   
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Pete Kruger, Sr., Secretary

  
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Andy Whitener, Vice Chairman