



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 99-51

OF THE

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Indian Tribe, its members, its lands, its enterprises and its agencies by authority of the Constitution and By-Laws 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, under the Constitution, By-Laws 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 contracted with the Book Publishing Company, Seattle, Washington, to make bring the Squaxin Island Tribal Code up to date through Resolution 99-20, passed March 5, 1999; and

WHEREAS, the Book Publishing Company has, in May, 1999 presented to the Squaxin Island Tribal Administration and Squaxin Island Legal Department, for public and legal inspection, the updated "Squaxin Island Tribal Code;"

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby approves the editing changes, including correction of spelling, grammatical and capitalization errors, made to the ordinances codified by the updated Squaxin Island Tribal Code and included in these ordinances as compiled by Book Publishing Company.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Squaxin Island Tribal Council hereby approves the updated Squaxin Island Tribal Code transmitted May, 1999 by Book Publishing Company with the following corrections:

1. § 2.24.060(A)(6): insert the word "and" after the semi-colon at the end of this subsection;
2. § 2.24.100(D): replace subsection (D) with the following: "D. Removal. Upon the recommendation of the advisory body's chairman or the majority of the advisory body's membership, any individual commission, committee, or special advisory board member may be removed from office by a vote of the Tribal Council favoring such removal. (Res. 98-45 (part))"
3. § 2.28.020(D)(1): replace the period following the word "actions" in the second full sentence of subsection (D)(1) with a comma.
4. § 4.32.150(A): replace the word "of" in the second line of this subsection with "on".
5. § 7.04.160(F): replace the word "fait" in the second line of this subsection with "fail".
6. § 7.08.030(D)(2): insert the word "dollars" in the last line of this subsection before "\$250.00".
7. § 7.24.100: replace the word "it" at the start of the sentence in the second line of this section with "It".
8. § 7.24.140(H): in the fourth line of this subsection, replace the word "leathered" with the word "feathered".
9. § 7.28.030: in the fifth line of this section, replace the word "deputation" with "deputation".
10. § 9.16.060(A): after the last word of this subsection, delete the period and insert the following: ", except that it is permissible to properly operate a commercially produced barbecue, specifically designed for the purpose of cooking food, no less than 10 feet from any structure."
11. Resolution list: the resolution of 96-69 currently states that it was repealed by 98-99. The correct repealing resolution number is 98-88. Replace 98-99 with 98-88.

NOW THEREFORE BE IT FURTHER RESOLVED, that this updated Code compiles, edits and incorporates all resolutions which originally enacted portions of the "Squaxin Island Tribal Code", and amendments thereto, through resolution 99-20. Through the compiling and editing process, grammatical, spelling and capitalization

errors in the ordinances originally adopted by resolution have been corrected, and amendments have been incorporated, but substantive changes have not been made. Therefore, as the ordinances adopted by the following resolutions are incorporated in the updated Tribal Code adopted by this resolution, the following resolutions are hereby repealed:

<u>Resolution</u>	<u>Subject</u>	<u>Replaced by Tribal Code Section</u>
97-53	Amends court procedures ordinance, human resources operating manual, employee handbook and gaming enterprise policies	4.04; 4.24; 4.32
98-45	Commissions and committees policy ordinance	2.24
98-87	Adopts Tribal fire code	9.16
98-90	Adopts Tribal Code, general provisions and and general penalty provisions	1.01; 1.04; 1.08
98-99	Adopts interim housing code; creates housing and utilities commission; repeals Resolutions 91-68 and 93-02.	2.28; 11.08; 11.20
98-106	Approves bylaws for housing and utilities commission	2.36
98-116	Establishes education commission	2.32
98-117	Approves bylaws of education commission	2.32
99-03	Adopts Title 7, natural resource management	Title 7

NOW THEREFORE BE IT FURTHER RESOLVED, that where there is any conflict or disparity between the Squaxin Island Tribal Code and ordinances or resolutions adopted prior to the adoption of Resolution 99-20, this Code will supersede.

NOW THEREFORE BE IT FURTHER RESOLVED, that the adoption of this Code does not affect prosecutions for resolution violations committed prior to the effective date of this Code, does not waive any fee or penalty due and unpaid of the effective date of this Code, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any resolution.

NOW THEREFORE BE IT FURTHER RESOLVED, that if any section, subsection, sentence, clause or phrase of this Code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Code.

NOW THEREFORE BE IT FURTHER RESOLVED, that references in tribal forms, documents and regulations to the chapters and sections of the former tribal codes shall be construed to apply to the corresponding provisions contained within this Code.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Squaxin Island Tribal Council hereby adopts the "Squaxin Island Tribal Code" as updated May, 1999.

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 8th day of June, 1999, at which time a quorum was present and was passed by a vote of 6 for and 0 against with 0 abstentions.



Dave Lopeman, Chairman

Attested by: 

Sue McFarlane, Secretary



Cal Peters, Vice Chairman