

ARTICLE XIV. RESERVED. <sup>N</sup>

ARTIVLE XV. EXPULSION AND EXCLUSION OF NON-MEMBERS  
FROM THE QUILEUTE INDIAN RESERVAITON

15.01 Who May Be Excluded.

Any non-member of the Quileute Indian Tribe, except persons authorized by federal law to be present on tribal land, may be excluded from the Quileute Indian Reservation. Owners of non-trust land may not be excluded from the land they own.

15.02 Grounds for Exclusion.

Non-members may be excluded for commission of one or more of the following acts within the exterior boundaries of the Quileute Indian Reservation:

- (a) Breach of the peace.
- (b) Repeated public drunkenness.
- (c) Entering an area of the Quileute Indian Reservation in violation of any order of the Tribal Council designating such area as closed because of fire hazard or for any other reason.
- (d) Failure or refusal to pay any taxes, rents or other charges justly due the Quileute Indian Tribe after reasonable notice and opportunity to pay.
- (e) Unauthorized cutting of timber or vegetation.
- (F) any act causing physical loss or damage of any nature to tribal property or property of any enrolled member.
- (g) Commission of a crime as proscribed by state or federal law.
- (h) Violation of any tribal ordinance, or the Law and Order Code.
- (i) Immorality.
- (j) Forcing entry into any Quileute home without consent of the occupant or occupants.
- (k) Unauthorized prospecting.

- (l) Committing frauds, confidence games, or usury against any enrolled member.
- (m) Inducing any enrolled member to enter into grossly unfavorable contracts of any nature.
- (n) Defrauding any enrolled member of just compensation for his labor or service of any nature at the request of the non-member.
- (o) Contagious disease.
- (p) Unauthorized taking of any property from the Reservation.
- (q) Use, possession or sale of any drug, narcotic drug or controlled substance as defined by the Washington State Uniform Controlled Substances Act.
- (r) Any action tending to bring the Quileute Indian Tribe or the Tribal Council into disrepute.

#### 15.03 Notice of Proposed Exclusion.

A judge of the Quileute Tribal Court shall cause notice to be served personally or by registered mail upon any non-member whenever a majority of the Tribal Council requests him to cause the notice to be served. The notice shall state the reason for the proposed exclusion and shall name a time and place where the non-member may appear before the Tribal Court to show cause why he should not be excluded from the Reservation. The hearing shall be not less than 5 days after service of the notice or mailing of the notice, whichever is later, provided that if the judge shall have reasonable cause to believe an emergency exists, and the notice so states, the hearing may be held after twenty-four hours from the time of service or mailing, whichever is later.

#### 15.04 Hearing on Exclusion Before Tribal Court.

After notice to the non-member proposed for exclusion, the Tribal Court shall hold a hearing to decide whether the non-member shall be excluded from the Reservation. The non-member shall be given an opportunity to present his defense at such hearing and may be represented by counsel. The Tribal Court may, in its discretion, grant a continuance of the hearing on request by the non-member. If after notice the non-member does not appear, or if it is found at the hearing that cause does exist for exclusion, the Tribal

Court may order him excluded from the Reservation, or may permit him to remain upon the Reservation on such conditions as the Tribal Court sees fit to impose. All orders of exclusion shall remain in force until revoked by the Tribal Court unless the order specifically provides otherwise.

#### 15.05 Appellate Proceedings.

Any person appearing at such hearing who is aggrieved by the decision of the Tribal Judge shall have the right to appeal such decision as prescribed in Article III of this Code.

#### 15.06 Proceedings for Enforcement of Orders of Exclusion.

If any non-member ordered excluded from tribal land by the Tribal Court does not promptly obey the order, the judge shall deliver an order of removal to any member of the tribal police force, who may bodily remove the person from the Reservation.

#### 15.07 Physical Removal of Trespassers.

In cases involving immediate danger to the life, health, morals or property of the Tribe, or any of its members, and where a delay would result in irreparable damage, a judge of the Tribal Court may order any tribal law enforcement officer to remove a non-member and/or any property of such non-member bodily from tribal land, either before or after the non-member has been ordered excluded by the Tribal Court as provided in paragraph 15.04 above. The officer executing the order shall use only so much force as is necessary to effect the removal. If service of the notice provided for in paragraph 15.03 above, has not already been made on the non-member, the judge shall cause the officer to serve the notice upon the non-member at the time of removal, or he shall cause the notice to be served as soon after removal as possible.

In all cases where the non-member has not already been ordered excluded by the Tribal Court, the judge shall notify the non-member of a place on the Reservation boundary where he may re-enter in the company of a Bureau of Indian Affairs or tribal law enforcement officer for the purpose of attending the hearing before the Tribal Court. The Chairman shall order the officer to accompany the non-member while he is on the Reservation coming to and leaving his hearing.

## ARTICLE XVI. LAW ENFORCEMENT OFFICERS

### 16.01 Tribal Police - Generally.

Tribal police shall be appointed by the Quileute Tribal Council to enforce this Law and Order Ordinance and all other ordinances and resolutions of the Tribal Council.

### 16.02 Supervision.

Tribal police will act under the direction of the Tribal Law and Justice Administrator and shall be subject to the general direction of the Tribal Council. The Tribal Council shall direct the Law and Justice Administrator to conduct an investigation on all reports and charges of misconduct on the part of the tribal police and shall authorize the administrator to exercise such proper disciplinary measures as may be consistent with existing tribal regulations.

### 16.03 Restrictions.

Members of the tribal police force shall not be assigned or detailed for any duty not connected with the administration of law and order if such detail interferes in any way with the law and order program.

### 16.04 Appointment of Law and Justice Administrator.

The Law and Justice Administrator shall be appointed by the Quileute Tribal Council to term of one year, and may be reappointed after a full review of his performance, which review shall be had at least 30 days prior to the end of the term and at which the Administrator shall be present.

### 16.05 Duties of Law and Justice Administrator.

(a) The Law and Justice Administrator shall be responsible to the Tribal Council for the proper and efficient enforcement of all law for which he has been given authority and for the efficient service and discipline of the tribal police officers and other persons under his supervision.

(b) The Law and Justice Administrator may be deemed guilty of negligence and inefficiency in handling of personnel under his supervision if they are habitually lax and indifferant in performance of their duties.

(c) The Law and Justice Administrator shall thoroughly investigate all complaints filed by any citizen against any

personnel under his supervision. A written report of such complaint and the investigative report in writing of his findings shall be made to the Tribal Council.

(d) The Law and Justice Administrator shall notify the Tribal Council in writing of any case of misconduct or neglect of duty on the part of subordinates, and recommend the personnel action to be taken.

(e) The Law and Justice Administrator is responsible to the Tribal Council and must willingly and faithfully perform any and all duties the Council may order him to perform. He shall administer his duties in the manner required by the Council.

(f) The Law and Justice Administrator shall coordinate investigative functions with State and County officers and officials, special officers, and other Federal officials whenever appropriate in promoting law enforcement on the Reservation.

#### 16.06 Dismissal of Law and Justice Administrator.

The Law and Justice Administrator shall be subject to removal by the tribal Council for failure to carry out any of the duties enumerated in section 16.05 or for any other just cause shown. The Council shall serve the Law and Justice Administrator with a notice, including the reasons for his dismissal, and he shall be entitled to a hearing at which time he may produce witnesses and present evidence to refute the charges. The decision of the Quileute Tribal Council shall be final.

#### 16.07 Bonding.

The Law and Justice Administrator shall be responsible for arranging with the proper tribal official for the bonding of all tribal police including himself, and for coverage for all tribal police and equipment under the Tribe's liability insurance.

#### 16.08 Appointment of Tribal Police.

Tribal police shall be appointed by the Tribal Council upon the recommendation of the Law and Justice Administrator.

#### 16.09 Qualifications of Tribal Police.

The qualifications of tribal police shall be as follows:

(a) A candidate must be 21 years of age or older, in sound physical condition and of sufficient size and strength to perform the duties required.

(b) He must be possessed of courage, self-reliance, intelligence and high sense of loyalty and duty.

(c) He must never have been convicted of a felony, nor have been convicted of any misdemeanor for a period of one year prior to appointment.

#### 16.10 Training of Tribal Police.

It shall be the duty of the Law and Justice Administrator to cooperate with the Tribal Council to maintain, from time to time as circumstances require and permit, classes of instruction for the tribal police. Such classes shall familiarize the policemen with the manner of making searches and arrests, the proper and humane handling of prisoners, the keeping of records of offenses and police activities, the making of reports, and with court orders and legal forms and the duties of the police in relation thereto, and other subjects of importance for efficient police duty. It shall further be the purpose of the classes to consider methods of preventing crime and of securing cooperation with the community in establishing better social relations.

#### 16.11 Duties of Tribal Police.

Duties of the tribal police shall be as follows:

(a) To obey promptly all orders of the Law and Justice Administrator or the Tribal Court when assigned to that duty.

(b) To lend assistance to brother officers.

(c) To report and investigate all violations of any law or regulations coming to his notice or reported for attention.

(d) To arrest all persons observed violating the laws and regulations for which he is responsible.

(e) To inform himself as to the laws and regulations applicable to the jurisdiction where employed and as to the laws of arrest.

(f) To prevent violations of the laws and regulations.

(g) To report to his superior officers all accidents, births, deaths, or other events or impending events of importance.

(h) To abstain from the use of narcotics and from excessive use of intoxicants and to refrain from engaging in any act which would reflect upon the police department.

(i) To refrain from the use of profane, insolent, or vulgar language.

(j) To use no unnecessary force or violence in making an arrest, search or seizure.

(k) To keep all equipment furnished him in responsible repair and order.

(l) To report the loss of any and all property issued to him or the Tribal Council in connection with official duties.

(m) To use firearms only when necessary in arresting or overtaking a person who has committed a felony or in preventing the commission of a felony against person or property.

(n) To serve as a Deputy Special Officer or Deputy County Sheriff if directed to do so by the Tribal Council and to coordinate his functions as tribal police officer with his function as a Federal officer or County officer.

#### 16.12 Supervision and Conduct of Tribal Police.

The tribal police officer is responsible to the Law and Justice Administrator and must willingly and faithfully perform any and all duties the Law and Justice Administrator may order him to perform. He shall administer his duties in the manner required by his supervisor and all official communications coming to the attention of or initiated by the police officer should be routed through the Law and Justice Administrator. Officers shall obey all laws, rules and regulations, and shall be held strictly accountable for any act or omission prejudicial to good order and discipline. Officers will cooperate with outside government agencies when cooperation is consistent with the Tribal Code but shall ever bear in mind that their primary responsibility is to the Quileute Indian Tribe.

Officers shall be fair and impartial in all their dealings with the public. Tact and patience shall be used in all official contacts, but officers shall employ enough firmness to ensure obedience to the Law.

16.13 Conflict of Interest.

No officer or employee of the tribal police force shall permit any member of his immediate family to interfere in any way with the performance of official duties, nor shall the officer discuss or make available to his family or any other person any information that he has obtained by his official position that is not otherwise public record. This section is in no way meant to prevent the officers or employees from release of such information to other law enforcement officers, courts or other authorized persons. Failure to comply with this section shall be grounds for dismissal under paragraph 16.14 of this Chapter.

16.14 Dismissal of Tribal Police.

Tribal police shall be subject to dismissal for cause by the Law and Justice Administrator subject to the provisions of this Chapter.

Upon the resignation, death or discharge of any member of the tribal police, all articles or property issued to him in connection with his official duties must be returned to the Law and Justice Administrator.

ARTICLE XVII. HABEAS CORPUS

17.01 Who May Prosecute Writ.

Every person imprisoned or otherwise restrained of his liberty on the Reservation may prosecute a writ of habeas corpus to require into the cause of such imprisonment or restraint and if illegal to be delivered therefrom.

17.02 Writ for Purpose of Bail

When a person is imprisoned or detained in custody on any criminal charge, for want of bail, such person is entitled to a writ of habeas corpus for the purpose of giving bail, upon a varying fact in his petition, without alleging that he is illegally confined.

17.03 Application for How Made.

Application for the writ is made by petition, signed either by the party for whose relief it is intended, or by some person in his behalf, and must specify:

(a) That the person in whose behalf the writ is applied for is unlawfully imprisoned or restrained of his liberty, why the imprisonment or restraint is unlawful, the officer or



person by whom he is so confined or restrained, and the place where, naming all the parties if they are known, or describing them if they are not known.

(b) The petition must be verified by the oath or affirmation of the party making the application.

#### 17.04 Content of Writ.

When the Chief Judge is satisfied that the writ ought to be issued, it must be issued without delay:

(a) The writ must be directed to the person having custody of or restraining the person on whose behalf the application is made and must command him to have the body of such person before the Tribal Court at a time and place therein specified.

(b) The issue or issues to be determined upon return of the writ may be stated, either in the writ or an order attached to the writ or in a copy of the petition attached to the writ.

#### 17.05 Service of the Writ.

The writ must be served upon the person to whom it is directed and must be served in the same manner as a summons as provided in this Code.

#### 17.06 Return - Contents.

The person upon whom the writ is served must make a return to the Court and state in the return:

(a) Whether he has the party in his custody or under his power or restrained in the authority for so holding the person.

(b) If he has the party in his custody or under his power restrained, the return must state particularly to whom, at what time and place, for what cause, and by what authority custody was released.

(c) The return must be signed by the person making the same, and except when such person is a sworn public official and makes such return in his official capacity, it must be verified by his oath.

17.07 Hearing on Return.

The detained person shall be brought before the court by the person commanded by the writ when possible. The hearing must be held on the day set and may be summary in nature. Evidence may be produced and compelled as in civil actions.

17.08 Judgment.

If the detained person is in official custody, he may not be released on a writ of habeas corpus for any technical defect and commitment not affecting his substantial rights. Following the hearing, the Chief Judge shall make such judgment regarding the custody of the detained person as the facts and circumstances warrant and such order shall be effective immediately.

ARTICLE XVIII. CIVIL ACTIONS

18.01 Jurisdiction Generally.

The Quileute Tribal Court shall have civil jurisdiction of all suits involving persons whose residence is within the jurisdictional territory defined by this Code in Section 4.01, and all other suits in which the party has been deemed to have consented to submission to the jurisdiction of the Tribal Court under any tribal ordinance, or in which the events giving rise to the action occurred within the territory so defined.

18.02 Filing of Complaints.

(a) Complaints - Signature. A complaint filed in the Tribal Court shall state the nature and facts from which the action arises, shall bear the signature of the complainant, and shall be witnessed by a duly qualified judge of the Tribal Court, the court clerk, tribal executive secretary, or licensed notary public.

(b) Limitation on Filing of Complaint. No complaint shall be filed in a civil action unless the events shall have occurred within a 3-year period prior to the date of the complaint, unless the complaint arises under another tribal ordinance which provides for a different period of limitation.

(c) In all civil suits the complainant shall be required to pay the Court a filing fee of \$15.00.\* Such fee may be waived by the Tribal Court upon a showing of good cause. No fee shall be charged if the Tribe is complainant.

\* 18.02(c) Amended by Resolution 96-A-57 to increase filing fee to \$110.00.

### 18.03 Notification.

(a) Notice and Service. Civil actions may be instituted either by voluntary appearance and agreement of the parties or by service upon the defendant of a true copy of the filed complaint and notice either personally by a person not a party in the action or as provided herein. The notice shall be attached to the copy of the complaint and cite the defendant to be and appear before the Court at the time and place therein specified, which shall not be less than 20 days from the date of service of the complaint and notice. Such service may be made by means of certified mail, return receipt requested. Evidence of the receipt of notice shall be kept as part of the record in the case.

(b) Publication. Upon a showing by the complainant to the Tribal Court that diligent efforts were made to serve the complaint and notice on the defendant and that service could not be made for sufficient reasons, the judge may allow service of the notice and complaint in two public places and by publication of a copy of the notice and complaint once a week for three consecutive weeks in a newspaper of general circulation in the vicinity of the Quileute Indian Reservation. In such case the return date shall be not less than 30 days from the date of first publication.

### 18.04 Civil Procedure.

(a) Standard of Proof. The complainant in a civil case shall have the burden of proving his case by the greater weight of the evidence.

(b) Jury. Civil actions, other than appeals, shall be tried by a jury upon written request filed by any party at least 7 days before the trial date, and upon such party posting a fee or other security in the amount of \$75.00 to cover costs, disbursements and jury fees in the case. Such fee may be waived by the Tribal Court upon a showing of good cause.

(c) Applicable Law. In all civil cases the Quileute Tribal Court shall apply any laws of the United States that may be applicable, any authorized regulations of the Interior Department, and any laws, resolutions, ordinances, customs, or codes of the Tribe not prohibited by such federal laws.

(d) Customs. Where any doubt arises as to the customs and usages of the Tribe, the Court may request the advice of counselors familiar with these customs and usages.

(e) Other Law. As to any matters which are not covered by the traditional customs and usages of the Tribe, or by-laws, codes, ordinances and resolutions of the Tribal Council, or by applicable federal laws and regulations, the Reservation Court may be guided by common law as developed by state and federal courts.

#### 18.05 Judgments.

(a) Judgments - Generally. In all civil cases, judgment shall consist of an order of the Court awarding money damages to be paid to the injured party, or directing the surrender of certain property in the injured party, or the performance of some other act for the benefit of the injured party.

(b) Verdict - Jury. When all or at least five of the six jury members agree on a verdict, they shall return the verdict to the judge in open court.

(c) Verdict - Judge. In cases tried without a jury, the Court shall enter its verdict in open court at the end of the presentation of all testimony and evidence.

(d) Judgments - Compensation. When the injury inflicted was the result of carelessness of the defendant, the judgment shall fairly compensate the injured party for the loss he has suffered or shall follow any rules of compensation set out in any ordinance or section of this Code pursuant to which the action is brought.

(e) Punitive Damages. Where the injury was deliberately inflicted, the judgment may award punitive damages to the prevailing party.

(f) Costs in Civil Actions. The Court may assess the accruing costs of the case against the party or parties against whom judgment was given. Such costs shall consist of the expenses of voluntary witnesses for which either party may be responsible under this Code, and the fees of jurors in those cases where a jury is had, and any further incidental expenses or fees connected with the procedure required by this Code before the Court as the Court may direct.

(g) Payment of Judgments - Tribal Members. Whenever the Quileute Tribal Court shall have ordered payment of money damages to an injured party has sufficient funds to his credit at the agency the losing party has sufficient funds to his credit at the agency office to pay all or part of such judgment, the Superintendent shall certify to the

Secretary of the Interior the record of the case and the amount of the available funds. If the Secretary shall so direct, the disbursing agent shall pay over to the injured party the amount of the judgment, or such lesser amount as may be specified by the Secretary, from the account of the delinquent party.

(h) Judgments and Decedent's Estates. A judgment shall be considered a lawful debt in all proceedings held by the Court to distribute decedents' estates.

#### 18.06 Execution.

(a) Procedure. If, after the time for appeal has run, it is made to appear to the Court that the judgment debtor has not paid the judgment amount in full or is not making payments in a manner agreed to by the parties, the Court shall order the judgment debtor to appear before it and answer under oath regarding all his personal property. The Court shall then determine what property of the judgment debtor is available for execution and order the tribal police to seize as much of such property as reasonably appears necessary to pay the judgment. Failure of the judgment debtor to appear may be deemed a contempt of court and the Court may proceed without such appearance.

(b) Sale of Property. Sale of the seized property shall be at public auction conducted by the tribal police after giving at least ten days' public notice posted in at least three public places on the Reservation. Property shall be sold in a commercially reasonable manner to the highest bidder who shall make payment for the property at the time of the sale. If the sale results in a higher price than the debt, plus expenses of the sale, the debtor shall be given the surplus. The judgment shall continue in effect in the amount not recovered at the sale, plus expenses of the sale.

(c) Exemption from Execution. The Court shall only order seizure and sale of such property of the judgment debtor the loss of which will not impose an immediate and substantial hardship on the immediate family of the judgment debtor. Only property of the judgment debtor himself may be subject to execution and not property of his family.

(d) Redemption from Sale. At any time within six months after the sale under this Code, the judgment debtor may redeem his property from the purchaser thereof by paying the amount such purchaser paid for the property plus eight (8%) interest, plus any expenses actually incurred by the purchaser, such as taxes and insurance, to maintain the property.

18.07 Judgments of Other Courts.

(a) Application. Any person may apply to the Court by written application for an order accepting a civil judgment from another tribal court or a state or federal court as a judgment of the Quileute Tribal Court.

(b) Review by Court. The Court shall review the application within five (5) days of its filing. The Court shall, when required by Federal law, accord such judgment full faith and credit as a Quileute Tribal Court judgment. When not so required the court shall have full and total discretion regarding this matter and shall be guided by principles of comity and the best interests of the Quileute Indian Tribe and its Reservation.

(c) Payment of Judgment. Upon entry of the order declaring th other court's judgment to be a judgment of the Quileute Tribal Court, the provisions of this Code regarding payment of judgments and execution shall be applied.

ARTICLE XIX. EFFECT OF PARTIAL INVALIDITY

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance, or the application of the provision to other persons or circumstances, is not affected.

ARTICLE XX. EFFECTIVE DATE

This Code shall take effect and be enforced immediately from and after its adoption by the Tribal Council.

PASSED by the Tribal Council this 27 day of April, 1982.

QUILEUTE TRIBAL COUNCIL

\_\_\_\_\_  
Chairman

Approved

Date \_\_\_\_\_

AMENDMENT TO QUILEUTE LAW AND ORDER ORDINANCE NO. 74-A7

WHEREAS the Quileute Tribe is an organized Indian Tribe, incorporated and chartered under the Indian Reorganization Act, and the Quileute Tribal council is the duly constituted governing body of the Quileute Indian Reservation by authority of Article III of the Constitution and bylaws of the Quileute Indian Tribe approved by the Secretary of the Interior on November 11, 1936; and,

WHEREAS, the Tribal Council has authority to enact ordinances under the revisions of Article VI of the Quileute Constitution; and,

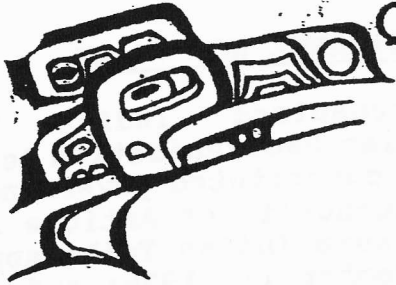
WHEREAS, the Quileute Tribal Council enacted Ordinance No. 74-A7 on October 9, 1974, which ordinance has been amended several times, the last amendment dated April 27, 1989,

WHEREAS, the Quileute Tribal Council finds it necessary to strengthen the laws of the Quileute Reservation and to amend the Law and Order code to facilitate the handling of cases in the Tribal Court System,

NOW, THEREFORE, The Quileute Tribal Council hereby promulgates the Quileute Law and Order Code by amending Ordinance No. 74-A7 as follows: Revising 10.04.

10.14 Trial Date

If the defendant enters any other plea, the judge shall set a date for trial not less than seven days nor more than -95 ninety days from the date of arraignment, provided that the trial may be set for less than seven days if an emergency exists and the defendant would not be unduly prejudiced thereby.



# QUILEUTE TRIBAL COUNCIL

POST OFFICE BOX 279  
LA PUSH, WASHINGTON 98350



## RESOLUTION OF THE QUILEUTE TRIBAL COUNCIL QUILEUTE INDIAN RESERVATION RESOLUTION NO. 90-A-41

WHEREAS, the Quileute Indian Tribe is an organized Indian Tribe under the Indian Reorganization Act; and the Quileute Tribal Council is the duly constituted governing body of the Quileute Indian Tribe; by authority of Article III of the Constitution and By-Laws of the Quileute Indian Tribe approved by the Secretary of the Interior on November 11, 1936; and

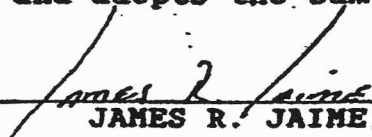
WHEREAS the Quileute Indian Tribe enjoys the rights reserved to it by the Quinault Treaty; and,

WHEREAS, the Quileute Tribal Council has the responsibility under the Constitution to "administer the affairs of the Quileute Reservation"; and,

WHEREAS, the present laws of the Quileute Tribe need to be updated it is imperative that the Law and Order Code, No. 74-A7 be revised immediately to maintain adequate law and order on the reservation, and protect the residents thereon, and

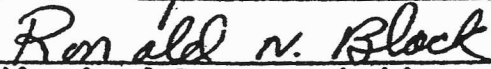
WHEREAS, the Quileute Tribal Council has reviewed the proposed revision and finds it in order,

NOW, THEREFORE, BE IT RESOLVED, that the Quileute Tribal Council hereby approves the revisions to Quileute Law and Order Code 74-A7, as attached, and adopts the same.

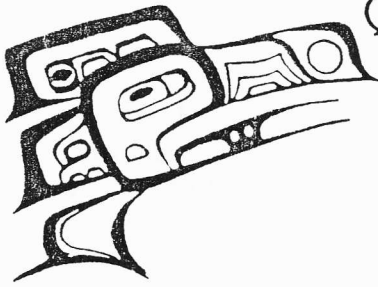
  
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JAMES R. JAIME, CHAIRMAN

### CERTIFICATION

I certify that the foregoing Resolution was adopted at a Special meeting of the Quileute Tribal Council at which time a quorum was present in LaPush, Quileute Indian Reservation, and the foregoing resolution was adopted by a vote of 3 FOR and 0 AGAINST on the 6 day of June, 1990.

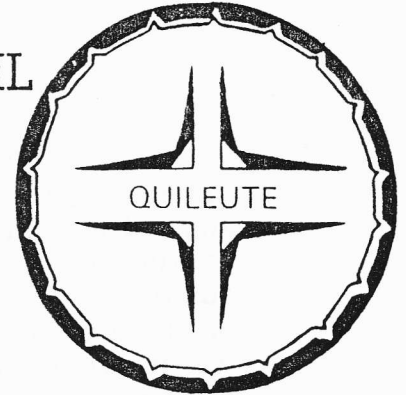
  
\_\_\_\_\_  
Authorized Representative  
Quileute Tribal Council





# QUILEUTE TRIBAL COUNCIL

POST OFFICE BOX 279  
LA PUSH, WASHINGTON 98350-0279  
TELEPHONE (206) 374-6163  
FAX (206) 374-6311



RESOLUTION OF THE  
QUILEUTE TRIBAL COUNCIL  
QUILEUTE INDIAN RESERVATION  
RESOLUTION NO. 97-A-58

WHEREAS, the Quileute Indian Tribe is an organized Indian Tribe under the Indian Reorganization Act; and the Quileute Tribal Council is the duly constituted governing body of the Quileute Indian Tribe; by authority of Article III of the Constitution and By-Laws of the Quileute Indian Tribe approved by the Secretary of the Interior on November 11, 1936; and

WHEREAS, the Quileute Indian Tribe enjoys the rights reserved to it by the Treaty of Olympia of 1855 and the Quileute Tribal Council has the responsibility under the Constitution to "administer the affairs of the Quileute Reservation"; and,

WHEREAS; the Tribal Council is authorized by Article VI, sec. 1 (j) to safeguard and promote the peace, safety, morals and general welfare of the Quileute Tribe by regulating the conduct of trade; and

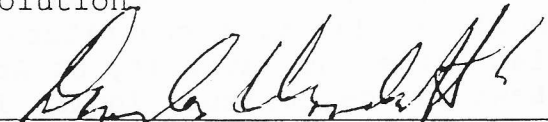
WHEREAS, the Tribal Council has determined that the peace, safety and general welfare of the Tribe would be served by prohibiting the use of fireworks in Ravencrest Housing; and

WHEREAS, the Quileute Law and Order Ordinance Article 13 at 13.24.10 provides that it is a gross misdemeanor to violate any tribal enactment designed to preserve the peace, health, safety, welfare and morals of the Reservation when such violation is not otherwise punishable under tribal law;

NOW THEREFORE BE IT RESOLVED, by the Quileute Tribal Council that lighting or exploding of fireworks in or within fifty (50) yards of Ravencrest Housing is a gross misdemeanor under Quileute Law and Order Code 13.24.10; and

BE IT FURTHER RESOLVED that the Quileute Tribal Council hereby directs Quileute Law Enforcement to treat as a gross misdemeanor any lighting or exploding of fireworks in or within fifty (50) yards of Ravencrest Housing, provided that if any person not subject to the criminal jurisdiction of the Quileute Tribal Court shall be found lighting or exploding fireworks in or within 50 yards of Ravencrest Housing, such person shall be civilly liable for a fine not to exceed \$500 and exclusion from the Quileute Indian Reservation; and

BE IT FURTHER RESOLVED, the Secretary and Chairman are authorized to approve said Resolution.

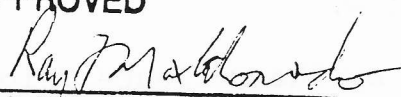
  
\_\_\_\_\_  
Douglas Woodruff, Sr., Chairman  
Quileute Tribal Council

CERTIFICATION

I certify that the foregoing Resolution was adopted at a REGULAR/SPECIAL meeting of the Quileute Tribal Council at which time a quorum was present in La Push, Quileute Indian Reservation, and the foregoing resolution was adopted by a vote of 2 FOR and 1 AGAINST on the 26 day of June, 1997

  
\_\_\_\_\_  
AUTHORIZED REPRESENTATIVE

APPROVED

  
\_\_\_\_\_  
SUPERINTENDENT, OPA

7/1/97  
DATE

Rec'd 7/10/97  
T.OPS.-OPA