



**RESOLUTION OF THE GOVERNING BODY  
OF THE  
THREE AFFILIATED TRIBES  
OF THE  
FORT BERTHOLD INDIAN RESERVATION**

*A Resolution Entitled, "Adoption of Three Affiliated Tribes Litter Control Ordinance"*

**WHEREAS**, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

**WHEREAS**, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS**, The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

**WHEREAS**, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

**WHEREAS**, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

**WHEREAS**, Article VI, Section 3 of the Constitution grants the Tribal Business Council all necessary sovereign authority, both legislative and judicial for the purpose of exercising the jurisdiction granted by Article I of the Constitution ; and

**WHEREAS**, The Three Affiliated Tribes does not have a current Ordinance or law governing littering on the Fort Berthold Indian Reservation and the Tribal Business Council finds that it is in the best interests of the Tribes to adopt an updated litter Control Ordinance; and

**NOW, THEREFORE BE IT RESOLVED** that the Tribal Business Council of the Three Affiliated Tribes pursuant to the authority vested in it by the Constitution hereby adopts the following Litter Control Ordinance:



**Three Affiliated Tribes Litter Control Ordinance**

Littering of Public and Private Property: Penalty

1. Any person who deposits, throws, discards, or otherwise disposes of any litter on any Public or private property within the Boundaries of the Fort Berthold Indian Reservation commits the offense of littering and shall be subject to the penalties set out below.
2. Whenever litter is thrown, deposited, dropped, or dumped from any motor vehicle it is in violation of this ordinance, the operator of such motor vehicle commits the offense of littering and shall be subject to the penalties set out below.
3. Any person who leaves, buries, deposits, disposes or dumps any junk, litter or garbage anywhere within the Fort Berthold Indian Reservation except in a bin, container, or area specifically designated for that type of junk or garbage being disposed commits the offense of illegal dumping and shall be subject to the penalties as set out below.
4. The word litter as used in this ordinance shall mean all waste material susceptible of being dropped, deposited, discarded, or otherwise disposed of by any person.

	Class	Fine/Jail Time
First Offense	III	\$50-\$500/3 months jail (max)
Second Offense	II	\$1,000//6 months jail (max)
Third Offense	I	\$1,000/ 1 year jail (max)
Illegal Dumping	III	\$1,000-\$1,500/4 months jail (max)

**BE IT FURTHER RESOLVED**, that all prior inconsistent ordinances, statutes, acts, or laws governing the same or similar subject matter or that conflict in any manner with this title are hereby repealed and of no further force or effect.






### CERTIFICATION


I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14<sup>th</sup> day of January 2010; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ ] voting. [] not voting

Dated this 14<sup>th</sup> day of January 2010

ATTEST:

  
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Tribal Secretary, V. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

  
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For Tribal Chairman, Marcus D. Levings  
Tribal Business Council  
Three Affiliated Tribes