

SECTION 2. FINDINGS.

NATIVE VILLAGE OF VENETIE TRIBAL GOVERNMENT (IRA)
("Tribal Council") finds that:

- (a) It has governmental authority over the lands within the Boundaries of the former Venetie Indian Reserve (VIR).
- (b) It owns in fee simple title the lands within the boundaries Of the VIR;
- © Pollution of the land and water of the VIR and of lands and waters outside of the boundaries of the VIR poses a threat to the health and welfare of the Tribe and its members;
- (d) Littering in the villages and at campsites, in addition to Being unsightly, poses a threat to the fish and animals Upon which the Tribe and its members depend;
- (e) The village dumpsites have not been managed as well as They should have been over the past years, and there are Old batteries and other hazardous materials that are in the Dumps that should not have been placed there;
- (f) It is necessary to protect the environment and natural Resources of the VIR and of the lands and waters Outside of the VIR in order to protect the health And welfare of the Tribe and its members; and
- (g) It is important to the health, welfare, and economy of the Tribe and its members that all materials which can be Recycled are in fact recycled.

SECTION 3. PURPOSES.

The tribal Council wishes to:

- (a) Protect the lands and waters of the VIR and
Outside the boundaries of the VIR so that pollution
And littering do not adversely affect the health, welfare,
And safety of the Tribe and its members.
- (b) Ensure that the village dumps are constructed and
Managed in a manner that assures the health, welfare,
And safety of the Tribe and its members
- © Adopt and implement a comprehensive recycling

SECTION 4. DEFINITIONS.

- (a) The term “member” means a person recognized as a
Member of the Tribe under Article II – ‘Membership’ of its
Constitution.
- (b) The term “non-member” means any person who is not a
Member of the Tribe.
- © The term “village enforcement officer” means the person
appointed by the Tribal Council to carry out the duties set
forth in Section 12 of this Ordinance.
- (d) The term “tribal lands” means those lands owned by the
Tribe or within its territorial jurisdiction, including but not
Limited to the boundaries of the former Venetie Indian Reservation.
- (e) The term “traditional use area” means fish camps, hunting
Areas, trap lines , and other historical sites located outside
The boundaries of the Venetie Indian Reservation.

SECTION 5. SCOPE.

This Ordinance governs the activities of members and
Non-members of the Tribe within the boundaries of
The Reservation and at specific traditional use areas beyond the
Boundaries of the Reservation as designated by the Tribal
Council.

SECTION 6. LITTERING.

- (a) Littering is strictly forbidden both on the Reservation and in Traditional use areas designated by the tribal Council. All Trash either shall be recycled or shall be deposited at the Village dump, or in receptacles in the village designated for That purpose.
- (b) No trash shall be left at campsites. All paper shall be Burned at the campsite, and all cans, plastic, and other un-Burnable materials shall be packed back to the village and Either recycled or deposited at the village dump.
- © Signs and notices will be placed at appropriate places in the villages, along the rivers, and at well-used campsites reminding members and non-members of their responsibilities under this section.
- © Each household will be solely responsible to have their trash cans emptied, and keep area clean at all times.

SECTION 7. POLLUTION.

- (a) There shall be no pollution of any lands or waters within The scope of this Ordinance. This includes, but is not Limited to, dumping of oil, fuel, or gas on the ground, or in The water.
- (b) No materials shall be burned except paper, wood and Similarly combustible materials. In no event shall plastics Be burned.
- © Human waste shall be buried in one place well away from any waters.
- (d) Each oil or fuel spill must be reported to Tribal Council and appropriate action will be taken to have area cleaned.

- (e) The Tribal Council shall study the effects of hazardous Materials to humans and establish permanent rules to Control the handling and transport for safety of hazardous Materials.
- (f) Waste water will be separate from human wastes and be Dumped at proper locations inside toilet.

SECTION 8. OPERATION OF THE VILLAGE DUMP.

- (a) The village dump in each village shall be the sole Depository of all trash and hazardous materials.
- (b) The Tribal Council shall enter into a study to determine the Best way to manage the village dumps. The study shall Include, but not be limited to:
 - (1) Whether the existing location of the dumps is the best Location and if not where the dumps should be Located?
 - (2) How best to manage hazardous wastes (such as old Batteries) and other wastes (such as used oil);
 - (3) The most appropriate design for the dumps;
 - (4) Any changes to the design or management system of The current dumps;and
 - (5) How the Council can finance the operation of the Dump.
- © Pending completion of the study, the Council shall manage the dumps in the following manner:
 - (1) A special shed shall be set aside for the storage of Hazardous and other wastes;

- (2) If economically feasible, a fence shall be constructed
Around the dump and a manager shall be hired to
Manage the use of the dumps.

SECTION 9. RECYCLING.

- (a) All materials which can be recycled shall be recycled.
These include, but are not limited to aluminum cans,
Styrofoam cups, and glass bottles.
- (b) A recycling center shall be established at the village dump
Or at some other location if the Tribal Council so
Determines. All recyclable materials shall be brought to
This center.
- © The Tribal Council shall develop a program to determine
the best use of recycled materials. This program shall
include, but need not be limited to, the reuse of these
materials in the village, the sale of these materials (such
as aluminum cans) off-Reservation, and how the proceeds
from any such sale could be best used (such as allowing
the children to be responsible for recycling cans and
keeping any proceeds).
- (c) The Tribal Council shall enter into a study as to what shall
Be done with the old equipment in the villages. Upon
Completion of the study, the council shall designate a
Person to implement the study, including making plans to
Get rid of any equipment the study finds cannot be used.

SECTION 10. EDUCATION.

The tribal Council shall institute an educational program
In the village and the village schools to educate members, non-
Members, and their children about the importance of keeping
The villages and the traditional use areas clean and of recycling
All materials that can be recycled.

SECTION 11. CONSEQUENCES.

- (a) Violation of any provision of this Ordinance shall be Prosecuted in the Tribal Court.

- (b) Upon conviction, violations by a member or a non-member Married to a member shall be punished as follows;
 - (1) For a first offense, the Court shall discuss the nature Of the violation with the offender, explaining to him or Her why his or her behavior was inappropriate and Contrary to the Gwich'in-ways, and shall place the Offender on probation for a period of no more than Three (3) months.
 - (2) For a second offense, or for any offense judged by the Court to be particularly damaging to the best interests Of the Tribe, the Court may choose one or more of the Following:
 - i) a fine of not more than \$50.00/or 72hours community service work:
 - ii) Total or partial expulsion from the area within the Jurisdiction of the tribal Court.

- © Upon conviction, non-members who are not married to members shall be fined in the amount of \$50.00, shall be placed on probation, shall have their permit revoked and/or shall be banished from tribal lands for a period of time determined by the Court.

- (c) In the event that the Court imposes a fine on the offender, An offender may complete community service instead of Paying a fine – community service shall be valued by work Assignment.

SECTION 12. ENFORCEMENT.

- (a) The tribal Council shall appoint a qualified resident who is
A member of the Tribe to be a village enforcement officer,
Who shall be responsible for enforcing this Ordinance.

- (b) In the case of an alleged violation of this Ordinance, the
Village enforcement officer shall prosecute any charge in
The name of the “Native Village of Venetie Tribal
Government”. The action shall be commenced by filing a
Complaint in the tribal Court. The complaint shall state
The name of the person charged and describe the conduct
Alleged to be in violation of this Ordinance. The person
Charged shall be given a copy of the complaint and have
Five (5) days from receipt of the complaint to prepare for
The initial hearing in the Court. The accused shall have
The rights set forth in 25 U.S.C. 1302 (Indian Civil Rights
Act) and shall receive notice of those rights when served
With the complaint.

SECTION 13. CIVIL RIGHTS.

All proceedings conducted pursuant to this Ordinance
Shall be subject to the provisions of the Indian Civil Rights Act,
25 U.S.C . 1302, and any other applicable laws.

SECTION 14. SEVERABILITY.

If any portion of this Ordinance is deemed by a Court of
Competent jurisdiction to be unconstitutional or otherwise invalid,
That portion may be stricken, but the remaining provisions shall
Remain effective.