

RESOLUTION NUMBER **TMBC863-08-10** OF THE DULY ELECTED AND CERTIFIED GOVERNING BODY OF THE TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

WHEREAS, the Turtle Mountain Band of Chippewa Indians, hereinafter referred to as the Tribe, is an unincorporated Band acting under a revised Constitution and By-Laws approved by the Secretary of the Interior on June 16<sup>th</sup>, 1959 and amendments thereto approved; and

WHEREAS, Article IX (a) Section 1 of the Turtle Mountain Constitution and By-Laws empowers the Tribal Council with the authority to represent the Band and to negotiate with Federal, State, and Local Governments and with private persons; and

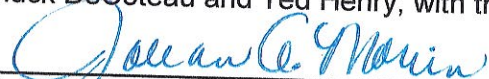
WHEREAS, Article VII Section 1 of the Turtle Mountain Constitution and Bylaws requires a 30-day comment period prior to the adoption of any ordinances or amendments to the Tribal Code, whether proposed by resolution or otherwise. Adoption must occur through a roll call vote of the Tribal Council at a publicly held meeting; and

WHEREAS, the Tribe proposed a Curfew and Noise Ordinance in order to provide for violations of late and unusual hours, potential misconduct of minors and adults providing unnecessary noise during the late night and early morning hours in public places under the tribe's jurisdiction and approved by Resolution No. TMBC768-06-10, a thirty-day (30) comment period for the proposed amendments into Title 26, Section 26.11 of the Tribal Code; now

THEREFORE BE IT RESOLVED that the Tribe is approving the amendments to Title 26, Section 26.11 of the Tribal Code for the adoption of a Curfew and Noise Ordinance.

CERTIFICATION

I, the undersigned Tribal Secretary of the Turtle Mountain Band of Chippewa Indians, do hereby certify that the Tribal Council is composed of nine (9) members of whom **six (6)** constituting a quorum were present at a meeting duly called, convened and held on the **24<sup>th</sup> day of August, 2010**, that the foregoing resolution was adopted by an affirmative vote of **five (5) in favor** – Representatives Jim Baker, Cindy Malatterre, Vincent McCloud, Janice Azure and Betty Swain; three (3) absent-Representatives Troy DeCoteau, Chuck DeCoteau and Ted Henry; with the Chairman not voting.

  
Jolean A. Morin, Tribal Secretary

SIGNED INTO LAW/Dated this 31 day of August, 2010  
 VETOED/Dated this \_\_\_\_ day of \_\_\_\_\_, 2010

  
Richard Marcellais, Chairman



Received in Administration

SEP 2 2010

TMA, Turtle Mountain Agency - AT1  
Agent Superintendent