

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, Captain Andrew Kane of the Whiteriver Police Department has recommended to the Tribal Council that the Tribal Liquor Ordinance should be amended to provide that those persons subject to tribal criminal prosecution and jurisdiction may be punished by incarceration up to a maximum of 180 days and/or payment of a \$500.00 fine for violating the Ordinance; and

WHEREAS, he further recommends that the Ordinance be amended where appropriate to impose upon public modern dances a curfew of 1:00 a.m., and that the sponsors of any public modern dance be required to clean up any public area, and that failure to do so will make them civilly liable for the costs of clean-up conducted by the Police Department; and

WHEREAS, Chief Kane further recommends that Section IX, providing for the imposition of a tax of 5% be enforced and that the proceeds be transferred to the Detox Center or in the alternative, that if the tax is not enforced that the fines and penalties collected by the Tribal Court for violation of the Liquor Ordinance be transferred to the Detox Center in order to aid in the treatment of alcoholism on the reservation; and

WHEREAS the Tribal Council desires to study these recommendations and directs the Tribal Attorney to draft the appropriate Ordinance language for public posting and further consideration.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Attorney to draft an amendment to Section XI(c) of the Tribal Liquor Ordinance to provide that those persons subject to tribal criminal jurisdiction and prosecution may be punished up to 180 days in jail and/or a \$500.00 fine for violating the Liquor Ordinance.

BE IT FURTHER RESOLVED by the Tribal Council that it directs the Tribal Attorney to further amend the Liquor Ordinance to provide that the sponsors of public modern dances must obey a 1:00 a.m. curfew and be responsible for clean-up of any public area, or

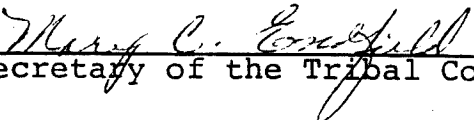
otherwise be liable civilly for the costs of clean-up conducted by the Police Department.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs that an amendment be drafted for the imposition of a 5% tax on the sale of liquor on the Fort Apache Indian Reservation, and that said monies be collected quarterly and transferred to the Tribal Detox Center as supplemental financing for the Detox Center operation, or alternatively, that all fines and penalties collected pursuant to Section XI(c) be transferred to the Detox Center for operation expenses.

BE IT FURTHER RESOLVED by the Tribal Council that it directs that an amendment be drafted by the Tribal Attorney for further study by the Tribal Council prior to posting.

The foregoing resolution was on August 27, 1985, duly adopted by a vote of 9 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i&q) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984)


Chairman of the Tribal Council


Secretary of the Tribal Council

SEP 06 1985
SEP 06 1985
SEP 06 1985