



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

(Amending Resolution No. 06-2020-134 to Lift  
the Shelter-in-Place Order Immediately)

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**WHEREAS,** The Constitution of the White Mountain Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power, “To represent the Tribe and act in all manners that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this constitution”; and

**WHEREAS,** The World Health Organization declared a Public Health Emergency of International Concern regarding COVID-19 on January 30, 2020. The U.S. Department of Health and Human Services declared a Public Health Emergency related to COVID-19 on January 31, 2020. The Tribe issued an Emergency Declaration due to COVID-19 on March 12, 2020; and

**WHEREAS,** The Tribal Council has enacted Resolutions that take strict precautionary measures to protect the health and safety of the public, including the implementation of a 57-Hour Lockdown, followed by a Shelter-in-Place Order which is currently active; and

**WHEREAS,** The Tribal Utility Authority (“TUA”) and the Emergency Operations Center (“EOC”) have briefed the Tribal Council that recent breaks in the water lines are causing extreme low to no pressure in certain communities, which is now posing an additional health risk due to no potable water for drinking, washing, cleaning, and/or other domestic purposes during this two-week Shelter-in-Place Order; and

**WHEREAS,** In the interest of public health and safety, and due to the recent water breaks causing low to no pressure to certain Tribal communities and high temperatures state-wide, the Tribal Council now finds it in the best interest of its members and the general public to now lift the Shelter-in-Place Order.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby lifts the Shelter-in-Place Order, effective immediately, in order for residents to obtain water as necessary.

**BE IT FUTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby re-institutes the Stay-at-Home Order and all prior COVID-19-related Resolutions, effective immediately, including but not limited to the following:

1. At all times, masks must be worn in public.

**Resolution No. 07-2020-160**

2. Curfew is imposed between the hours of 8:00 P.M. and 5:00 A.M. during which it shall be unlawful for any person subject to the curfew to be present or travel upon any street or road, or public property, unless such travel is necessary to obtain medical assistance or travel to or from work, as deemed essential. In addition, individuals traveling to and from work during the restricted hours must carry their work badge and/or a letter from their employer indicating their schedule.
3. Loitering in any public (non-residential) place, at any time, shall be strictly prohibited.
4. No sheltering by visitors on the Fort Apache Indian Reservation (“FAIR”). (“Visitors” is defined by anyone that does not currently reside on the FAIR. “Sheltering” includes any person staying on the FAIR, whether in a house, tent, RV, vehicle, or any other structure.)
5. Sundown Liquor Store shall remain closed indefinitely.
6. All stores, including the convenience stores and Basha’s, shall close daily at 7:00 P.M.
7. No children under the age of 14 shall be permitted inside any store.
8. All convenience stores shall limit the number of people inside (including employees and customers) to no more than 10 individuals at any given time. Additionally, Basha’s shall follow the CDC guidelines for the store limit based upon its square footage, and shall implement social distancing protocols and protective measures.
9. Exercise is permitted, subject to the following conditions: no exercising in groups; must be conducted during the hours permitted by the curfew; masks must be worn if in close contact with other individuals; and all exercise shall be conducted adjacent to a person’s homesite or within community boundaries or city limits.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that persons found to be in willful violation of these measures shall be civilly liable to the Tribe in the following manner:

- A. \$1,000.00 fine per violation; *and*
- B. Loss of Tribal Member privileges, including but not limited to: hunting; fishing; antler hunting; and water utility bills.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that this Resolution shall not act to lift or repeal other consistent measures enacted by Council in response to the COVID-19 pandemic, provided that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

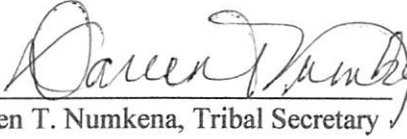
The foregoing resolution was on JULY 11, 2020 duly adopted by a vote of EIGHT for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so

**Resolution No. 07-2020-160**

ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

  
Gwendena Lee-Gatewood, Chairwoman

7-11-2020  
Date

  
Doreen T. Numkena, Tribal Secretary

7-11-2020  
Date