

**ORDINANCE OF THE GOVERNING BODY  
OF THE  
DUCK VALLEY SHOSHONE-PAIUTE TRIBES**



**ORDINANCE NO. 93-SPO-03**

BE IT ENACTED BY THE GOVERNING BODY OF THE SHOSHONE-PAIUTE TRIBES OF THE DUCK VALLEY INDIAN RESERVATION THAT,

WHEREAS, Article V. Section 4 of the Constitution and Bylaws of the Shoshone-Paiute Tribes gives the Business Council the power to enact Ordinances, and

WHEREAS, A Federal law. published in the Code of Federal Regulations. Listed as 40 CFR §257 and §258 and Published in the Federal Register. Volume 56. Number 196 on October 9. 1991 does require the closing of all open pit dumpsites which are publicly owned or are located on public land by October 9. 1993. And requires the strict governmental control of the sites where Municipal Solid Waste may be disposed of. And

WHEREAS, the dumping of common household wastes and garage. Hereinafter referred to as Municipal Solid Waste. Along the roadways and in burrow pits on the Duck Valley Reservation has become so common that it has become a hazard to the Public Health and Welfare. And

WHEREAS, the Business Council may enact Ordinances to protect the Public health and to promote the General Ecology of the Tribal Lands which are Held in Trust for Future Generations. And

NOW THEREFORE BE IT ENACTED, that the Shoshone Paiute Business Council hereby adopts the following ordinance:

The dumping of Municipal Solid Waste on any Publicly Held Lands on the Duck Valley Reservation except the designated Municipal Dump located between Newtown and the Tribal Headquarters East of Nevada State Highway 225 is forbidden.

BE IT FURTHER ENACTED, that the dumping of Municipal Solid Waste on an assignment which causes an endangerment to Public Health or Safety is forbidden

BE IT FURTHER ENACTED, that the dumping of any other form of disposal of Municipal Solid Waste, Hazardous Solid Waste, and Biological Hazardous Waste which is the product of residences or facilities under the administration of the Bureau of Indian Affairs, Indian Health Service or any other Federal agency is forbidden at the Municipal Dump and at all other locations within the confines of the Duck Valley Reservation.

BE IT FURTHER ENACTED, that the dumping or any other form of disposal by non residents of the Duck Valley Reservation is forbidden.

BE IT FURTHER ENACTED, that the penalty for violations of this ordinance shall be not less than a \$50.00 fine and one weekend of incarceration in the Owyhee Jail. During said incarceration and under the direction of the Jailing Authority, the violator shall be compelled to pick up litter from along the roadways of the Duck Valley Reservation or from any other site on the Duck Valley Reservation deemed by the Shoshone-Paiute Business or appropriate.

BE IT FURTHER ENACTED, that in lieu of the previously listed penalty the violator may be afforded the option of paying a fine of \$100.00 and serving four days in the Owyhee Jail for the first offense.

BE IT FURTHER ENACTED, that the Maximum Penalty shall be a fine of \$1,000.00 and six months in the Owyhee Jail during which time not less than Five Hundred hours time shall be devoted to the clean-up of litter and Solid Waste from the Duck Valley Reservation.

### **CERTIFICATION**

The foregoing Ordinance was adopted on the 31<sup>st</sup> day of August, in the year 1993, by a vote of 5 FOR 0 AGAINST with 0 ABSTENTIONS with 1 ABSENT. By the Shoshone-Paiute Business Council pursuant to the authority vested in it by Article VI. Section 1(k) of the Constitution and Bylaws of the Shoshone-Paiute Tribes of the Duck Valley Reservations. Nevada/Idaho, ratified by the Tribes on March 21, 1936. Pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (47 Stat. 984) as amended.

/s/ Lindsey Manning  
LINDSEY MANNING. Tribal Chairman  
Shoshone-Paiute Tribes

/s/ Charlita Thacker  
CHARLITA THACKER. Tribal Secretary  
Shoshone-Paiute Tribes

DISAPPROVED

/s/xxxxxxxxxx  
SUPERINTENDENT Eastern Nevada Agency

9/13/93  
DATE