

Resolution No. 2020-RS-30



**RESOLUTION OF THE
RENO-SPARKS TRIBAL COUNCIL**

WHEREAS, Reno-Sparks Indian Colony is organized pursuant to the provisions of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984, 25. U.S.C. 476), as amended, to provide for certain rights of home rule and to be responsible for the general welfare of its membership; and

WHEREAS, the Tribal Council of the Reno-Sparks Indian Colony is empowered under Article VI, Section 1 of the Constitution and Bylaws of the Reno-Sparks Indian Colony, to enact legislation for the purpose of safeguarding and promoting the safety, and general welfare of the members of the Colony;

WHEREAS, the Tribal Chairman, declared a State of Emergency on March 13th, 2020 due to the COVID-19 pandemic that is currently spreading; and

WHEREAS, the Reno-Sparks Indian Colony hereby extends the State of Emergency until April 30th, 2020; and

WHEREAS, close, proximity to other persons is currently contraindicated by public health and medical best practices to combat COVID-19; and

WHEREAS, recreational social gatherings unnecessarily extend periods of interpersonal contact and promulgates spread of COVID-19; and

WHEREAS, the rate of community spread of COVID-19 can only be reduced by minimizing contact between infected persons and non-infected persons; and

WHEREAS, public health experts and epidemiologists indicated that COVID-19 may spread from infected person to non-infected persons prior to the noticeable symptoms of the infected person; and

WHEREAS, immediate containment of the spread of COVID-19 is vital to protect the Health and Safety of the Reno-Sparks Indian Colony.

WHEREAS, Tribal Council has promulgated in various directives who is an essential employee and who is essential employee; and

WHEREAS, The Reno-Sparks Indian Colony Tribal Council objective is to deter unnecessary social gatherings to contain COVID-19; and

WHEREAS, The Reno-Sparks Indian Colony desires to limit the spread of COVID-19 by issuing the following additions to the Law and Order Code Title IV. Criminal Offenses Chapter 10 Offenses against Public Order and Safety; and

WHEREAS, The Tribal Council has the inherent sovereign powers to waive all provisions of Ordinance 29 including the posting and reading requirements of Ordinance 29 due to the emergency caused by COVID-19 and Tribal Council hereby exercise that right.

NOW, THEREFORE, BE IT RESOLVED, Law and Order Code Title IV. Criminal Offenses Chapter 10 Offenses against Public Order and Safety is hereby amended with the following 2 laws:

Section 4-10-110. Mandatory Curfew

It will be unlawful for any person, other than an essential persons carrying out the performance of their essential duties and or functions to be outside of their home between the hours of 9 P.M Pacific time (PT) until 5 A.M Pacific time (PT) on all RSIC lands. Persons may only be outside of their homes outside of this mandatory curfew to obtain emergency medical services.

- (i) A first time offender of this Mandatory Curfew will be charged with a civil fine not to exceed \$500.00.
- (ii) A second time offender of this Mandatory Curfew will be charged with a mandatory civil fine of \$500.00.
- (iii) A third time or more offender of this Mandatory Curfew will be charged with a Class A offense.

Section 4-10-111 Stay at Home Order

All persons are hereby ordered to stay in their residences on RSIC lands. Gathering of individuals outside the home are prohibited subject to the following exceptions:

(a) Persons may leave their residences to provide services, perform necessary work, or obtain services from Essential Healthcare operations including going to and from obtain medical services, assisting and taking care of elders, taking care of themselves, pets, or those in their household.

(b) Persons may leave their residences to provide services or perform work necessary to operations of Essential Infrastructure operations as determined by Tribal Council or various directives by RSIC managers and Directors pursuant to Tribal Council Directives.

(c) Persons may leave their residences to perform work necessary to obtain services or goods necessary from other Essential Licensed businesses.

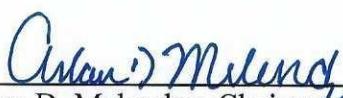
(d) Persons may leave their residences to obtain necessary services or supplies for themselves and their family. Such necessary services or supplies include, but not limited to food, household products necessary to maintain the safety, sanitation, and essential operation of their residences.

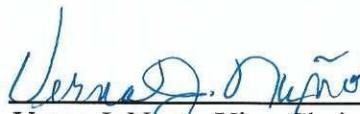
- (i) A first time offender of this Stay at Home Order will be charged with a civil fine not to exceed \$500.00.
- (ii) A second time offender of this Stay at Home Order will be charged with a mandatory civil fine of \$500.00.
- (iii) A third time offender or more of this Stay at Home Order will be charged with a Class A offense

NOW THEREFORE BE IT FURTHER RESOLVED, that Sections 4-10-110 and Section 4-11-110 in this Resolution are hereby adopted and are now the law of the Reno-Sparks Indian Colony as of the date of this Resolution and will only be in effect until April 30th, 2020 or until Tribal Council rescinds or extends it further by Resolution.

CERTIFICATION

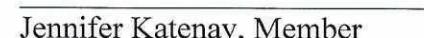
We, the undersigned members of the Reno-Sparks Indian Colony, hereby certify that the Tribal Council, composed of nine (9) members, of whom five (5) constitutes a quorum, have affixed their signatures and that the foregoing resolution was duly adopted on this 3rd day of April 2020, pursuant to authority contained in the Constitution and Bylaws of the Reno-Sparks Indian Colony.

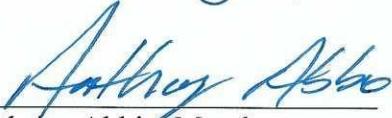

Arlan D. Melendez, Chairman


Verna J. Nuno, Vice-Chairman

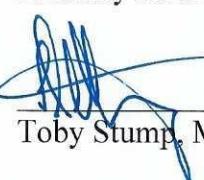

Robin M. Eagle, Treasurer


Marlene Yarrow, Secretary


Jennifer Katenay, Member


Anthony Abbie, Member


Nida Harjo, Member


Toby Stump, Member


Derek Imus, Member