



Pride of the Ojibwe

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RESOLUTION NO. 2023-51

LAC COURTE OREILLES BAND OF LAKE SUPERIOR INDIANS TRIBAL CODE OF LAW AMENDMENTS TO THE ATV/UTV CODE VEH.4 VEHICLES

WHEREAS, the Lac Courte Oreilles Band of Lake Superior Chippewa Indians is a federally recognized Indian tribe ("Tribe") organized pursuant to the provisions of the Indian Reorganization Act of 1934, 25 U.S.C. §5101, et seq.; and,

WHEREAS, the Tribal Governing Board serves as the governing body of Lac Courte Oreilles Band of Lake Superior Chippewa Indians pursuant to Article III, § 1 of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians; and

WHEREAS, pursuant to Article V, including, but not limited to, Sections 1 (q) and (s) of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, empowers the Tribal Governing Board to: "establish a tribal court for the purpose of enforcing tribal ordinance" Article V, Section 1 (q) and "to promulgate and enforce ordinances governing the conduct of members of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin and providing for the maintenance of law and order and the administration of justice by establishing a tribal court and defining its duties and powers" Article V. Section 1 (s); and

WHEREAS, The Lac Courte Oreilles Tribal Governing Board is authorized to regulate operations of all-terrain vehicles and utility terrain vehicles, (hereinafter "ATV/UTV") on the Reservation and to establish safety regulations for safe use; and

WHEREAS, the Tribe has amended and edited the Code as follows to allow for increased access to the ATV/UTV trails for tribal members; and

WHEREAS, to encourage registration of all ATV/UTV with the Tribe.

NOW THEREFORE BE IT RESOLVED, that the following changes are approved and adopted by the Tribal Governing Board to increase access to ATV/UTV trails within the Reservation and to encourage registration of all ATV/UTV vehicles for the safety of all uses.

Section 1. To amend Section VEH.4.3.040(a) as follows:

(a) Hours of Operation for recreational use of ATV/UTV on the Lac Courte Oreilles Reservation shall be from 6:00 A.M. until 11:00 P.M Sunday through Saturday.

Section 2. To remove the word “City” from the title in Section VEH.4.3.070.

Section 3. To amend Section VEH.4.3.070 as follows:

The roads in the Northwoods Beach residential area may be used by Tribally registered ATV/UTV users pursuant to VEH.4.4.030.

Section 4. To remove the following from Section VEH.4.3.070:

Nothing in this section shall be construed as permission of the tribe for ATV/UTV and the tribe and all agents are not liable for the use of ATV/UTV operations under this section.

Section 5. To amend Section VEH.4.4.010 as follows:

A duly appointed and designated Lac Courte Oreilles Tribal Police Officer, and the Lac Courte Oreilles Conservation Wardens, are authorized to enforce the provisions of this chapter and to cite individuals for violation thereof into Tribal Court.

Section 6. To amend Section VEH.4.4.020 by including the word “have” as follows:

The Tribal Court shall have personal and subject matter jurisdiction.....

Section 7. To add three sections to VEH.4.4.030 as follows:

(e) LCO Tribal members shall register their ATV/UTV, however, tribal members registration fee shall be waived if a valid LCO Tribal ID is provided at the time of registration.

(f) Falsification of ATV/UTV use permit is subject to all penalties included in VEH.4.5.010.

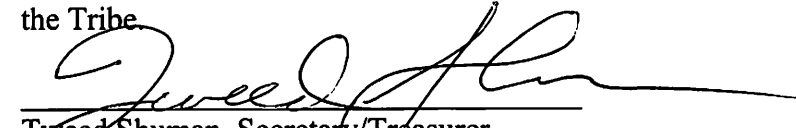
(g) The illegal transfer of ATV/UTV permit is subject to all penalties included in VEH.4.5.010.

Section 8. To add the words “outside of” to Section VEH.4.5.010(b) as follows:

...and remove the vehicle outside of the Reservation boundary.

CERTIFICATION

I, the undersigned, as Secretary/Treasurer of the Lac Courte Oreilles Tribal Governing Board, hereby certify that the Tribal Governing Board is composed of seven (7) members, of whom 6 being present, constituted a quorum at a meeting thereof, duly called, convened, and held on this 10th day of May 2023, that the foregoing Resolution was duly adopted at said meeting by an affirmative vote of 5 members, 0 against, 0 abstaining, and that said Resolution is a lawful act of the Tribe.



Tweed Shuman, Secretary/Treasurer
Lac Courte Oreilles Tribal Governing Board