

PRAIRIE ISLAND INDIAN COMMUNITY CONDUCT ORDINANCE

Section 1.1 Declaration of Policy: It is the policy of the Prairie Island Indian Community to protect the safety and welfare of persons within the Community by strictly regulating conduct which (1) unreasonably threatens the health or safety of the public, or (2) unreasonably and substantially interferes with an individual's right to enjoy the reasonable use and occupancy of their property.

Section 1.2. Definitions:

A. "The Community" shall mean all land which is held in trust by the United States for the benefit of the Prairie Island Indian Community.

B. "Disorderly Conduct" shall mean any of the following acts by an individual who knows or has reason to know that such acts will unreasonably annoy, injure, or endanger the safety, health, morals, and comfort of persons within the Community:

- (1) Engages in brawling or fighting;
- (2) Disturbs an assembly or meeting;
- (3) Engages in offensive, obscene, or abusive language or in a boisterous and noisy manner tending reasonably to arouse alarm, anger, or resentment in others;
- (4) Maintains or permits a condition on his or her property which unreasonably annoys, injures or endangers the safety, health, morals, and comfort of persons within the Community; or
- (5) Interferes with, obstructs, or renders dangerous for passage, any public highway or right-of-way used by the public.
- (6) Violates a Tribal Council Banishment Resolution.

Section 1.3. Penalties for Violation: Any person who engages in disorderly conduct pursuant to the terms of this Ordinance shall be subject to the following civil penalties:

A. For a conviction of a first offense, a civil fine of Two Hundred Fifty and NO/100 (\$250.00) dollars.

B. For a second conviction within one year of a first conviction, a civil fine of Five Hundred and NO/100 (\$500.00) dollars.

C. For three or more convictions within one year of a first conviction, the loss of any and all per capita payments from the net proceeds of tribal gaming for a period of six months (if such individual is a member of the Community), or a civil fine of one thousand dollars (\$1,000.00), whichever is greater.

Section 1.4 Jurisdiction of Prairie Island Indian Community Tribal Court The Tribal Court of the Prairie Island Indian Community shall have jurisdiction to enforce the provisions and penalties of this Ordinance upon a presentation of a complaint by the Community Council (“Council”) or persons designated by the Council. Prosecution of the complaint may be carried out by the Council or by a person designated by the Council notwithstanding whether such person is an attorney and notwithstanding whether such person has been admitted to practice law before the Tribal Court.

Section 1.5 Applicability: This Ordinance shall apply to members and non-members of the Prairie Island Indian Community.

Section 1.6 Severability: If any part of this Ordinance is found to be invalid by a court of competent jurisdiction or by the Department of the Interior, it shall be severed and the remaining parts of the Ordinance shall remain in full force and effect.

Section 1.7 Effective Date: This Ordinance shall become effective immediately upon passage of the Community Resolution adopting this Ordinance.