

**SANITATION CODE
FOR THE
PRAIRIE ISLAND BAND
OF THE MDEWAKANTON SIOUX

OCTOBER 1985**

SECTION I - DEFINITIONS.

FOR THE PURPOSE OF THIS ORDINANCE, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS SET FORTH IN THIS SECTION.

1. **AT LARGE** - Any dog which is off the owner's premises and not under control of the owner or a member of the owner's immediate family.
2. **PRAIRIE ISLAND HEALTH BOARD** - Tribal organization responsible for all health related matters.
3. **HEALTH ADVISOR** - Indian Health Service Sanitarian
4. **BUILDING** - Any structure built for the support, shelter or enclosure of persons, animals, belongings or property of any kind.
5. **BUSINESS ESTABLISHMENT** - Any building used for commercial or business activities.
6. **CAMPGROUNDS** - Any tract of land used by ten or more persons for temporary living or associated activities.
7. **CELEBRATION OR PUBLIC GATHERING** - Any planned activity involving the attendance of thirty or more persons for a period of four or more hours or where food service is provided.
8. **COLLECTION SERVICE** - That organization charged by the Tribal Board of Health with the collection and disposal of solid waste on the Prairie Island Reservation.
9. **DOG** - Any canine animal six months of age or more.
10. **DWELLING UNIT** - One or more rooms in a building designed for occupancy by one family for the purpose of residing and having not more than one kitchen.
11. **DWELLING** - A building or portion thereof designed or used as a residence.
12. **DWELLING (SINGLE-FAMILY)** - A building designed or used as a residence for one and only one family.
13. **DWELLING (MULTI-FAMILY)** - A building or used as a residence for two or more families.
14. **FOOD SERVICE** - Handling, preparing, serving, or otherwise coming in contact with food or drink or public consumption or with utensils used for preparation, storage, serving or consumption of such food or drink.
15. **FOOD SERVICE ESTABLISHMENT** - Any establishment in which food or drink is prepared or provided for the public.

16. **GARBAGE** - Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food including but not limited to: wastes from markets, storage facilities, handling and sale of produce and other food products.
17. **NUISANCE** - Any conditions which may in any way prejudice health, safety, or the general well-being of the public.
18. **PERSON** - Any individual, firm, company, organization, partnership, corporation, associations, or governmental unit.
19. **PREMISES** - Any place, land building, or structure.
20. **PUBLIC HEALTH SERVICE RECOMMENDED STANDARDS** - Official publications of the U.S. Public Health Service pertaining to the procedures or establishment involved. Where applicable Public Health Service publications are not available, the Health Board shall designate appropriate national or state standards or guidelines. Copies of standards and guidelines shall be on file and available for inspection at the Tribal Office
21. **PUBLIC NUISANCE** - Nuisance.
22. **PUTRESCIBLE WASTES** - Discarded materials of an organic composition which decompose or rot to form foul smelling products.
23. **RUBBISH** - All non-putrescible wastes, except ashes, including but not limited to cans, paper, glass, wood and scrap metal.
24. **SEWAGE DISPOSAL SYSTEM** - Any individual or community installation constructed for the purpose of treatment and disposal of human wastes, including but not limited to: pit privies, septic tanks, drainfields, service lines, sewer mains, interceptor lines, and interior plumbing.
25. **SOLID WASTE AND REFUSE** - All putrescible and non-putrescible discarded materials (except body wastes) including but not limited to: garbage, rubbish, ashes, dead animals, abandoned vehicles and machinery, construction, demolition, and industrial wastes.
26. **TEMPORARY FOOD SERVICE** - Any food service which operates for a temporary period of time, not to exceed two weeks, in connection with a fair, celebration, exhibition, or similar public gathering, including mobile food service establishments.
27. **TRIBAL COUNCIL** - Tribal governing body responsible for the administrative management of all Tribal programs within the boundaries of the reservation or business owned by the Tribe outside the reservation.
28. **WATER SUPPLY AND DISTRIBUTION SYSTEM** - Any individual or community installation constructed for the purpose of providing potable water to a residence, place of business or other facility, including but not limited to: distribution mains, service lines, wells, and interior plumbing.

29. **ZONING** - The Tribal Planning Office shall be responsible for all land use zoning within the boundaries of the reservation.
30. **ZOONOSES** - Infections or infectious diseases of animals transmissible under natural conditions to man.
31. **INSTITUTIONAL** - Any building on the reservation which is commonly owned and used for business or community purposes.

SECTION II - DOMESTIC WATER SUPPLIES

1. **UNPROTECTED SOURCES PROHIBITED**

It shall be a violation of this ordinance for any person to construct, operate, or maintain a domestic water source on the Prairie Island reservation which is not adequately protected against contamination according to Public Health Service recommended standards.

2. **PERMIT FOR CONSTRUCTION REQUIRED**

It shall be a violation of this ordinance for any person to construct, alter, or extend a water supply and distribution system on the Prairie Island Reservation unless he holds a valid permit issued by the Prairie Island Tribal Council for the specific construction. Applications for permits shall be in writing, signed by the applicant, and include the following:

1. Name, Address, and Phone Number of the Applicant;
2. Location of the Proposed Construction.
3. Plans and Specifications for the Proposed Facility.

The Prairie Island Tribal Council shall refuse to grant a permit for construction of an individual water system where adequate community water system distribution lines are within 500 feet of the premise to be served. Applications shall be reviewed by the Tribal Council and written recommendation made before construction is approved. All water supply and distribution construction shall be inspected and approved by the Utilities and Water Board before being placed in service.

All construction shall also be subject to the provisions of the Prairie Island Indian Reservation Zoning Ordinance. Clearance through the Tribal Planning Office will be required.

3. **HAZARDOUS INSTALLATIONS**

No person shall install or maintain fixtures, equipment or devices which provide a cross-connection or allow backflow into a community or individual water supply. Public Health Service recommended standards shall be followed.

SECTION III - SEWAGE DISPOSAL FACILITIES

1. **UNAPPROVED SEWAGE DISPOSAL SYSTEMS**

It shall be a violation of this ordinance for any person to construct, operate, or maintain a sewage disposal system on the Prairie Island Reservation which fails to meet Public Health Service recommended standards.

2. **PERMISSION FOR CONSTRUCTION REQUIRED**

No person shall construct, alter, extend or connect to an individual septic tank, lagoon, cesspool system or community sewage system unless he has written permission for the specific construction from the Prairie Island Tribal Council or the Utilities and Water Board. All construction shall be subject to the provisions of the Zoning Ordinance.

3. **DISPOSAL OF PRIVY AND SEPTIC TANK CONTENTS**

Materials from any individual sewage disposal system shall be collected, transported, and disposed of in a manner approved by the Prairie Island Utilities and Water Board. Permits for septic tank pumper operators shall be required by the Prairie Island Utilities and Water Board and shall be renewed on an annual basis.

SECTION IV - SOLID WASTE MANAGEMENT

1. **STORAGE**

- A. All solid waste shall be stored so that it does not attract rats, flies, mosquitoes, or other disease-carrying vectors and does not constitute a safety hazard or public nuisance.
- B. Each residence shall be responsible for disposing of their solid waste materials in the community containers which have been provided outside of the community center.
- C. Certain types of rubbish may be temporarily stored in a manner other than containerization. Such waste includes bundled brush, bundled or tied newspapers, packing cases, and other similar materials which may be handled by the collection vehicle. These materials shall not be placed out for collection prior to 24 hours of the scheduled pick-up.
- D. Junk automobiles, appliances, and similar materials shall not be allowed to accumulate on the premises creating accident and health hazards. The owners shall be responsible for the disposal of this type of solid waste material in a manner acceptable to the Prairie Island Utilities and Water Board, such as, arranging for a salvage company to remove this type of material from the reservation.

2. **SOLID WASTE DISPOSAL**

Disposal of all solid waste material shall be in accordance with standards adopted by the Prairie Island Health Board. Copies of the standards shall be kept available for public use at the Tribal Office.

SECTION V - SANITATION AT CELEBRATIONS AND PUBLIC GATHERINGS

1. **SANITATION FACILITIES REQUIRED**

The following facilities shall be available to the public within 500 feet of the area used by those attending the celebration or public gathering.

- A. Safe water supply having ample quantity to meet the requirements of the maximum number of persons attending the gathering. When water must be transported by the sponsor or others to satisfy this requirement, it shall be transported, stored, and dispensed in a sanitary manner approved by the Prairie Island Health Board. The use of common drinking utensils is strictly prohibited.
- B. An adequate number of flush toilets, chemical toilets, or privies shall be provided and maintained in a clean and sanitary condition. The location and construction of such facilities shall not cause pollution or health hazards.
- C. Animal-resistant and fly-tight garbage and refuse containers shall be provided in adequate numbers to serve the number of persons attending the gathering. Such containers shall be emptied at least daily and more often if necessary. Contents shall be disposed of in accordance with the Solid Waste Section of this ordinance. The sponsor of a public gathering shall leave the grounds in a clean and sanitary condition.

SECTION VI - FOOD SANITATION

1. **TEMPORARY FOOD SERVICES**

- A. Any person who operates a temporary food service establishment must obtain written permission from the Tribal Council delegate.
- B. Temporary food services shall have posted on their premises copies of Public Health Service recommended standards for temporary food services. Recommendations contained therein shall be followed.
- C. The owners and operators of all temporary food service establishments shall admit the representative of the Prairie Island Health Board and/or Indian Health Service sanitarian to conduct routine sanitation inspections. Violations of this ordinance shall be immediately reported to the Prairie Island Health Board.

SECTION VII - INSTITUTIONAL SANITATION

Institutional facilities on the Prairie Island Indian Reservation shall be inspected by the Indian Health Service Sanitarian annually or as required by the Prairie Island Health Board to insure compliance with recognized institutional guidelines. Special attention shall be paid to food handling procedures. A written report shall be submitted to the Prairie Island Health Board subsequent to each inspection.

SECTION VIII - RECREATIONAL SANITATION

1. Youth camps, campgrounds sites, and picnic areas shall be on a well-drained area free of heavy undergrowth.
2. Youth camps, campgrounds, and picnic areas shall be provided with an adequate supply of safe drinking water. Water stations shall be properly drained to prevent standing water and shall be convenient to the camping or picnic sites. Where water under pressure is available, self-closing faucets shall be used. When water is unavailable at the site, it shall be transported, stored and dispensed in a sanitary manner approved by the Prairie Island Health Board, and shall be in compliance with U.S. Public Health Service recommendations.
3. Clean, safe and adequate toilet facilities shall be provided convenient to all campsites. Frequent maintenance shall be provided to avoid objectionable odors and nuisances.
4. An adequate number of refuse containers shall be provided convenient to each campsite and picnic area. Storage and disposal of refuse shall meet the requirements of the Solid Waste section of this ordinance.
5. Camps providing public or semi-public food services shall meet the requirements of appropriate sections of this ordinance regulating food service facilities.
6. The Prairie Island Board of Health shall request the Indian Health Service to inspect all recreational sites on an annual basis or as the need arises and provide a written report with recommendations according to U.S. Public Health Service recommended standards.

SECTION IX - MOBILE HOME AND TRAILER PARKS

1. It shall be in violation of this ordinance for any person to construct, alter, or extend any mobile home park or trailer court within the boundaries of the Prairie Island Indian Reservation unless he holds written permission issued by the Tribal Council for the specific construction and facilities. Such construction shall also be subject to the

provisions of the Prairie Island Indian Reservation Zoning Ordinance. Applications for permission shall be in writing, signed by the applicant, and shall include the following:

- A. NAME AND ADDRESS OF THE APPLICANT;
 - B. LOCATION AND LEGAL DESCRIPTION OF THE PROPOSED TRAILER PARK AREA;
 - C. COMPLETE ENGINEERING PLANS AND SPECIFICATIONS OF THE PROPOSED PARK AREA AND FACILITIES.
2. It shall be in violation of this ordinance for any persons to construct, alter, or extend any mobile home park or trailer court within the boundaries of the Prairie island Indian Reservation unless it is constructed according to recommended standards which are on file with the Prairie Island Health Board.
 3. Engineering plans, specifications, and construction must be approved and inspected by the Prairie Island Health Board and Utilities and Water Board.

SECTION X - MAINTENANCE OF LIVESTOCK AND OTHER ANIMALS

1. NUISANCES

- A. It shall be a violation of this ordinance to keep livestock, fowl, or other animals on tribal or private property in any manner which creates a public nuisance. Any development involving the raising or keeping of livestock shall be approved through the Tribal Zoning Office. Livestock shall not be allowed to roam about in residential area.
- B. Dogs shall not be allowed to be run at large in such manner as to be a public nuisance.
- C. Owners shall be responsible for the actions of their animals including restoration of damages caused by their animals. Owners of animals in violation of this ordinance shall also be subject to its enforcement provisions.
- D. Wild animals shall not be kept as pets on the reservation unless they are suitably confined so as to protect the public against diseases, physical danger, and nuisances.

SECTION XI - ENFORCEMENT

1. ENFORCEMENT

- The enforcement of this ordinance and any amendment or order pursuant hereto shall be the responsibility of the Prairie Island Tribal Council or their delegated representatives.
2. The Prairie Island Health Board shall be permitted to all premises at all reasonable times for the purpose of determining compliance with this ordinance.

3. **RIGHTS AND LIABILITIES**

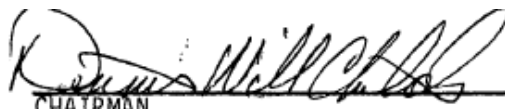
Any person may request a hearing before the Prairie Island Tribal Council to determine rights, duties and liability under this ordinance.

4. **EFFECT OF PARTIAL INVALIDITY**

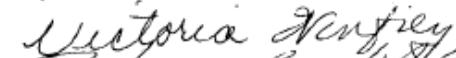
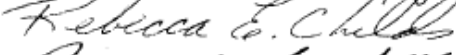

If any section, sentence, clause or phrase of this ordinance and any amendment or order pursuant hereto is found to be in conflict with any other rules and regulations, ordinance or code of the Prairie Island Tribe existing on the effective date of this ordinance, the provisions of this ordinance shall be deemed to prevail, and such other rules and regulations, ordinances or codes are hereby declared to be repealed to the extent they are in conflict with this ordinance and any amendment or order pursuant hereto shall be declared invalid, such decision shall not affect the remaining portions of this ordinance which shall have full force and effect.

5. **EFFECTIVE DATE**

This ordinance shall take effect and be in force from and after adoption by the Prairie Island Tribal Council and upon approval of the Secretary of the Interior.


CHAIRMAN 1-3-86
DATE


SECRETARY 1/3/86
DATE

	1-3-86	Vice-Chairperson
	1-3-86	Treasurer
	JAN-3-86	Assistant Secretary/Treas.