

HUALAPAI TRIBAL COUNCIL
RESOLUTION 44-2020
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OF THE HUALAPAI TRIBE OF THE HUALAPAI RESERVATION

Temporary Prohibition

WHEREAS, the Hualapai Tribe is a federally recognized Indian Tribe located on the Hualapai Indian Reservation in Northwestern Arizona; and

WHEREAS, the Hualapai Tribal Council has the power to represent the Tribe and act in all matters that concern the welfare of the Tribe pursuant to Article V(r) of the Hualapai Constitution; and

WHEREAS, the Incident Command Team (ICT) is recommending a Temporary Prohibition for the duration of COVID-19. The purpose of this resolution is to reduce public intoxication, domestic disputes in relation to alcohol consumption, minimize public activity, and to support efforts to slow the spread of COVID-19 and promote public safety

WHEREAS, the Hualapai Tribal Police Department and any other authorized commissioned officer to issue a citation as a civil sanction for the following violations below

WHEREAS, Intoxication

It shall be unlawful for any person to appear in any public place or in public view, such as an alley, roadway, private property, livestock ranching, etc. within the confines of the Hualapai reservation, under the influence of alcohol or other substances.

Offense 1: Any person guilty of this offense shall be sentenced to imprisonment for a period of 30 days and not to exceed 90 days and a fine not to exceed \$300.00. Refusal to take a BAC reading will result in a mandatory 14 days of imprisonment. In addition to any other penalties imposed.

Offense 2: Any person guilty will be removed from the Hualapai reservation until treatment is sought and complete

Alcohol Possession

It shall be unlawful for any person to appear in a public place in possession of alcohol. Possession includes carrying, concealing on your person, backpacks, purse, pockets, etc. Alcohol shall include beer, wine, whisky including based products such as mouthwash and hand sanitizer with the intent to impair an

individual. If containers are used to hold alcohol such as cups, bottles, or any apparatus holding alcohol is considered an open container.

Offense 1: Any person guilty of this offense will be sentenced for a period of 30 days and not to exceed 120 days of imprisonment and a fine not to exceed \$5,000.00.

Offense 2: Any person guilty will be removed from the Hualapai reservation until treatment is sought and completed

WHEREAS, any person caught selling alcohol shall be prosecuted under Sec. 6.276 Liquor Violation of the Hualapai Law and Order Code. Any person guilty of this offense may be sentenced to imprisonment for a period not to exceed six months, or a fine not to exceed \$4,000.00 or both.

WHEREAS, the Tribal Council authorizes the Hualapai Tribal Police and Commissioned Officers to search vehicles and suspicious homes for possession of alcohol with or without a warrant. If alcohol is found all alcohol possession will be confiscated and the individuals will be prosecuted under this resolution.

THEREFORE BE IT RESOLVED, that the Tribal Council approves a Temporary Prohibition for the duration of COVID-19 and authorizes the search of vehicles and homes by the Hualapai Tribal Police and Commissioned Officers.


CERTIFICATION

I, the undersigned as Chairman of the Hualapai Tribal Council hereby certify that the Hualapai Tribal Council of the Hualapai Tribe is composed of nine (9) members of whom (8) constituting a quorum were present at a Special Council Meeting thereof held on this 25th day of June, 2020; and that the foregoing resolution was duly adopted by the affirmative vote of (8) approve, (0) opposed, (1) excused, pursuant to the authority of Article V, Section (a) of the Constitution of the Hualapai Tribe approved March 13, 1991.



Dr. Damon R. Clarke, Chairman
Hualapai Tribal Council

ATTEST:



Shanna Salazar, Administrative Assistant
Hualapai Tribal Council