

HUALAPAI TRIBAL COUNCIL
RESOLUTION 47-2020
OF THE GOVERNING BODY OF THE
OF THE HUALAPAI TRIBE OF THE HUALAPAI RESERVATION

Amendment to Resolution 44-2020 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; and

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

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 alcohol based substances misused and/or repurposed with the intent intoxication.

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. A 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 shall include any and/or all of the following: carrying, concealing on your person, backpacks, purse, pockets, etc. Alcohol shall include

beer, wine, whisky, to include alcohol 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 it shall be considered an open container.

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

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

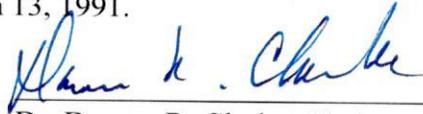
WHEREAS, any person caught selling alcohol shall be prosecuted under Sec. 6.276 Liquor Violation of the Hualapai Law and Order Code. Any person guilty of this offense may be sentenced to imprisonment for a period not to exceed six months, or a fine not to exceed \$4,000.00 or both.

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 Police Department with a legally obtained warrant.

THEREFORE BE IT FURTHER RESOLVED, Under no circumstances shall it be interpreted that those persons convicted, cited and/or other legal action brought against them under resolution 44-2020, be excused or excluded from legal responsibility associated with previous unlawful actions, nor shall any warning, infraction, citation, Conviction or incarceration be forgiven or start anew from previous unlawful occurrence(s).

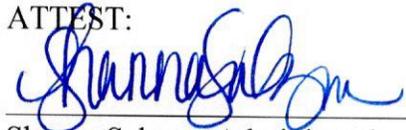
CERTIFICATION

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 **nine (9)** constituting a quorum were present at a **Special Council Meeting** thereof held on this **6th day of August 2020;** and that the foregoing resolution was duly adopted by the affirmative vote of **(9) approve, (0) opposed, (0) 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