

HUALAPAI TRIBAL COUNCIL  
**RESOLUTION NO. 83-2017**  
OF THE GOVERNING BODY OF THE  
HUALAPAI TRIBE OF THE HUALPAI RESERVATION

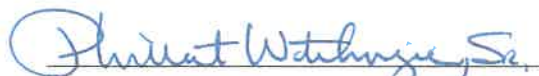
**(Establishment of Tribal Offices as Smoke Free Workplace also known as  
The Hualapai Tribal Tobacco Free Workplace)**

- WHEREAS,** the Hualapai Tribe is a federally recognized Indian tribe providing governmental services to the Tribal members of the Hualapai Indian Reservation; and
- WHEREAS,** the Hualapai Tribe seeks to promote and protect the health of tribal members and all persons within the jurisdiction of the Hualapai Tribe of Peach Springs.
- WHEREAS,** the Hualapai Tribe considers the health of its people to be of utmost importance, recognizes that smoking is hazardous to one's health and jeopardizes the health of others through secondhand and third hand smoke.
- WHEREAS,** the Hualapai Tribal Council is responsible to oversee its buildings, indoor facilities and tribal vehicles.
- WHEREAS,** at the Special Council meeting held on October 24, 2017, Ordinance No. 100-2017 was approved without a resolution with few additions to make the ordinance more stronger; and
- WHEREAS,** this resolution supersedes Resolution No. 18-94, Establishment of Tribal Offices as No Smoking Area; and
- WHEREAS,** there were minor corrections to the ordinance referencing Ordinance No. 100-2017 and the exact title "The Hualapai Tribal Tobacco Free Workplace."

**NOW THEREFORE BE IT RESOLVED,** that the Hualapai Tribal Council hereby approves Resolution No. 83-2017, Establishment of Tribal Offices as Smoke Free Workplace also known as The Hualapai Tribal Tobacco Free Workplace.

**CERTIFICATION**

I, the undersigned as Chairman of the Hualapai Tribal Council hereby certify that the Hualapai Tribal is composed of nine (9) members of whom **(8)** constituting a quorum were present at a **SPECIAL COUNCIL MEETING** thereof held on this **21<sup>st</sup> day of November, 2017**; and the foregoing resolution was duly adopted by a vote of **(8) for, (0) against, (0) not voting, and (1) excused**, pursuant to authority of Article V, Section (a) of the Constitution of the Hualapai Tribe approved March 13, 1991.

  
Philbert Watahomigie Sr., Vice Chairman  
Hualapai Tribal Council

ATTEST

  
Shanna Salazar, Administrative Assistant  
Hualapai Tribal Council



**Ordinance No. 100-2017**  
**of the Hualapai Tribe of Peach Springs**  
**Hualapai Tribal Tobacco Free Workplace**

**BE IT ENACTED BY THE TRIBAL COUNCIL OF THE HUALAPAI TRIBE:**

STATEMENT OF PURPOSE: An ordinance to promote and protect the health of its members and all other persons within the jurisdiction in the Hualapai Tribe of Peach Springs, in accordance with the Resolution No. 18-94 of the Governing Body of the Hualapai Tribe of the Hualapai Reservation & Chapter 4, Section 2 of the Hualapai Personnel Policies & Procedures Manual:

**ARTICLE 1 – INTRODUCTION**

- A. Short Title: This ordinance shall be known as The Hualapai Tribal Tobacco Free Workplace ordinance.
- B. Purpose: This ordinance is to promote and protect the health of its members and all other persons within its jurisdiction in the Hualapai Tribe.
- C. Authority: The authority for this ordinance is Resolution No. 18-94 of the Governing Body of the Hualapai Tribe, Ch. 4 Section 2 of the Hualapai Personnel Policies & Procedures Manual.
- D. Interpretation: The interpretation and jurisdiction of the Tobacco Free workplace ordinance lies solely with the Tribal Council.

**ARTICLE II – FINDINGS AND INTENT**

- A. The Hualapai Tribe is committed to protecting the public health, safety and welfare of the people of the Hualapai Tribe especially unborn children, elderly and people with respiratory illness.
- B. The Hualapai Tribe finds that smoking may be linked to the higher incidence of infant mortality as much as prenatal smoking reduces oxygen to the fetus, prenatal smoking results in increased prevalence of respiratory problems, bronchitis, and pneumonia among newborns, and smoking is also associated with Sudden Infant Death Syndrome. Tobacco Smoking can lead to lung cancer, chronic bronchitis and emphysema. It increases the risk of heart disease which can lead to stroke or heart attack. Smoking has also been linked to other cancers, leukemia, cataracts and pneumonia in adults.

- C. The Hualapai Tribal Good Health & Wellness Coalition has recommended the Hualapai Tribal Council adopt an ordinance establishing all Tribal buildings and all offices of the Hualapai Tribal Program as Smoke Free.
- D. Tribal Council considers the health of its people to be of utmost importance, and recognizes that smoking is hazardous to one's health and jeopardizes the health of others through secondhand and third hand smoke. To improve and maintain the well-being of tribal members.
- E. Tribal Council is responsible and oversees its buildings, indoor facilities and vehicles.

### **ARTICLE III – DEFINITIONS**

The following terms used in this ordinance have the following meanings unless the context clearly indicated otherwise:

- A. "Commercial Tobacco" is defined, but not limited to tobacco products such as cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, hooka or an electronic smoking device, not the sacred and indigenous uses of tobacco. "Tobacco product" means any product made or derived from tobacco that contains nicotine or other substances and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by other means.
- B. "Electronic smoking device" is defined as any electronic product that can be used to aerosolize and deliver nicotine or other substances to the person inhaling from the device, including but not limited to electronic cigarettes, electronic cigar, electronic cigarillo, electronic pipe, vaping, vapor products and any cartridge or other component of the device or related product.
- C. "Secondhand smoke" means the particulate matter, gases, and other by – products of combustion emitted from a lighted pipe, the lit end of a cigarette or cigar, or other form of commercial tobacco and also the exhaled by – products of tobacco combustion previously inhaled during the smoking of a pipe, cigarette, cigar or any other form of commercial tobacco.
- D. "Third hand smoke" is residual nicotine and other chemicals left on a variety of indoor surfaces by tobacco smoke. This residue is thought to react with common indoor pollutants to create a toxic mix.
- E. "Ceremonial purpose" means when an individual or individuals offer tobacco to carry the message of prayer.

**ARTICLE IV – REASONABLE DISTANCE**

- A. The Hualapai Tribal Council on the day of passing this (Ordinance/Policy) have made an area of 50 feet from front entrances of Tribal Buildings and facilities to be Tobacco/Smoke Free. Signs will be placed to distinguish these No Smoking areas through this Ordinance No. 100-2017.
- B. No person may smoke tobacco and other electronic smoking devices that the Hualapai Tribe and all Tribal Departments operate out of.
- C. This section does not prohibit the use of tobacco for ceremonial purposes.
- D. Signs are required to be posted in all Tribal buildings in a visible area to advise the persons of "No Smoking".

**ARTICLE V – EFFECTIVE DATE OF ORDINANCE**

This ordinance shall become effective upon approval by the Hualapai Tribal Council.

**CERTIFICATION**

I, the undersigned as Chairman of the Hualapai Tribal Council hereby certify that the Hualapai Tribe is composed of nine (9) members of whom 8 constituting a quorum were present at a REGULAR MEETING thereof held on this 24th day of October, 2017; and that the foregoing Ordinance was duly adopted by a vote of 7 for 0 against, 1 not voting, and 1 excused, pursuant to authority of Article V, Section (a) of the Constitution of the Hualapai Tribe approve the Hualapai Tribal Tobacco Free Workplace Ordinance.



Damon R. Clarke, Chairman  
Hualapai Tribal Council

ATTEST:



Shanna Salazar, Administrative Assistant  
Hualapai Tribal Council