

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## **BC Resolution # 03-10-21-B Emergency Management Law Citation Schedule**

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Emergency Management law (“the Law”) was adopted by the Oneida Business Committee through resolution BC-07-15-98-A and amended by resolution BC-12-20-06-G, BC-05-13-09-F, and BC-03-10-21-A; and
- WHEREAS,** the purpose of the Law is to provide for the development and execution of plans for the protection of residents, property, and the environment in an emergency or disaster; provide for the direction of emergency management, response, and recovery on the Reservation, as well as coordination with other agencies, victims, businesses, and organizations; establish the use of the National Incident Management System; and designate authority and responsibilities for public health preparedness; and
- WHEREAS,** the Law provides that it shall be a violation of this law for any person to not comply with or willfully obstruct, hinder, or delay the implementation or enforcement of the provisions of this law or any plan issued thereunder, whether or not an emergency has been proclaimed; and
- WHEREAS,** the Law allows an Oneida Police Department officer to issue a citation to any person who violates a provision of this law; and
- WHEREAS,** any citation issued for a violation of this Law shall be processed in accordance with the procedure contained in the Nation’s laws and policies governing citations; and
- WHEREAS,** the Trial Court shall have jurisdiction over any action brought under this law; and
- WHEREAS,** the Law delegates authority to the Oneida Business Committee to adopt through resolution a citation schedule which sets forth specific fine amounts for violations of this Law; and

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby sets forth the following citation schedule to be used for violations of the Emergency Management law:

<b>Violation</b>	<b>Reference</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>
Failure to follow the Community/Public Health Officer’s directive to quarantine, isolate, or take other communicable disease control measures	302.7-4(b) 302.7-5	\$100	\$200

Failure to comply with any mandate, order, or requirement issued by the Community/Public Health Officer which may limit the spread of any communicable disease	302.7-4(c)	\$100	\$200
Direct contact with an infected individual who the Community/Public Health Officer has prohibited contact with, without a special written permit from the Community/Public Health Officer	302.7-5(a)	\$100	\$200
Unauthorized entry into an isolation or quarantine premises	302.7-6(c)	\$100	\$200
Obstructing, hindering, or delaying the implementation or enforcement of a provision of this law or a plan issued under this law	302.10-1	\$100	\$200

**BE IT FINALLY RESOLVED**, the Oneida Business Committee hereby adopts this resolution which shall become effective on March 10, 2021.

#### CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 8 members were present at a meeting duly called, noticed and held on the 10<sup>th</sup> day of March, 2021; that the forgoing resolution was duly adopted at such meeting by a vote of 7 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
\_\_\_\_\_  
Lisa Liggins, Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."