

Chapter 11 – Anti-Dumping Ordinance

§ 1101 - Findings

- (a) The Tribal Council finds that the Grand Traverse Band retains the inherent sovereign authority to regulate access to its lands, and to regulate the behavior and conduct of individuals present upon those lands.
- (b) The Tribal Council finds that this authority is reaffirmed through federal case law, including, but not limited to, *Merrion v. Jicarilla*, 455 U.S. 130 (1982), *Water Wheel Camp Recreational Area, Inc. v. Larance*, 642 F. 3d 802 (2011), and *Atkinson Trading Co. v. Shirley*, 532 U.S. 645 (2001).

History: Tribal motion, enacted by the Tribal Council August 16, 2017.

§ 1102 - Purpose

The purpose of this ordinance is to provide for the civil regulation of non-member access to tribal lands, and to regulate such non-members' conduct while present.

History: Tribal motion, enacted by the Tribal Council August 16, 2017.

§ 1103 - Dumping prohibited

No person shall dump or cause to be dumped, or place or cause to be placed, or leave any garbage, refuse, rubbish, junk, debris, furniture, appliances, inoperative or derelict automobiles, boats, trucks, or other vehicles, or any parts thereof, or weeds or trash of a vegetative nature or any used or scrapped building materials on any lands or premises of the Grand Traverse Band, whether improved or unimproved.

History: Tribal motion, enacted by the Tribal Council August 16, 2017.

§ 1104 - Enforcement

The Tribal Police Department may issue a civil infraction citation to any person in violation of this ordinance. Such citation may carry a recovery of costs and compensation to the Grand Traverse Band of up to five thousand dollars (\$5,000) assessed by the Tribal Court.

History: Tribal motion, enacted by the Tribal Council August 16, 2017.

§ 1105 - Limitation

Nothing about this ordinance shall limit the ability of members of the Grand Traverse Band to participate in designated "clean-up" seasons designated by the Tribal government by following the directives for such participation.

History: Tribal motion, enacted by the Tribal Council August 16, 2017.