

ST. CROIX CHIPPEWA INDIANS OF WISCONSIN

TRESPASS TO TRIBAL BUSINESS PREMISES ORDINANCE

Section 101. Title. This ordinance shall be known as the Trespass to Tribal Business Premises Ordinance.

Section 102. Authority. This ordinance is enacted pursuant to those powers vested in the Tribal Council pursuant to Article V, of the Constitution and By-Laws of the St. Croix Chippewa Indians of Wisconsin.

Section 103. Effective Date. The effective date of is ordinance shall be March 23, 1994, as adopted by Resolution No. 3-23-94.

Section 104. Purpose. The purpose of this ordinance is to regulate the conduct of persons whose presence on tribal business premises poses a threat to tribal interests.

Section 105. Definitions. (a) "Owner" shall mean the St. Croix Chippewa Indians of Wisconsin.

(b) "Business premises" shall mean: any tribally owned facility and surrounding lands whereon the business of the owner is conducted. "Business premises" of the owner shall include any structure and surrounding lands whereon federal, state, or tribal program contracts are administered; any structure and surrounding lands whereon tribal gaming enterprises are situated; and any structure and surrounding lands whereon internal tribal government or business affairs are conducted. "Lands" shall mean all lands held in trust by the United States for the benefit of the St. Croix Chippewa Indians of Wisconsin; and all such other lands owned by the St. Croix Tribe. "Persons" shall mean any individual or offending instrumentality, including personal property of the individual.

Section 106. Jurisdiction. The St. Croix Tribal Court shall have exclusive jurisdiction to enforce the provisions of this ordinance.

Section 107. Actions. All actions hereunder shall be civil in nature and governed by applicable rules of procedure.

Section 108. Trespass to Business Premises. (a) Any person who intentionally enters a business premises of the owner without consent of the owner and who interferes with business activity through conduct tending to provoke a breach of the peace, shall be guilty of trespassing. Conduct prohibited under this chapter includes conduct having any tendency to interfere with the interests of the owner, physical and financial, which lessens the possibility of use and enjoyment of the those interests.

(b) Physical interference includes unprivileged intrusions and encroachments; the injury may be surface, subsurface or suprasurface; the injury may arise from conduct on the owner's

property, or from conduct outside owner's property which affect owner's property.

Section 109. Notice. Where notice has been given that a person is prohibited from entry onto the business premises of the owner, entry by that person shall be unprivileged and without consent of the owner.

Section 110. Enforcement. (a) The authority to remove offending persons from owner's business premises shall be vested with business operations management, security personnel, and other personnel as authorized by the owner for such purposes. Removal personnel shall utilize only such minimum physical contact as is necessary to effect the removal.

(b) The St. Croix Tribal Warden shall be responsible for the issuance of citations to persons violating the provisions of this ordinance.

(c) Violations under this chapter shall be punishable by a fine of up to \$5000, and other relief, legal or equitable, the court may deem appropriate.

St. Croix Tribal Council

TRIBAL COUNCIL

Taylor
Chairman
Lake Community

P.O. Box 287

Hertel, Wisconsin 54845

(715)349-2195

Fax (715)349-5768

Devery Benjamin
Vice-Chairman
Danbury Community

RESOLUTION 3-23-94-1

Curtis Bearhart
Secretary/Treasurer
Maple Plain Community

WHEREAS, the Tribal Council is the governing body for the St. Croix Chippewa Indians of Wisconsin; and

Leo Butler
Tribal Administrator
Sand Lake Community

WHEREAS, the Tribal Council maintains as a paramount concern to preserve and protect the use of tribal lands and tribal businesses operated thereon from offensive intrusions; and

Phyllis Lowe
Member
Round Lake Community

WHEREAS, the Tribal Council has observed that such intrusions detrimentally affect the tribal interests therein; and

EXECUTIVE SECRETARY

WHEREAS, the Tribal Council recognizes that the lack of appropriate tribal legislation impairs the ability of tribe to effectively preserve and protect the tribal interests threatened by such intrusions; and

Mary Hartmann

COMPTROLLER

Grace E. Plaster

ACCOUNTANT

Thomas J. Murphy

WINING DEPARTMENT

David F. Hartmann

JUDICIAL BRANCH

David Merrill
Judge

WHEREAS, the Tribal Council desires to exercise such authority through the enactment and implementation of an appropriate regulatory system to address the foregoing concerns.

Alternate Judge

NOW THEREFORE BE IT RESOLVED, that pursuant Article V of the Constitution and By-Laws of the St. Croix Chippewa Indians of Wisconsin, the Tribal Council does hereby enact and adopt the attached Trespass to Tribal Business Premises Ordinance.

TRIBAL ATTORNEY

Howard J. Bichler

CERTIFICATION

George Morrison
Legal Affairs Specialist

Julie A. Nelson
Court Clerk

BIOLOGIST

Elizabeth Greiff

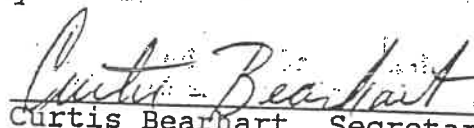
ENTERPRISES

St. Croix Casino
Turtle Lake
Hole In The Wall Casino
Danbury

Chippewa Corners Cafe
Danbury Bingo
Turtle Lake Bingo
Maple Plain Bingo
Sand Lake Bingo & Casino

SCHA
St. Croix Ojibwa Construction Co.

I, the undersigned as Secretary of the St. Croix Tribal Council, do hereby certify that the Council is composed of five (5) members of whom three (3) were present, constituting a quorum, at a meeting duly called, convened and held this 23rd day of March, 1994, and that the foregoing resolution was adopted at said meeting by an affirmative vote of three (3) members for, zero (0) against, and zero (0) members abstaining from the vote, and that said resolution has not been rescinded or amended in any way.


Curtis Bearhart, Secretary/Treasurer
St. Croix Tribal Council