



Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Telephone: (775) 773-2306

Fax: (775) 773-2585

**RESOLUTION OF THE GOVERNING BODY
OF THE
WALKER RIVER PAIUTE TRIBE
RESOLUTION NO. WR-40-2020**

AMENDMENT TO LAW AND ORDER CODE

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE WALKER RIVER PAIUTE TRIBE THAT:

WHEREAS, the governing body of the Walker River Paiute Tribe (“Tribe”) is organized under the provisions of the Indian Reorganization Act of June, 1934, as amended, to exercise certain rights of home rule and to be responsible for the promotion of the economic and social welfare of its members; and

WHEREAS, the Walker River Paiute Tribal Council is charged with the responsibility of establishing and enforcing policy, to protect the peace and safety of Tribal members; and provide administrative guidelines; and

WHEREAS, on March 16, 2020, the Walker River Tribal Council adopted Resolution No. WR-37-2020 that declared a state of emergency based on the COVID-19 pandemic; and

WHEREAS, to address the COVID-19 threat, the Tribal Council adopted a number of resolutions addressing emergency matters, such as closing nonessential businesses, closing public buildings, prohibiting gatherings of five or more people, etc., and the Tribal Council may be required to adopt other resolutions in the future to address the emergency; and

WHEREAS, the Tribe needs a method to enforce these mandates as the existing provisions of the Law and Order Code may not provide a direct enforcement mechanism; and

WHEREAS, under normal circumstances, the Tribal Council only approves amendments to the Law and Order Code after posting and seeking public comment, but under the existing state of emergency the Tribal Council has decided that it must take immediate action to approve an amendment to the Law and Order Code; and

NOW THEREFORE BE IT RESOLVED, that the Walker River Tribal Council hereby adopts for

inclusion in the Tribe's Law and Order Code the following new Section 5-90-050 titled "Failure to Comply with Tribal Directives During Emergency" which shall go into effect immediately:

5-90-050 Failure to Comply with Tribal Directives During Emergency

(a) A person is guilty of the crime of failure to comply with Tribal directives during an emergency if:

- (1) the Tribal Council declares a state of emergency,
- (2) during the state of emergency, the Tribal Council adopts or enacts an order, declaration, resolution or directive to address the emergency; and
- (3) the person intentionally fails to comply with any such Tribal Council order, declaration, resolution or directive after being directed to comply by a law enforcement officer.

(b) A violation of this section shall subject the offender to a fine of up to \$5000 and/or jail for up to one year.

BE IT FINALLY RESOLVED, for this amendment, the Tribal Council hereby waives the Tribe's normal procedures for adopting amendments to the Tribe's Law and Order Code based on the existing state of emergency.

CERTIFICATION

It is hereby certified that the foregoing resolution of the Walker River Paiute Tribal Council of the Walker River Paiute Tribe composed of seven members of whom 5 constituting a quorum adopted the foregoing resolution on the 27th day of March 2020 by the affirmative vote of 5 FOR, 0 AGAINST, and 0 ABSTENTIONS; pursuant to the authority contained in the Constitution and By-Laws of the Walker River Paiute Tribe of Nevada.



Gina L. Wachsmuth, Tribal Council Secretary
WALKER RIVER PAIUTE TRIBE