



**LAC COURTE OREILLES BAND
OF
LAKE SUPERIOR CHIPPEWA INDIANS**

TRIBAL CODE OF LAW

**TITLE VI
CONSERVATION**

TITLE VI – CHAPTER 7
SHORELAND PROTECTION CODE
OF THE
LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

Preamble

This ordinance is enacted pursuant to the inherent sovereign authority of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, to promote the health, safety, and welfare of Lac Courte Oreilles citizens (members) and protect the environment of the Lac Courte Oreilles Reservation, which predates its Treaties of 1825, 1826, 1837, 1842, 1847 and 1854 with the United States Government. In the implementation of this inherent sovereign authority, Article V, §§ 1(s) and (f) of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, empowers the Tribal Governing Board to: “To promulgate and enforce ordinances...providing for the maintenance of law and order and the administration of justice...” Article V, § 1 (s) and “to manage, lease, permit or otherwise deal with tribal lands, interests in lands or other assets, and to purchase lands, or interests in lands, within or without the reservation” Article V, § 1 (f). Pursuant to this inherent sovereign authority, the Tribal Governing Board hereby recognizes that uncontrolled use of the shorelands and pollution of the navigable waters of the Lac Courte Oreilles Reservation would adversely affect the public health, safety and general welfare of Lac Courte Oreilles citizens (members). The Lac Courte Oreilles Tribal Governing Board has the responsibility to promote the health, safety, and welfare, of Lac Courte Oreilles citizens (members); to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures; and to preserve shore cover and natural beauty. This ordinance has been adopted for the purpose of protecting the environment of the Lac Courte Oreilles Reservation.

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SUBCHAPTER 7.1 - GENERAL PROVISIONS

§ 7.101 Title.

This ordinance shall be known as the Shoreland Protection Code of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

§ 7.102 Authority.

This ordinance is enacted pursuant to the inherent sovereign authority of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians. In the implementation of this inherent sovereign authority, Article V, §§ 1(s) and (f) of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, empowers the Tribal Governing Board to: “To promulgate and enforce ordinances...providing for the maintenance of law and order and the administration of justice...” Article V, § 1 (s) and “to manage, lease, permit or otherwise deal with tribal lands, interests in lands or other assets, and to purchase lands, or interests in lands, within or without the reservation” Article V, § 1 (f).

§ 7.103 Findings of Fact.

Uncontrolled use of the shorelands and pollution of the navigable waters of the Lac Courte Oreilles Reservation would adversely affect the public health, safety and general welfare of Lac Courte Oreilles citizens (members). The Lac Courte Oreilles Tribal Governing Board has the responsibility to promote the health, safety, and welfare, of Lac Courte Oreilles citizens (members); to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures; and to preserve shore cover and natural beauty. This ordinance has been adopted for the purpose of protecting the environment of the Lac Courte Oreilles Reservation.

§ 7.104 Purpose.

The purpose of this ordinance is to promote the health, safety, and welfare of Lac Courte Oreilles citizens (members). As such, this ordinance has been established to:

(1) Further the maintenance of safe and healthful conditions and prevent and control water pollution through:

(a) Controlling filling and grading to prevent serious soil erosion problems.

(2) Protect spawning grounds, fish and aquatic life through:

(a) Preserving wetlands and other fish and aquatic habitat;

(b) Regulating pollution sources;

(c) Controlling shoreline alterations, dredging and lagooning.

(3) Preserve shore cover and natural beauty through:

- (a) Restricting the removal of natural shoreland cover;
- (b) Preventing shoreline encroachment by structures;
- (c) Controlling shoreland excavation and other earth moving activities; and
- (d) Regulating the placement of structures.

§ 7.105 Territorial Applicability.

This ordinance shall govern all shorelands, owned or held in trust for the Lac Courte Oreilles Band of Lake Superior Chippewa Indians or citizens (members) residing within the Lac Courte Oreilles Reservation which are:

(1) Within one thousand (1,000) feet of the ordinary highwater mark of navigable lakes, ponds, and flowages. Lakes, ponds, and flowages on the Lac Courte Oreilles Reservation shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources publication “Surface Resources of Sawyer County” or are shown on United States Geological Survey quadrangle maps.

(2) Within three hundred (300) feet of the ordinary highwater mark of navigable rivers or streams. Rivers and streams on the Lac Courte Oreilles Reservation shall be presumed to be navigable if they are designated as continuous waterways or intermittent waterways on United States Geological Survey quadrangle maps.

(3) Determinations of navigability and ordinary highwater mark location shall be made by the Lac Courte Oreilles Conservation Department.

§ 7.106 Effective Date.

Except as otherwise provided in specific sections, the provisions of this ordinance shall be effective on the date adopted by the Tribal Governing Board.

§ 7.107 Interpretation.

The provisions of this ordinance:

(1) Shall be interpreted and applied as minimum requirements applicable to the Housing Authority activities subject to this ordinance;

(2) Shall be liberally construed in favor of the Tribe;

(3) Shall not be deemed a limitation or repeal of any other tribal power or authority.

§ 7.108 Severability and Non-Liability.

If any section, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. The Tribe further asserts immunity on its part and that of its agencies, employees, and/or agents from any action or damages that may occur as a result of reliance upon and conformance with this ordinance.

§ 7.109 Repeal of Inconsistent Tribal Ordinances.

All ordinances and resolutions inconsistent with this ordinance are hereby repealed. To the extent that this ordinance imposes greater restrictions than those contained in any other tribal law, code, ordinance or regulation, the provisions of this ordinance shall govern.

SUBCHAPTER 7.2 – DEFINITIONS

§ 7.201 General Definitions.

Any term not defined in this Section shall be given its ordinary meaning. The following terms, wherever used in this ordinance, shall be construed to apply as follows, except where the context indicates otherwise:

(1) **“Citizen”** means an enrolled member of the Lac Courte Oreilles Lake Superior Band of Chippewa Indians.

(2) **“Land Manager”** means any owner or the entity responsible for the management of any reservation land.

(3) **“Regulations”** means any conservation regulation contained within this ordinance.

(4) **“Reservation” or “Reservation Lands”** means those lands, including the beds of any streams and flowages, located within the exterior boundaries of the Lac Courte Oreilles Reservation lands as well as off-reservation lands under the jurisdiction and purview of the Lac Courte Oreilles Tribe.

(5) **“Tribe”** means the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

(6) **“Tribal Attorney(s)”** means the tribal attorney(s) employed by the Lac Courte Oreilles Legal Department, whom are in charge of and responsible for the prosecution of citations relating to Conservation.

(7) **“Tribal Conservation Department” or “Department”** means the conservation department of the Tribe.

(8) **“Tribal Court”** means the court of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

(9) **“Tribal Governing Board”** means the Tribal Governing Board of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

SUBCHAPTER 7.3 – GENERAL

§ 7.301 Compliance.

The use of any land or water, location of structures on lots, the filling, grading, lagooning, dredging of any lands or the cutting of shoreland vegetation, shall be in full compliance with the terms of this ordinance and other applicable tribal or federal laws and regulations. Property owners, builders, and contractors are responsible for compliance with the terms of this ordinance.

§ 7.302 Abrogation and Greater Restrictions.

This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants, or easements. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

§ 7.303 Variances.

Upon application, the Tribal Governing Board in its discretion, after consultation with the Lac Courte Oreilles Conservation Department, may grant a variance where an applicant demonstrates the request is in the best interest of the Tribe and/or the general public. The variance is subject to written approval of the Tribal Governing Board.

SUBCHAPTER 7.4 – ENFORCEMENT

§ 7.401 Enforcement.

Any development or any building or structure constructed after the effective date of this ordinance in violation of the provisions of this ordinance, by any person, firm, association, corporation, including building contractors or their agents shall be deemed a violation. A violation which is not corrected on the order of the Lac Courte Oreilles Conservation Department shall be issued a citation and the matter referred to the Tribal Attorney who shall expeditiously prosecute violations.

§ 7.402 Hearings in Tribal Court.

Jurisdiction over all matters arising under this ordinance shall be with the tribal court which shall adjudicate in accordance with Title II of the Lac Courte Oreilles Tribal Code of Law all questions, complaints and alleged violations involving the provisions of this ordinance.

§ 7.403 Enforcement by Conservation Wardens.

Any provision of this ordinance may be enforced by wardens of the tribal conservation department or officers of the tribal law enforcement department. Said tribal law enforcement officers are hereby deputized by the Tribe as tribal conservation wardens for the purpose of enforcing this ordinance.

§ 7.404 Enforcement by Other Law Enforcement Officers.

The Tribal Governing Board has the discretion to allow other state, local or federal law enforcement officers the authority to enforce the provisions of this ordinance and to institute proceedings in the tribal court by use of citation forms of the tribal conservation department or to refer the matter to appropriate tribal wardens or the tribal prosecutor for further investigation or action.

§ 7.405 Investigations.

(1) Any person authorized to enforce the provisions of this ordinance may:

(a) Investigate complaints regarding alleged violations of this ordinance within the Lac Courte Oreilles Reservation lands as well as off-reservation lands under the jurisdiction and purview of the Lac Courte Oreilles Tribe.

(b) Execute and serve warrants and other process issued by the tribal court in accordance with applicable law;

(c) Exercise reasonable discretion and judgment in enforcing and applying any provision of this ordinance.

§ 7.406 Issuance of Citations.

Any person authorized to enforce this ordinance may issue a citation when any violation of this ordinance occurs in the presence of the enforcement authority or the enforcement authority investigating a report of a violation of this ordinance finds probable cause to believe that a violation has occurred, provided:

(1) The citation is issued on a form approved by the Tribal Governing Board or tribal court to any person whose conduct is regulated by the provisions of this ordinance upon reasonable belief that such person has violated or breached a provision of this ordinance; and

(2) The citation states the nature of the violation, the location of the violation, the date and time of the violation (or the date and time when the violation was discovered) and the section(s) of this ordinance that were violated;

(3) The citation states the date of the initial hearing before the tribal court which shall be no sooner than ten (10) days after the service of the notice;

(4) The citation states the amount of the fine which may be paid by the violator to the tribal court in order to avoid the initial hearing;

(5) The citation states that the failure to pay the amount of the fine or appear before the tribal court on the date set for hearing, shall result in entry of a default judgment and an award of relief in accordance with this ordinance.

§ 7.407 Penalties.

(1) If the tribal court finds that any member or duly authorized non-member who, for himself or herself, or by his or her agent, servant or employee, or who as an agent, servant or employee of another, violates this ordinance, the member or non-member shall be liable as follows:

(a) For all violations for which no other amount is specified, a civil remedial forfeiture of not more than \$5,000.00;

(b) For any violation, attendance of cultural education classes;

(c) For all violations, appropriate court costs within the discretion of the court.

(2) Each day, which the violation exists, shall constitute a separate offense.

(3) Any member or duly authorized non-member who fails to pay any fine assessed by the tribal court within thirty (30) days after the fine has been assessed and who fails to make other arrangements regarding payment of the fine, shall owe, in addition to the fine imposed, \$10.00 for each thirty (30) Day period that the fine is overdue.

§ 7.408 Enhancement of Forfeiture and Penalties.

Upon conviction of any member or duly authorized non-member for a violation of this ordinance when such person has been convicted of a previous violation of this ordinance within a period of one year, the court may enhance any civil remedial forfeiture or other penalty as the court deems appropriate.

§ 7.409 Schedule of Money Penalties; No Contest.

The Tribal Court, in consultation with the Tribal Governing Board, may adopt a schedule of forfeitures to be imposed by the Court upon the receipt of an admission that a violation of this ordinance has occurred, or a plea of no contest, which may be done either in person or in writing. This schedule shall not bind the Court as to forfeitures assessed by the Court after adjudicating a violation where the defendant has entered a plea of not guilty.

§ 7.410 Collection of Money Penalties.

Enforcement of the money penalties imposed pursuant to this ordinance may be had through the collection of penalties from funds of the violator held by the Tribe, through the imposition of community service work requirements in lieu of money payment, through debt collection mechanisms of the courts of other jurisdictions, or through any other method authorized by law.

§ 7.411 Parties to a Violation.

(1) Whoever is concerned in the commission of a violation of this ordinance shall be deemed a principal and may be charged with the violation although he or she did not directly commit it and although the member or non-member who directly committed it has not been convicted of the violation.

(2) A member or duly authorized non-member is concerned in the commission of the violation if the member or duly authorized non-member:

(a) Directly commits the violation;

(b) Aids or abets the commission of it; or

(c) Is a party to a conspiracy with another to commit it, or advises, hires, or counsels or otherwise procures another to commit it.

§ 7.412 Interference with Department.

No member or non-member shall knowingly interfere with or hinder or restrict wardens of the tribal conservation department or officers of the tribal law enforcement department or any other law enforcement department or agency from which the tribal conservation department has sought assistance, in the exercise of authority or performance of duties under this ordinance.

SUBCHAPTER 7.5 – SHORELAND PROTECTION

§ 7.501 Setbacks from Navigable Water.

(1) Building setbacks shall be established to conform to health, safety and welfare requirements, preserve natural beauty, reduce flood hazards and avoid water pollution.

(2) For lots that abut on navigable waters, all buildings and structures, new dwellings on vacant lots and replacement dwellings; except piers and boat hoists shall be set back a minimum of 75 feet from the ordinary high-water mark of navigable waters and wetlands adjacent to any navigable water. The minimum setbacks shall be 100 feet on the Chippewa Flowage. All setback distances are measured from the overhang or appendage such as a deck, horizontally to the closest point of the ordinary high-water mark. For lots that abut on nonnavigable wetlands, all buildings and structures shall be set back a minimum of 50 feet from the wetland boundary. Navigable wetlands shall be determined by a representative of the Lac Courte Oreilles Conservation Department. Certification of wetland delineation, if required, is the responsibility of the property owner.

(3) New boathouses shall not be allowed within 75 feet (100 feet on the Chippewa Flowage) of the ordinary high-water mark of navigable waters.

(4) Retaining walls shall not be allowed within 75feet (100 feet on the Chippewa Flowage) of the ordinary high-water mark of navigable waters, within 75 feet (100 feet on the Chippewa Flowage) of navigable wetlands or within 50 feet of nonnavigable wetlands.

(a) A need for retaining walls shall not be created by excavation activities.

(b) Existing retaining walls, at their point of replacement/major repair, shall be removed or reduced in height.

§ 7.502 Shoreline Vegetation Protection Area.

(1) The cutting of trees and shrubbery shall be regulated to protect natural beauty, control erosion and reduce the flow of effluents, sediments and nutrients from the shoreland area.

(2) There shall be a shoreline vegetation protection area on each lot extending 50 feet landward from the ordinary high-water mark. For lots abutting the Chippewa Flowage, the shoreline vegetation protection area shall extend 100 feet landward from the ordinary high-water mark of 1,313 Mean Sea Level. Within this area the removal of trees, shrubs and ground cover, mowing and filling, grading and other land disturbing activities are prohibited with the following exceptions:

(a) Such activities are in conjunction with a project approved by the Lac Courte Oreilles Conservation Department or as listed in § 7.504 of this ordinance.

(b) Establishment of access corridor(s) for each lot by mowing, pruning and

selective removal of trees, stumps and shrubbery. Sufficient native tree seedlings shall be maintained or native tree species planted in the access corridor to maintain a wooded canopy. The access corridor(s) shall be more or less perpendicular to the shore, shall not exceed 30 feet in total width in any 100 feet of shoreline and shall be set back at least 10 feet from the side lot line. For lots having less than 100 feet of water frontage, the access corridor(s) width shall be reduced proportionally (e.g., a lot with 70 feet of water frontage would be restricted to a 21 feet wide access corridor(s) [$70' \times 0.30 = 21'$]). An access corridor(s) shall not be established where the absence of vegetation provides a similar naturally occurring opening.

(c) Access corridors for hotels, motels, resorts and campgrounds, at the discretion of the trustee or allottee, may be created either as a single corridor or as multiple corridors, but in no instance shall the total width of the corridors exceed 30% of the frontage of the lot.

(d) A pathway, walkway or stairway is allowed if:

- (i) It is located and constructed so as to avoid erosion;
- (ii) Pathways, walkways and stairways shall not exceed 4 feet in width;
- (iii) Landings shall be no larger than 4 feet by 4 feet; and
- (iv) Canopies, roofs or enclosures are prohibited.

(e) Removal of dead and diseased trees is allowed.

(f) Removal of noxious vegetation (i.e., poison ivy, poison oak, ragweed) which poses a threat to health or safety is allowed. The noxious vegetation may be either physically removed (i.e. cutting, pulling, digging out) or an herbicide which is certified for near water use (i.e. Rodeo) may be used.

(g) Public and private water craft launching sites are allowed provided they comply with the following standards:

- (i) Construction on slopes steeper than 20% over a 50 foot horizontal distance is prohibited;
- (ii) An access site on residential property shall not be allowed if an alternative site on the waterway is available to the general public;
- (iii) Access sites shall be located within the access corridor.

§ 7.503 Land Disturbing Activities Within the Shorelands Area.

(1) Land disturbing activities may require federal permits. Improper land disturbing activities can result in increased shoreline erosion and waterway sedimentation.

(2) General Standards. Filling, grading, lagooning, dredging, ditching, or excavating may be permitted in the shoreland area provided that:

(a) It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.

(b) Any fill placed in the shoreland area is protected against erosion by the use of rip-rap, vegetative cover, or a bulkhead.

(c) The smallest amount of bare ground shall be exposed for as short a time as feasible.

(d) Temporary ground cover, such as mulch or jute netting, shall be used and permanent vegetative cover shall be established.

(e) Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.

(f) Fill shall be stabilized according to accepted engineering standards.

(g) Channels or artificial watercourses shall be constructed with side slopes of two (2) units horizontal distances to one (1) unit vertical or flatter which shall be promptly vegetated, unless bulkheads or rip-rap are provided.

§ 7.504 Resource Management and Agricultural Exemptions.

The following activities are exempted from the provisions of in § 7.502 of this ordinance:

(1) Fish and wildlife habitat management activities if approved by the Lac Courte Oreilles Conservation Department.

(2) Commercial timber harvest and other forestry activities including land disturbing activities (such as forestry road building) if:

(a) Such activity is in compliance with the Tribal land use plan and follows appropriate practices specified in Wisconsin's Forestry Best Management Practices for Water Quality published by the Department of Natural Resources or follows a plan approved by the Lac Courte Oreilles Conservation Department that is in compliance with Tribal land use plans.

§ 7.505 Impervious Surface Limitations.

(1) Extensive research shows that shoreland development results in increased quantities and velocities of runoff that may overwhelm infiltration capacity and transport sediment, nutrients and other pollutants directly to surface waters if proper management is not employed.

(2) The maximum total area of impervious surfaces shall not exceed fifteen percent (15%) of a total shoreland lot area within 300' of the ordinary highwater mark.

(3) The limitation on impervious surfaces may be increased to no more than twenty percent (20%) only with the submission of an application and approval of the Lac Courte Oreilles Conservation Department. The application shall include, at a minimum, the following documentation:

(a) A topographic survey of sufficient scale (not less than 1" = 20') showing pre-construction and pre-excavation conditions including slopes/contours, water bodies, wetlands, vegetative cover, drainage ways, roadways, buildings and all other impervious surfaces and any unique physical features of the lot.

(b) A site plan of similar scale showing the information required in (a) as proposed post-construction conditions, and shall include all erosion/sedimentation control measures, diversion/containment structures and total calculations of lot area and impervious surfaces.

(4) The limitation on impervious surfaces located more than 300 feet from the ordinary high-water mark may be increased to no more than twenty-five percent (25%) only with the submission and approval of the Lac Courte Oreilles Conservation Department of a Rainwater/Snow Run-off Retention Plan containing the same information required in 2(a) and 2(b).

§ 7.506 Piers.

(1) A pier is a structure extending into navigable waters from the shore with water on both sides, built or maintained for the purpose of providing a berth for watercraft or for loading and unloading cargo or passengers onto or from watercraft. The proper management of piers has the potential to reduce user conflicts, maintain boating densities consistent with the carrying capacity of the water, minimize adverse human impacts in the sensitive near shore zone within the waterway, enhance the natural beauty of the shoreline and protect water quality by minimizing the potential for debris, sediment and other miscellaneous objects from entering the waterway.

(2) General Standards. A pier is permitted provided that:

(a) It is constructed so as not to interfere with the rights of other waterfront owners;

(b) It does not unreasonably obstruct navigation or otherwise interfere with public rights in navigable waters;

(c) It does not totally enclose any portion of a navigable waterway;

(d) It shall not interrupt the free movement of water nor cause land to be

deposited on the lakebed;

(e) The placement of the pier shall not damage sensitive spawning areas, endangered vegetation or waterfowl or loon nesting areas.

(f) The width of the pier is less than or equal to four feet;

(g) Finger piers (“T’s” or “L’s”) may be used to provide mooring slips or stabilize a pier. Larger decks or platforms, roofs, canopies, water slides or other construction not essential for mooring watercraft are prohibited.

(h) Piers may include a temporary boat hoist. The temporary hoist may have a roof or canopy, which blends with the shoreline background, but it may not have sides or walls.

(i) The pier must be located directly waterward of the access corridor.

(3) Density Standards. The number of berths and moorings shall not exceed 2 per the first 100 feet of shoreline. One additional berth or mooring is permitted for each additional 50 feet.

(4) Length Standards. A pier may extend waterward the greater of:

(a) The boat length.

(b) The three foot water depth contour.

(c) A deeper contour if required by the draft of the craft using the pier.



Pride of the Ojibwe

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RESOLUTION NO. 16-32

**ESTABLISHMENT OF TITLE VI, CHAPTER 7
OF THE
LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS TRIBAL
CODE OF LAW
SHORELAND PROTECTION CODE**

WHEREAS, the Lac Courte Oreilles Band of Lake Superior Chippewa Indians (“Tribe”) is a federally recognized Indian tribe organized pursuant to the provisions of the Indian Reorganization Act of 1934, 25 U.S.C. § 461, *et seq.*; and

WHEREAS, the Tribal Governing Board serves as the governing body of Lac Courte Oreilles Band of Lake Superior Chippewa Indians pursuant to Article III, Section 1 of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians; and

WHEREAS, pursuant to Article V, § 1 (s) of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians empowers the Tribal Governing Board: “To promulgate and enforce ordinances governing the conduct of members of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin and providing for the maintenance of law and order and the administration of justice by establishing a tribal court and defining its duties and powers; and

WHEREAS, the Tribal Governing Board duly enacted the Lac Courte Oreilles Band of Lake Superior Chippewa Indians – Shoreland Protection Code pursuant to Lac Courte Oreilles Tribal Governing Board Resolution No. 04-25 as amended pursuant to Lac Courte Oreilles Tribal Governing Board Resolution No. 06-107; and

WHEREAS, the Tribal Governing Board has determined that it is in the best interests of the Tribe to consolidate the amendments of the Shoreland Protection Code and establish Title VI, Chapter 7 of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians Tribal Code of Law in accordance with the foregoing.

NOW THEREFORE BE IT RESOLVED that the attached and establish Title VI, Chapter 7 of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians Tribal Code of Law – Shoreland Protection Code shall be, and hereby is, enacted as an ordinance of the Tribe, pursuant to Article V, §1(s) of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

NOW THEREFORE BE IT FINALLY RESOLVED that the “Lac Courte Oreilles Band of Lake Superior Chippewa Indians Shoreland Protection Code” as it exists at this time along with Lac Courte Oreilles Tribal Governing Board Resolution No. 04-25 as amended pursuant to Lac Courte Oreilles Tribal Governing Board Resolution No. 06-107 are hereby repealed in their entirety.

CERTIFICATION

I, the undersigned, as Secretary/Treasurer of the Lac Courte Oreilles Tribal Governing Board, hereby certify that the Tribal Governing Board is composed of seven (7) members, of whom 3 being present, constituted a quorum at a meeting thereof, duly called, convened, and held on this 11th day of April, 2016; that the foregoing Resolution was duly adopted at said meeting by an affirmative vote of 3 members, 0 against, 0 abstaining, and that said Resolution has not been rescinded or amended in any way.



Norma Ross, Secretary/Treasurer
Lac Courte Oreilles Tribal Governing Board