

**BANNING THE SALE AND USE OF FIREWORKS ON ALL TRIBAL LANDS FOR THE 2021 FOURTH OF JULY SEASON**

**WHEREAS**, the Spokane Tribal Business Council (“Council”) is the duly constituted governing body of the Spokane Tribe of Indians (“Tribe”) by authority of the Constitution of the Spokane Tribe (“Constitution”); and

**WHEREAS**, the Constitution grants the Council such other powers and authority necessary fulfill its obligations, responsibilities, objectives, and purposes as the governing body of the Tribe; and

**WHEREAS**, under the Constitution, the Council is charged with the duty of protecting the general welfare of the Tribe and all Reservation residents; and

**WHEREAS**, on March 16, 2020, via Resolution 2020-154, the Council declared a State of Emergency due to the 2019 novel coronavirus (“COVID-19”) which remains in effect today; and

**WHEREAS**, the Centers for Disease Control (“CDC”) continues to recommend Social Distancing by limiting ones contact with others, avoiding mass gatherings, maintaining a distance of approximately 6 feet from others, and wearing face masks; and

**WHEREAS**, COVID-19 remains a threat to our community, especially our elders and community members who have underlying health conditions; and

**WHEREAS**, the spring 2021 weather conditions are such that Eastern Washington is facing an abnormally dry spring and increased fire danger; and

**WHEREAS**, the sale and use of fireworks further increases fire danger on the Reservation and in our region; and

**WHEREAS**, Council can ban the sale and use of fireworks based on public safety reasons; and

**WHEREAS**, the Council desires to protect Tribal Lands, including on reservation and off reservation land and the safety of Tribal Members and Reservation residents by prohibiting the sales and use of fireworks for the 2021 Fourth of July Season.

**NOW, THEREFORE, BE IT RESOLVED**, effective immediately the sale and use of fireworks on all Tribal lands, including the fireworks show at Two Rivers, is banned for the 2021 Fourth of July Fireworks Season.

**BE IT FURTHER RESOLVED**, no licenses, permits or authorization for fireworks sales will be issued for the 2021 Fourth of July Fireworks Season.

**BE IT FURTHER RESOLVED**, Council hereby directs Spokane Tribal Law Enforcement to enforce this ban on the sale and use of fireworks on all Tribal land.

**BE IT FURTHER RESOLVED**, this Resolution is intended to preserve the peace and welfare of the Tribe and Reservation Residents. Pursuant to RSLOC 14-26.01 individuals found to have violated the terms and conditions of this Resolution shall be subject to the following penalties:

1. Non-Indian Offenders


- A. Any non-Indian who violates this Resolution shall be subject to:
  - i. confiscation of all fireworks;
  - ii. confiscation of all proceeds of any fireworks sales; and
  - iii. a monetary civil fine in the amount of \$500.00.
- B. Non-Indian violators may also be subject to other civil remedies including, but not limited to, emergency and permanent exclusion from the Reservation.
- C. Where the minor child of a non-Indian parent or legal guardian violates this Resolution, and the child has not reached sixteen (16) years of age, then the minor child’s non-Indian parent or legal guardian shall be subject to a monetary civil fine in the amount of \$500.00, and may also be subject to other civil remedies.

2. Indian Offenders

- A. Any Indian who violates this Resolution shall be subject to the following penalties:
  - i. confiscation of all fireworks;
  - ii. confiscation of all proceeds of any fireworks sales.
  - iii. confinement for a maximum period of thirty (30) days; and
  - iv. pay a maximum fine of not more than \$500.00, or both.
- B. Non-Member Indians may also be subject to other remedies including, but not limited to, permanent exclusion from the Reservation.
- C. Where the minor child of an Indian parent or legal guardian violates this Resolution, and the child has not reached sixteen (16) years of age, then the minor child’s Indian parent or legal shall be responsible for any fines imposed by the Court.

**Certification**

The foregoing was duly enacted by the Spokane Tribal Business Council on the 12th day of May, 2021, by the vote of 3 for, 2 against, 0 abstain, and 0 absent under authority contained in Article VIII of the Constitution of the Spokane Indians ratified by the Spokane Tribe on November 22, 1980.

  
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**Chairwoman Carol Evans**  
**Spokane Tribal Business Council**

	Yes	No	Abstain	Absent
CE	X			
GA	X			
TP		X		
GF	X			
DK		X		