



MENOMINEE NATION

THE MENOMINEE TRIBAL LEGISLATURE

TRIBAL ORDINANCE NO. 23-27

AMENDMENT TO THE CODE OF THE MENOMINEE INDIAN- TRIBE OF WISCONSIN

CHAPTER 504

SOLID WASTE

FINAL APPROVAL:


BE IT ORDAINED BY THE LEGISLATURE OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN:

Tribal Ordinance 23-27 is hereby enacted. Tribal Ordinance 23-27 amends parts of Chapter 504, "Solid Waste" of the Code of the Menominee Indian Tribe of Wisconsin as attached hereto and incorporated herein as if fully reproduced here.

CERTIFICATION

We, the undersigned Officers of the Menominee Tribal Legislature, do hereby certify that the foregoing Ordinance 23-27 "Amendment to Chapter 504 – Solid Waste" was **DULY ADOPTED**, at a regular meeting of the Tribal Legislature held August 17, 2023, at which a quorum was present, by a vote of **5** for, **0** opposed, **0** abstentions and **4** absent.

The undersigned also certify that the foregoing amendment to Code of the Menominee Indian Tribe of Wisconsin has been posted in accordance with the Menominee Constitution and Bylaws.



GENA KAKKAK, CHAIRWOMAN
MENOMINEE INDIAN TRIBE OF WISCONSIN

DATE: AUGUST 17, 2023



SPENCER GAUTHIER, SECRETARY
MENOMINEE INDIAN TRIBE OF WISCONSIN

TRIBAL ORDINANCE 23-27

AMENDMENT TO CHAPTER 504 – SOLID WASTE

1. Purpose. The purpose of this Amendment is to establish and regulate sites on the Reservation for the collection of Earth Materials and Brush.
2. Creation of Article IV of Chapter 504. Chapter 504 is amended to create Article IV as follows:

Article IV

Earth Materials and Brush

§ 504-31 Earth Materials and Brush Sites

- A. The Menominee Indian Tribe shall establish sites where Earth Materials and Brush may be collected.
- B. As used in this Article, the following terms shall have the meaning indicated:
 - (1) Earth Materials: Naturally occurring solid materials found on or below the surface of the Earth that makeup the solid components of the Earth's crust, including, but not limited to soil, rock, sand, gravel, clay, minerals, sediments and other geological materials.
 - (2) Brush: Limbs up to 8 inches in diameter.
- C. It shall be illegal to deposit or dump Earth Materials or Brush anywhere on the Menominee Reservation except at sites designated pursuant to this Article.
- D. It shall be illegal to deposit or dump, or otherwise utilize the Earth Materials or Brush sites in any way contrary to the approved rules and regulations for the operation of such sites.
- E. It shall be illegal to dispose Earth Materials and Brush generated outside the Menominee Reservation at sites designated pursuant to § 504-31.A.

§ 504-32 Administration and Enforcement

- A. The Community Development Department of the Menominee Indian Tribe shall propose the location of sites pursuant to § 504-31, along with rules and regulations related to the operation of such sites which shall include, but not be limited to hours of operation and fees. Such sites and related regulation and rules shall be effective upon approval of the Tribal Legislature by motion.
- B. Upon approval pursuant to subsection A above, the Community Development Department shall

create signage and other informational material to inform persons of the availability and rules and regulations related to the Earth Materials and Brush Sites.

- C. It shall be the duty and responsibility of the Community Development Department to operate the approved Earth Materials and Brush Sites on behalf of the Menominee Indian Tribe, and along with law enforcement agencies to monitor and strictly enforce the provisions of this Article. They are authorized to do so by citation.
 - D. Any person, firm, or corporation violating any of the provisions of § 504-31 C, D, or E of this Article shall, upon conviction, be fined not less than \$10.00 nor more than \$5,000.00, together with costs of prosecution, and shall remove any illegally dumped Earth Materials or Brush to a designated site.
3. Effect on Remaining Provisions of Chapter. The remaining provisions of Chapter 504 are unchanged.