

ORDINANCE NO. 04-10-22

**ORDINANCE OF THE TRIBAL COUNCIL OF THE
HOPLAND BAND OF POMO INDIANS ESTABLISHING AN
ADMINISTRATIVE PROCEDURE FOR ENFORCEMENT OF
THE LAW BY MEMBERS AND ALL EMPLOYEES OF THE
HOPLAND BAND OF POMO INDIANS.**

The Tribal Council ("Council") of the Hopland Band of Pomo Indians ("Tribe") hereby ordains as follows:

Section 1. Findings and Declarations. The Tribal Council finds and declares that:

1. The Tribe is a federally recognized Indian Tribe organized under the provisions of a written constitution establishing the Hopland Tribal Council as the governing body of the Tribe.
2. Pursuant to Article IX of the Tribe's Constitution, the Tribal Council is vested with the authority to administer Reservation assets and manage all economic affairs and enterprises of the Tribe, and to promote the peace, safety, health and general welfare of the members of the Tribe.
3. Pursuant to Article IX, §1 of the Tribe's Constitution, the Tribal Council is vested with the authority to promulgate and adopt ordinances as needed as long as they do not conflict with the Constitution.
4. The Tribe is the beneficial owner of the Hopland Indian Reservation ("Reservation") comprising approximately 2,070 acres of land located in Mendocino County, California. Title to the Tribe's Reservation is owned both in fee and by the United States of America in trust for the Tribe and individual members of the Tribe.
5. As a federally recognized Indian Tribe, the Tribe enjoys sovereign immunity from suit and cannot be sued without its consent.
6. The Tribal Council has adopted a Limited Liability Ordinance that authorizes the Tribal Council to waive the Tribe's immunity from suit on a case-by-case basis but only pursuant to a duly adopted resolution of the Tribal Council.
7. At the present time, if a tribal officer or employee violates the provisions of the Tribe's Constitution, or any ordinance or policies which, in turn, violates the rights of a tribal member or members, the tribal member has no remedy to redress the violation other than to petition the Tribal Council for relief.