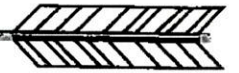




The Jicarilla Apache Nation

P.O. Box 507 • Dulce, New Mexico • 87528-0507



RESOLUTION OF THE LEGISLATIVE COUNCIL

GOVERNMENT

RE: Approval of the 2018 Jicarilla Apache Nation Reservation Fire Restrictions due to Extreme Fire Danger

Resolution No.: 2018-R-159-05

WHEREAS, by virtue of Article XI, Section 1 of the Revised Constitution of the Jicarilla Apache Nation, the inherent powers of the Jicarilla Apache Nation shall be vested in the Legislative Council in exercising its sovereign power of self-government; and

WHEREAS, the Legislative Council has the overall authority in making major decisions affecting the Nation's Reservation; and

WHEREAS, the Legislative Council has a vested interest in the preservation of the reservation lands as well as the responsibility for the reservation; and

WHEREAS, due to extreme fire conditions, continuing lack of rain, extremely high winds and drought conditions on the Jicarilla Apache Reservation, there exists a need for fire restrictions to reduce the chance of human caused fires on the Jicarilla Apache Nation Reservation; and

WHEREAS, cooking and campfires for any Jicarilla ceremonials (Coming-out Feasts, Bear Dances) should be authorized with a fire permit only, which are issued by the Bureau of Indian Affairs (BIA), Branch of Forestry, Fire Management Office; and

WHEREAS, the Legislative Council will encourage the use of the WeTip Anonymous Crime Reporting Hotline, for the basic purpose as to provide an anonymous crime reporting resource to residents, students, and businesses throughout the entire Nation; and

WHEREAS, an annual fire restriction designation is recommended by the BIA, Branch of Forestry, the Dulce Fire Department, and the Emergency Operations Manager for the Jicarilla Apache Nation.



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NOW, THEREFORE, BE IT RESOLVED, the Legislative Council of the Jicarilla Apache Nation hereby approves the 2018 Jicarilla Apache Nation Reservation Fires Restrictions following fire restrictions:

1. The 2018 Jicarilla Apache Nation Fires Restrictions shall apply to the area(s) within the boundaries of the Jicarilla Apache Reservation.
2. The sale of all fireworks shall be prohibited within the interior boundaries of the Jicarilla Apache Reservation.
3. All general/personal use and/or possession of any type of Fireworks shall be prohibited within the interior boundaries of the Jicarilla Apache Reservation.
4. The annual Fireworks display conducted and sponsored by the Dulce Fire Department will be allowed.
5. Smoking is restricted to designated areas only, buildings, and in vehicles equipped with ashtrays on paved or surfaced roads within the boundaries of the Jicarilla Apache Reservation.
6. NO open burning of any kind is allowed, except within the residential areas. Persons conducting burns must obtain an open pit fire permit from the Dulce Fire Department, monitor the burn at all times and secure the burn at the end of the day. The Dulce Fire Department will conduct periodic inspections.
7. Cooking and campfires for recreational and ceremonial purposes (Coming-out Feasts, Bear Dances) are authorized with a fire permit ONLY. Fire permits can be obtained from the BIA, Branch of Forestry and Fire Management Office.
8. Fire precautions, as outlined in the Jicarilla Agency Fire Mobilization Plan shall be required of all logging, thinning, and fuel treatment projects.

BE IT FURTHER RESOLVED, the Legislative Council of the Jicarilla Apache Nation strictly enforces by recommendation of the BIA, Branch of Forestry, Dulce Fire Department and the Emergency Operations Manager of the Jicarilla Apache Nation, that any individual(s) may be charged with a Five Hundred Dollar (\$500.00) fine for the distribution and/or use of fireworks and/or any open burning without a designated permit on the Jicarilla Apache Reservation Lands; and

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BE IT FURTHER RESOLVED, the Legislative Council of the Jicarilla Apache Nation strictly enforces by recommendation of the BIA, Branch of Forestry, and the Dulce Fire Department that any individual(s) may be charged with a criminal charge of Arson 7-2-3(A), Damage to Property 7-2-7(H), and Discharge of Fireworks 7-2-8(B) will be subject to any civil restitution due any fire damage to the Jicarilla Apache Reservation Lands; and

BE IT FURTHER RESOLVED, the Legislative Council of the Jicarilla Apache Nation directs the Jicarilla Apache Game & Fish Department and the Jicarilla Apache Police Department to enforce the above stated fire restrictions and fire penalties on the Jicarilla Apache Reservation; and

BE IT FINALLY RESOLVED, that this Resolution be implemented for public safety and remain in effect until we receive adequate monsoonal moisture.



President of the Nation-Levi Pesata

CERTIFICATION

The foregoing Resolution was enacted upon by the Legislative Council of the Jicarilla Apache Nation on the 15th day of May, 2018, by a vote of 8 for, 0 against, 0 abstaining. at a duly called meeting at which a quorum of the Legislative Council members were present.

ATTEST:



Secretary of the Nation-Merldine Oka