



CAHUILLA BAND OF INDIANS

EXCLUSION ORDINANCE

**ORDINANCE NO. 2015
(Revised June 23, 2021)**

Section 1: Title

This Ordinance shall be known as the Cahuilla Band of Indians Exclusion Ordinance.

Section 2: Findings and Purpose

The General Council finds as follows:

1. The lands of the Cahuilla Indian Reservation ("Reservation") are held in trust by the United States of America for the exclusive use and benefit of the Cahuilla Band of Indians ("Tribe"), with assignments to individual Members, rather than individual allotments in severalty.
2. From time to time, Persons present on the Reservation have threatened or disrupted the peace and security of Tribal Members, residents, employees, and visitors, and may do so in the future.
3. As the government with jurisdiction over the Reservation and the people on it, the Tribe has a responsibility and the authority to ensure the safety and security of those who enter the Reservation to live, work, or visit as well as to protect the resources of the Reservation itself.
4. The Tribe possesses the inherent sovereign authority to remove and exclude any Person from the Reservation in accordance with Tribal and federal law. The Tribal power to exclude non-Tribal Members and Tribal Members includes, but is not limited to, those circumstances in which (a) a Person enters a consensual relationship with the Tribe and (b) a Person's conduct on the Reservation threatens or has some direct effect on the political integrity, the economic security, or the health or welfare of the Tribe and its Members.

5. The Tribe adopts and will implement this Ordinance to the fullest extent of its criminal and civil jurisdictional authority over its territory, its Members and other Persons within its territory.

The purpose of this Ordinance is to establish a process by which the Tribe may exercise its power to remove and exclude Persons from the Reservation, often as a last resort, in order to protect:

1. Tribal Members, Reservation residents, employees, Tribally-owned and operated businesses, Tribal programs, community natural resources and invitees; and
2. Real and personal property within the Reservation.

Section 3: Authority

This Ordinance is enacted pursuant to the Tribe's inherent sovereign authority to regulate the activities and conduct of Persons and land within its jurisdiction in accordance with the Tribe's customs and traditions, and its authority as the government of the Reservation except as specifically limited by federal law.

Section 4: Definitions

"Crime or Criminal Offense" means an act harmful either to a specific individual or individuals, or to the larger Reservation community or surrounding society. For the purpose of defining conduct that constitutes a "Crime or Criminal Offense," the Tribe hereby adopts the federal Criminal Code and the California Penal Code, except as such codes would be inconsistent with the Tribe's customs and traditions.

"Disturbing the Peace" means when a Person engages in some form of unruly public behavior such as fighting or causing an excessively loud noise or otherwise engaging in conduct that puts other Persons at risk or in fear of sustaining personal injury or property damage by reason of such conduct.

"Exclusion" means the temporary or permanent expulsion of a Person or entity from within the boundaries of the Reservation or a portion of the Reservation (if a portion is identified in the Exclusion Order and/or Restraining Order), and prevention of an excluded Person's or entity's re-entry onto the Reservation.

“Exclusion Order” means an order excluding a Person from the Reservation as issued by the General Council by the process set forth in this Ordinance.

“General Council” means the governing body of the Cahuilla Band of Indians, consisting of all recognized Cahuilla Tribal Members aged 21 and older.

“General Membership” means all recognized Cahuilla Tribal Members

"Hearing" means the proceeding conducted by the Tribal Council at which a Person to whom an Order to Show Cause has been issued may present evidence and reasons why she or he should not be excluded from the Reservation.

"Invitee" means a Person who is not a Tribal Member, but who has been permitted by the Tribe to enter onto the unassigned lands of the Reservation, or by a Tribal Member assignee to enter onto his or her assigned Reservation lands for a lawful purpose.

“Land Assignee” means a Tribal Member who has been granted a land assignment on the Cahuilla Reservation pursuant to the Tribe’s Land Assignment Ordinance or under tribal custom and tradition prior to the adoption of this Ordinance.

“Land Assignment” means Tribal land within the exterior boundaries of the Reservation assigned to a Tribal Member for his or her use in accordance to past Tribal laws including the Tribe’s Land Assignment Ordinance, custom and tradition or primarily through inheritance, which is recognized by the Cahuilla General Council.

“Member” or “Tribal Member” means a recognized Member of the Cahuilla Band of Indians.

“Non-Tribal Member” means a Person not recognized as a Tribal Member.

“Person” means any individual or entity.

"Petition" means a petition presented under penalty of perjury by a Cahuilla Tribal Member requesting that another Person or entity be excluded from the Reservation, and setting forth the grounds upon which exclusion is sought.

“Petitioner” means a Cahuilla Tribal Member presenting a petition to exclude a Person or entity from the Reservation.

“Real Property” means all land, structures and fixtures permanently attached to the land, including integrated equipment (such as a well pump), vegetation growing on the land, and all legally-vested interests in real property, which may include the right to future use or possession (remainder).

“Reservation” means all lands within the exterior boundaries of the Cahuilla Indian Reservation, all lands acquired hereafter by any means and added to the Reservation, and all other lands held in trust by the United States for the benefit of the Tribe.

“Respondent” means a Person to whom the Tribal Council issues an Order to Show Cause why the Person should not be excluded from the Reservation, and a Notice of Hearing on such Order.

“Restorative Justice” means an approach to justice available on a case-by-case basis that seeks to make victims whole, including the Tribe itself and the Reservation, whole following a violation of this Ordinance.

“Restraining Order” means an order of a court of competent jurisdiction issued to prohibit an individual or entity from carrying out a particular action, such as approaching or contacting a specified Person or Persons, entering or refusing to leave the Reservation when subject to an Exclusion Order, or engaging in the conduct or activity specified in the order.

“Trespass” or “trespassing” means any act committed within the exterior boundaries of the Reservation that is defined as a trespass under Tribal law, whether or not the act causes injury to the Person, property, or rights of any another Person or entity, or the Tribe, and also includes wrongful entry by a Person upon the lands of the Reservation or refusing to leave the lands of the Reservation when requested by an officer or official of the Tribe acting on behalf of the Tribe's government, or a Tribal Member lawfully in possession of an assigned portion of the Reservation.

“Tribal Council” means the Cahuilla Tribal Council, the elected governmental body authorized by the Cahuilla General Council to administer the ordinances and other directives of the General Council.

“Tribal Court” means the Intertribal Court of Southern California of the Cahuilla Band of Indians or any court operated by the Tribe at the time an appeal is made.

“Tribal Law” means the law of the Cahuilla Band of Indians, including its customs, traditions, ordinances, resolutions and other enactments of the General Council, or of the Tribal Council upon delegation by the General Council.

“Tribe” means the Cahuilla Band of Indians.

Section 5: Grounds for Action Under This Ordinance

In order to preserve the health and safety of the Tribe’s Reservation and its Members, any Person may be subject to a Removal, Exclusion, and/or a Restraining Order for committing any of the following acts on Reservation:

- a. Disturbing the Peace;
- b. Committing a Crime or Criminal offense as defined by this Ordinance;
- c. Removing or causing physical loss or damage of any kind to the real or personal property of the Tribe or the property of any Tribal Member without prior authorization;
- d. Trespassing;
- e. Disturbing or excavating sacred or culturally significant sites or items including graves except as specifically authorized by Tribal law;
- f. Mining, prospecting, or cutting brush or timber in violation of Tribal or Federal law, including without the express authorization of the Land Assignee, if applicable;
- g. Trading or conducting business in violation of Tribal or Federal law;
- h. Hunting, fishing, or trapping without lawful authority or permission or in violation of Tribal or Federal law;
- i. Dumping or disposing of litter, garbage, rubbish, refuse or solid waste in violation of Tribal or federal law;
- j. Discharging pollutants or hazardous or toxic waste;
- k. Remaining in possession of Reservation land without permission after the expiration of a lease;
- l. Discharging a firearm in a manner not specifically authorized by Tribal law, or otherwise using any weapon in an unsafe or otherwise impermissible manner;

- m. Taking any personal property from the Reservation without authorization from the legal owner or Person lawfully in possession of such property;
- n. Stalking or harassing any Tribal officer, agent, employee, Member or invitee;
- o. Committing any act of domestic violence, dating violence, sexual assault, child abuse and neglect, or elder abuse;
- p. Being subject to a Restraining Order or protection order issued by a court of competent jurisdiction to prevent violent or threatening acts, harassment, or sexual violence against, contact or communication with, or physical proximity to a Tribal Member or any other Person lawfully on the Reservation;
- q. Being listed on a State, national, and/or Tribal sex offender registry;
- r. Violating any Removal Order, Exclusion Order, and/or Restraining Order;
- s. Violating this Ordinance;
- t. Taking water from the Reservation without prior authorization;
- u. Removing water, soil, wood, or other natural resources from a Land Assignment without authorization of the Land Assignee(s).
- v. Otherwise committing any act in violation of Tribal Law, Federal law, or State law that threatens the peace, health, safety, or welfare of the Tribe or the Reservation community.

Section 6: Removal, Exclusion, and Restraining Orders

a. Any Person is subject to Removal and/or Exclusion from the Reservation upon the issuance of a Removal Order, Exclusion Order, and/or Restraining Order by the Tribal Council pursuant to the process set forth in this Ordinance.

i. A Removal Order, Exclusion Order, and/or Restraining Order shall remain in effect until (a) modified or withdrawn by a majority vote of the General Council at a duly called General Council meeting, (b) the date and time, if any, specified in the Order for its expiration, or (c) modified or withdrawn by the Tribal Council.

ii. A Removal Order, Exclusion Order, and/or Restraining Order shall bar the Person subject to such Order from the entire Reservation, unless a lesser portion of the Reservation is specified in the Order.

iii. Any Person having a legally vested interest in Real Property on any assigned Tribal land or Tribal property on the Reservation may be removed and/or excluded from any portion of the Reservation except the Tribal land or Tribal property assigned to the Person or in which the Person has a legally vested interest, unless that interest has been suspended or revoked.

b. It is a violation of this Ordinance for any Person to enter or remain on the Reservation if such Person is subject to a Removal Order, Exclusion Order, and/or Restraining Order, except as such Order may specifically permit the Person to enter or remain on the Reservation and such presence is consistent with the terms of the Order.

c. It is a violation of this Ordinance to knowingly allow a Person who was removed or excluded from the Reservation to enter, occupy, or remain on such premises after a Removal Order, Exclusion Order, and/or Restraining Order has been issued against that Person according to the procedures outlined in this Ordinance.

d. It is a violation of this Ordinance for any Person to assist a Person subject to a Removal, Exclusion, and/or Restraining Order to enter or be present on the Reservation in violation of such Order.

Section 7: Other Available Remedies

The Tribe can take one or more of the following actions for violations of this Ordinance. An individual need not be removed, excluded, or restrained to be subject to one or more of these actions.

1. If employed by the Tribe, disciplinary action consistent with Tribal employment policies and procedures;
2. Application of per capita distributions of net gaming revenue to restitution in such amounts as the Tribal Council (or in the absence of a Tribal Council decision, the General Council) may impose;
3. Forfeiture of per capita distributions of net gaming revenue for up to one (1) year following issuance of the order;

4. Requiring restitution in excess of per capita distributions of net gaming revenue or state revenue sharing payments, in such amounts as the Tribal Council (or General Council, in the absence of a Tribal Council decision) determines are needed to make the victim(s), be it the Tribe and/or individual Tribal members, whole;
5. Removing the Member from Tribal committees, boards, or other official positions within the Tribal government as permitted by applicable Tribal by-laws and policies; and/or
6. Community service or other form of restorative justice of a nature and duration determined by the Tribal Council.

Section 8: Initiation of Removal, Exclusion, and/or Restraining Order – Order to Show Cause and Notice of Hearing.

Whenever the Tribal Council reasonably believes, based on evidence presented in a Petition, that a Person should be excluded from the Reservation, the Tribal Council may issue an Order to Show Cause and Notice of Hearing. Following issuance of the Order to Show Cause and Notice of Hearing, the Tribal Council may, in its sole discretion based on the relative severity of the alleged offense, either attempt to resolve the issue informally at a Tribal Council meeting, or proceed to conduct a hearing in accordance with the procedure set forth below. The Tribal Council shall then inform the General Council of the manner in which the Petition was resolved.

- a. The Order to Show Cause and Notice of Hearing must contain the following:
 1. The grounds for Removal, Exclusion, and/or Restraining Order, and the range of sanctions that may be imposed;
 2. The date, time, and location of the hearing;
 3. Notice that if the Respondent fails to appear at the hearing, or to timely request and be granted a continuance in the discretion of the Tribal Council, that sanctions, including a Removal, Exclusion, and/or Restraining Order, may be issued against him or her;
 4. Notice that Respondent will be given an opportunity at the hearing to present documentary and testimonial evidence to rebut the allegations in the Petition,

but that Respondent will have the burden to show cause why he or she should not be removed, excluded and/or restrained as requested in the Petition.

5. Notice that Respondent has the right to be represented by a spokesperson or an attorney designated by him or her at his or her own expense.

b. A copy of the Petition and this Ordinance must be served with the Order to Show Cause and Notice of Hearing;

c. The Order to Show Cause and Notice of Hearing, together with a copy of the Petition and this Ordinance may be served by either personal delivery, mailing to Respondent's last known address by certified mail, return-receipt requested, posting in a prominent place at Respondent's principal place of residence, or, if Respondent cannot be located and Respondent's address is unknown, by any other means reasonably calculated to reach Respondent. The person effecting service must be at least eighteen (18) years of age and must file a proof of service with the Tribal Council on a form provided by the Tribal Council.

Section 9: Emergency Temporary Removal, Exclusion, and/or Restraining Order

Whenever the Tribal Council reasonably concludes that a Person should be immediately excluded based on the allegations and documentation contained in a Petition, or from other reliable information determines it is more likely than not that an immediate threat or danger to the health, safety, or welfare of any Tribal Member, official, Reservation resident, Invitee, Tribal employee, Tribally owned and operated business or Tribal program, the Tribal Council may issue an emergency temporary Removal, Exclusion, and/or Restraining Order to be effective immediately pending the issuance of a decision after a hearing, and may impose the interim sanctions set forth below, to be effective upon adoption, said emergency temporary Removal, Exclusion, and/or Restraining Order to be served with the Order to Show Cause and Notice of Hearing. Issuance of an emergency temporary Removal, Exclusion, and/or Restraining Order and/or imposition of interim sanctions shall not prevent Respondent from appearing at the hearing on the Order to Show Cause and responding to a Petition.

Interim sanctions may include the following:

1. Disciplinary action if the Respondent is employed by the Tribe, consistent with Tribal employment policies and procedures;
2. Requiring immediate commencement of payment of restitution to the Tribe, either on its own behalf or on behalf of the alleged victim(s), with such

payments to be held by the Tribe pending the outcome of the hearing. If the allegations of the Petition are sustained, payments received on behalf of the victim(s) shall be disbursed to the victim(s), and payments received on behalf of the Tribe shall be deposited into the Tribe's General Fund. If the allegations of the Petition are not sustained, all sums paid as restitution shall be refunded to the Respondent, without interest; or

3. Suspension of a Tribal Member Respondent from Tribal committees, boards, or other official positions within the Tribal government as permitted by applicable Tribal by-laws and policies.

Section 10: Tribal Council Hearing Process on Order to Show Cause

a. The hearing on the Order to Show Cause shall be conducted at a special meeting of the Tribal Council called for that purpose and at which a quorum must be present.

b. The Tribal Council will begin the hearing by presenting, or having the Petitioner present, the basis upon which the Order to Show Cause was issued. The Petitioner shall be entitled to present any additional documentary and/or testimonial evidence to support the allegations of the Petition.

c. Respondent will then have the right to cross-examine witnesses and present documentary and/or testimonial evidence to rebut the allegations of the Petition. Respondent has the right to be represented at the Tribal Council hearing by an attorney at his or her own expense.

d. If Respondent fails to appear at the Tribal Council hearing without requesting a continuance in writing at least five (5) business days before the scheduled time, the hearing may proceed in his or her absence, and Respondent will be deemed to have admitted the allegations in the Petition causing and a Removal, Exclusion, and/or Restraining Order to be issued against him or her along with any available sanctions.

e. The Tribal Council and/or the Petitioner shall have the right to cross-examine Respondent and any witnesses presented by Respondent, and submit evidence to rebut Respondent's evidence

f. Respondent and Petitioner shall be given the opportunity to summarize the evidence; because Respondent has the burden of demonstrating why he or she should not be removed, excluded and/or restrained, Respondent shall have the opportunity to speak last

g. Formal rules of evidence shall not apply, but witnesses may be limited to testifying on matters within their personal knowledge, and documents shall be of sufficient authenticity as to be reasonably relied upon.

h. Upon submission of the matter, the Tribal Council shall issue its decision, which shall include factual findings and the reasons for the decision. The Tribal Council is authorized, in its sole discretion, to accept restitution in lieu of issuing a Removal, Exclusion, or Restraining Order. Tribal Council shall notify the Petitioner and Respondent of its decision in writing including a summary of facts on which it is based within ten (10) days of making the decision. If the Tribal Council is unable to resolve allegations of the Petition, the Tribal Council shall refer the matter to the General Council for a final decision.

i. Either Petitioner or Respondent shall have the right to appeal the Tribal Council's decision to the Tribal Court.

Section 11: Removal Order, Exclusion Order and/or Restraining Order

a. Upon issuance of a decision to sustain a Petition, whether by the Tribal Council or the General Council, a Removal, Exclusion, and/or Restraining Order, as deemed appropriate, along with any sanctions to be imposed, shall be prepared forthwith, signed by the Tribal Chairperson and certified by the Tribal Secretary, directing the removal and subsequent exclusion of Respondent from the Reservation (or from a portion of the Reservation) indefinitely or until a specific date. Copies of the signed and certified Order shall be posted on the Reservation at the Tribal administrative offices and at any home or other structure located on the Reservation occupied or used by the Person subject to the Exclusion Order and/or Restraining Order; if the Person subject to the Order does not reside on the Reservation and the event(s) giving rise to the Order occurred at a home or other structure on the Reservation, a copy of the Order shall be posted at that home or structure, and a copy of the Order shall be delivered to the Person if he or she is found on the Reservation, and mailed to the Person at his or her current mailing address, if known, by certified mail, return receipt requested.

b. The Tribal Council may post signs at the entrance to the Reservation stating: "Pursuant to General Council Ordinance No. ____, entrance onto the lands of the Cahuilla Indian Reservation is prohibited to all Persons Removed or Excluded by Order of the Tribal Council or General Council. Entry onto the Reservation by any such Person shall constitute trespass under 25 CFR 163.29 and California Penal Code Sec. 602(o), and may subject violators to civil fines and criminal prosecution" in addition to the penalties imposed by this Ordinance.

c. The Tribal Secretary shall retain custody of the original Order. True copies of the Removal, Exclusion, and/or Restraining Order shall be provided to the Bureau of Indian Affairs, all Tribal government offices and agencies, all places of business located on the Reservation, the Riverside County Sheriff's Department, and all consortiums and organizations of which the Tribe is a Member. Where convenient, copies may be provided by e-mail, in addition to U.S. Mail or personal delivery.

Section 12: Enforcement

If a Person subject to a Removal, Exclusion, and/or Restraining Order enters the Reservation, any available Tribal Council member, through whatever reasonable means deemed appropriate, shall give the Person a copy of the Removal, Exclusion, and/or Restraining Order, if readily available, and instruct the excluded Person to leave the Reservation immediately. If the excluded Person refuses to leave, any Tribal Council member or Tribal staff may contact the Riverside County Sheriff's Department or other law enforcement agency, report the Person as Trespassing, and request immediate assistance in the arrest and removal of the excluded Person from the Reservation. Any Tribal Council member is authorized to affect a citizen's arrest on behalf of the Tribe if necessary to secure removal of an excluded Person from the Reservation, and the Tribal Council hereby is authorized to take any other reasonably available means to enforce a Removal, Exclusion, and/or Restraining Order under this Ordinance.

Section 13: Persons Assisting Removed and/or Excluded Persons to Violate Removal Order, Exclusion Order and/or Restraining Order

a. Any Person who knowingly violates Section 5(c) or 5 (d) of this Ordinance will receive a written warning from the Tribal Council that will put such Person on notice of the existence of a Removal, Exclusion, and/or Restraining Order for the purpose of establishing the Person's liability for any future violations related to the same matter. The warning shall refer to this subsection, and shall be accompanied by a copy of this Ordinance and a copy of the Removal, Exclusion and/or Restraining Order.

b. In the event of any subsequent violation of Section 5(c) or (d) of this Ordinance arising from the same Removal, Exclusion, and/or Restraining Order, the Tribal Council need not give a Person any additional written warnings, but may refer the matter directly to a duly noticed regular or special meeting of the General Council. The Person alleged to have violated Section 5(c) or 5(d) of this Ordinance after having received a warning under this subsection shall be served with reasonable written notice of the date, time and place of the General Council meeting at which the alleged violation will be heard. At that meeting, the

General Council will review the reason(s) that the Tribal Council issued the Warning(s) and, if deemed appropriate, may take such further action against the Tribal Member for violating Section 5(c) or 5(d) of this Ordinance as is determined to be reasonably necessary to deter future violations by the Person.

c. Such further action by the General Council may include, but shall not be limited to, the following sanctions:

1. If the Person is employed by the Tribe, disciplinary action consistent with Tribal employment policies and procedures;
2. Application of per capita and/or revenue sharing payments to restitution in such amounts as the Tribal Council (or, in the absence of a Tribal Council decision, the General Council) may impose;
3. Forfeiture of per capita distributions of net gaming revenue or state revenue sharing payments for up to one (1) year following issuance of the order.
4. Requiring restitution in excess of per capita and revenue sharing payments, in such amounts as the Tribal Council (or General Council, in the absence of a Tribal Council decision) determines are needed to make the victim(s) whole.
5. Removing the Member from Tribal committees, boards, or other official positions within the Tribal government;
6. If a Tribal Member commits three or more violations of Section 5(c) or 5(d), the General Council may issue a Removal, Exclusion, and/or Restraining Order barring the Tribal Member from the Reservation for such time as the General Council deems necessary to deter future violations.

d. Any Removal or Exclusion must be carried out consistent with this Ordinance. Any other action taken by the Tribal Council or General Council must be carried out consistent with applicable Tribal law and policy.

Section 14: Appealing a Removal, Exclusion, and/or Restraining Order to Tribal Court

a. Within thirty (30) days of receipt of Tribal Council's decision, either Petitioner or Respondent may appeal to the Tribal Court by filing a Notice of Appeal with the Tribal Court. The appealing party must serve a copy of the Notice of Appeal on the other party in person, by U.S. mail, or any other means acceptable to the Tribal Court and file with the Tribal Court

a proof of service. The Notice of Appeal shall include a copy of Tribal Council's decision specify the grounds for appeal, including any errors of fact or law. Upon receipt of a timely filed Notice of Appeal, the Tribal Court shall set a hearing on the appeal as soon as is practicable. The Tribal Court shall notify the Petitioner and Respondent of the date, time, and location of the hearing on the appeal.

b. Both the Petitioner and the Respondent shall have the right to attend the appeal hearing set by the Tribal Court and state their position, regardless of which party filed the appeal. Each party has the right to legal representation at their own expense.

c. At the appeal hearing, the Tribal Court shall only consider Tribal Council's original decision, the Notice of Appeal filed by the appealing party, and any other evidence relied upon by Tribal Council in issuing the original decision. No new evidence shall be considered on appeal, including witness testimony. The Tribal Court will determine whether Tribal Council's original decision is supported by substantial evidence and consistent with Tribal laws, customs, and traditions.

d. The Tribal Court, following the conclusion of the appeal hearing, shall issue a written decision within ten (10) days either upholding or overturning, in whole or in part, the Removal, Exclusion, and/or Restraining Order and issuing any sanction(s) the Tribal Court deems appropriate. The Tribal Court is also authorized to hold the appealing party responsible for court costs and fees in the event it upholds Tribal Council's original decision. The Tribal Court's decision shall be final and not subject to further review. Pending the issuance of the Tribal Court's decision, the Tribal Council's original decision regarding Removal, Exclusion, and/or Restraining Order shall remain in effect.

Section 15: Sovereign Immunity

Nothing in this Ordinance is intended to waive the sovereign immunity of the Tribe, its officers, employees, or agents, and this Ordinance shall not be so construed. In executing the provisions of this Ordinance, Tribal officers, employees, and agents are acting in their official capacities in the exercise of the Tribe's inherent authority to control access to its Reservation lands; thus, any action against any of them would directly impact the Tribe's ability to exercise its sovereign powers, and they are cloaked with the Tribe's immunity from suit.

Section 16: Repealer

If any provision of this Ordinance conflicts with any other applicable law, code, ordinance, rule or regulation, the provisions of this Ordinance shall prevail, and to that extent,

any conflicting provision of another applicable law, code, ordinance, rule, or regulation hereby is repealed.

Section 17: Severability

If any provision of this Ordinance, or its application to any Person or entity, is held to be invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 18: Effective Date


This Ordinance shall be effective upon the date of its approval by the General Council.


Section 19: Amendment of the Ordinance


This Ordinance may be amended as needed to modify the grounds for removal or exclusion, to adopt additional rules or procedures, or any other reason by the General Council.


CERTIFICATION

The Cahuilla Band of Indians General Council enacted the foregoing Ordinance in a duly called and noticed General Membership meeting on October 11, 2015, by a vote of 28 for, 11 opposed and 2 abstentions. The General Council amended the foregoing Ordinance on June 23, 2021, by a majority vote of 10 for, 6 opposed, and 0 abstentions. These results are hereby certified by the Tribal Council, and this Ordinance is effective as of the date of its enactment.


Daniel Salgado (Oct 3, 2022 12:38 PDT)
Daniel Salgado Sr., Tribal Chairman (Date)


Edward Chacon (Oct 3, 2022 13:31 PDT)
Edward Chacon, Vice-Chairman (Date)


Steven Leash (Oct 23, 2022 07:03 PDT)
Steven Leash, Council Secretary (Date)


BobbyRay Esparza (Oct 23, 2022 13:57 PDT)
Bobby Ray Esparza, Council Member (Date)