

KALISPEL RESOLUTION NO. 2021-67



P.O. Box 39  
Usk, WA 99180  
509 445-1147  
509 445-1705 fax

[kalispeltribe.com](http://kalispeltribe.com)

**RESOLUTION**

**WHEREAS**, the Kalispel Business Committee is the duly constituted governing body of the Kalispel Tribe by the authority of the Constitution and By-Laws for the Kalispel Tribe; and

**WHEREAS**, under the Constitution and By-Laws of the Tribe, the Kalispel Business Committee is charged with the duty of protecting the health, security, and general welfare of the Kalispel Tribe and all reservation residents; and

**WHEREAS**, Kalispel Law and Order Code (“KLOC”) Chapter 13 – Civil Regulatory Infractions, provides in Section 13-2.01 enforcement authority under this Chapter to the Kalispel Tribal Police and the Tribal Prosecutor; and

**WHEREAS**, the Kalispel Tribal Fire Department (“KTFD”) are often the first responders to fire related situations and there is a desire, for efficiency and to maximize Tribal resources, to allow KTFD to be authorized to issue fire related civil infractions.

**THEREFORE BE IT RESOLVED**, The Kalispel Business Committee hereby amends KLOC 13-2.01 to add Section 13—2.01(a) as follows:

**SECTION 13-2.01(a): ADDITIONAL ENFORCEMENT AUTHORITY**

The Kalispel Fire Department are additional Enforcement Officers for fire related infractions under this Chapter, and it shall be their duty to issue Notices of Infractions under the following Sections 13-5.03 (Throwing Lighted Material From Vehicle), 13-5.04 (Violation of Burning Restrictions or Burn Ban), 15-5.05 (Littering), 13-7.01 (Sale/Distribution of Fireworks without Proper License), 13-7.02 (Sale of Fireworks to Minors), and 13-7.03 (Discharge of Fireworks in Selling Area).

The Kalispel Fire Department are not required to procure a warrant to enforce the provisions of this Chapter and are given all necessary authority under Chapter 13 including, but not limited to, the seizures of Contraband (KLOC 13-2.04). Enforcement officers shall follow the procedures outlined in KLOC Chapter 21 Kalispel Administrative Code when issuing Notices of Infractions.



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**CERTIFICATION**

The Kalispel Business Committee adopted the foregoing RESOLUTION at a meeting held on the 25 day of May, 2021, at the Tribal office on the Kalispel Indian Reservation near Usk, Washington, with the required quorum present by a vote of 3 FOR and 0 AGAINST.

*Glen Nenema*

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GLEN NENEMA, CHAIRMAN  
KALISPEL BUSINESS COMMITTEE  
(TERM EXPIRES JUNE 2023)

*Betty Jo Piengkham*

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BETTY JO PIENKHAM, SECRETARY  
KALISPEL BUSINESS COMMITTEE  
(TERM EXPIRES JUNE 2021)