

AN ORDINANCE  
RELATING TO THE APPLICATION  
OF THE FEDERAL INDIAN LIQUOR LAWS  
OF THE MINNESOTA CHIPPEWA  
TRIBAL RESERVATIONS

WHEREAS, Public Law 277, 83<sup>rd</sup> Congress, approved August 15, 1953, and codified at § 1161 of Title 18, United States Code, provides that Sections 1154, 1156, 3113, 3488 and 3618 of Title 18 of the United States Code shall not apply within any area that is not Indian Country, nor to any act or transaction within any area of Indian Country, provided such act or transaction is in conformity both with the laws of the State in which such act or transaction occurs and with an ordinance duly adopted by the Tribe having jurisdiction over such area of Indian Country, certified by the Secretary of the Interior, and published in the Federal Register, and

WHEREAS, It is the desire of the Minnesota Chippewa Tribal Executive Committee to amend the ordinance regulating liquor in the Indian Country within the jurisdiction of the Minnesota Chippewa Tribe;

NOW, THEREFORE, BE IT RESOLVED, That the Minnesota Chippewa Tribal Executive Committee will issue permits for on and off sale of intoxicating beverages and beer within the Indian Country under the following conditions:

1. All applications for a permit must be submitted to the Minnesota Chippewa Tribal Executive Committee, in writing, setting forth the name, address, age and Tribal affiliation of the applicant (if any) as well as the legal description of the land where said sale of intoxicating beverages or beer is to take place. Said application form shall be supplied by the Tribal Executive Committee and all permits shall be for one (1) year's duration.
2. The Tribal requirements for a permit shall conform with the laws of the State of Minnesota as they relate to the obtaining of liquor licenses elsewhere in the State of Minnesota.
3. The following fee shall be paid to the Minnesota Chippewa Tribe:
  - (a) Off sale beer - \$ 50.00 Quarterly
  - (b) Off and on sale beer - \$100.00 Quarterly
  - (c) Intoxicating beverages, Off sale - \$500.00 Semi-Annually
  - (d) Intoxicating beverages, Off and on sale - \$750.00 Semi-Annually

BE IT FURTHER RESOLVED, That all holders of Minnesota Chippewa Tribe intoxicating beverage or beer permits must conform their operations to those laws of the State of Minnesota relating to the sale or possession of intoxicating beverages or beer as indicated in Minnesota Statutes Annotated.

BE IT FURTHER RESOLVED, That the Minnesota Chippewa Tribal Executive Committee shall, in its discretion, determine how many liquor permits it shall issue or have outstanding in any one year, and it shall be the sole judge of the qualifications of any applicant for a permit.

BE IT FURTHER RESOLVED, That the Minnesota Chippewa Tribal Executive Committee may suspend or revoke the permit issued under this Ordinance for any violation of the provisions of this ordinance.

The Tribal Executive Committee shall give the permit holder written notice of any proposed suspension or revocation of any permit it has issued, by sending a notice, by mail, to the permit holder at the address of the permit holder as shown on the application for a permit. Said notice shall specify the grounds for said proposed suspension or revocation of said permit. A permit holder who receives notice of a proposed suspension or revocation may request a hearing by the Tribal Executive Committee by sending a written request to the Tribal Executive Director at the Tribal Offices within seven (7) days of receipt of the Tribal Executive Committee's notice of proposed suspension or revocation of said permit. The Tribal Executive Committee shall set a date for said hearing, which shall be held within thirty (30) days of receipt of the permit holder's request for a hearing.

The Tribal Executive Committee may affirm its decision to suspend or revoke said permit after said hearing and its decision shall be final.

BE IT FURTHER RESOLVED, That the Tribal Executive Committee may reject any application for a permit under this Ordinance, or for a renewal of a permit for any violation of this Ordinance resulting in a suspension or revocation of said permit.

BE IT FURTHER RESOLVED, That the Ordinance passed, approved and published in the Federal Register on November 25, 1953, (18 Fed. Reg. 7519) and the Ordinance presented, approved and enacted on March 19, 1955, and all other Tribal laws, resolutions or Ordinances heretofore enacted which prohibit, regulate or otherwise control the sale, introduction or possession of intoxicating beverages be and are hereby repealed.

I do hereby certify that the foregoing Ordinance was duly presented, approved and enacted at a regular meeting of the Minnesota Chippewa Tribal Executive Committee, a quorum being present at Virginia, Minnesota, on the 12<sup>th</sup> day of April, 1974, and a vote was cast as follows: **9** For, **0** Abstaining, **0** Against.

Harry Boness, President  
THE MINNESOTA CHIPPEWA TRIBE

ATTEST: Daniel Morrison Sr., Secretary  
THE MINNESOTA CHIPPEWA TRIBE