



Pride of the Ojibwe

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RESOLUTION NO. 136-2021

**AMENDMENT OF TITLE XI, CHAPTER 7
OF THE
LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS
TRIBAL CODE OF LAW
HOUSING AUTHORITY CODE**

- WHEREAS**, the Lac Courte Oreilles Band of Lake Superior Chippewa Indians (“Tribe”) is a federally recognized Indian tribe organized pursuant to the provisions of the Indian Reorganization Act of 1934, 25 U.S.C. § 461, *et seq.*; and
- WHEREAS**, the Tribal Governing Board serves as the governing body of Lac Courte Oreilles Band of Lake Superior Chippewa Indians pursuant to Article III, Section 1 of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians; and
- WHEREAS**, pursuant to Article V, Section 1(l) and (m) of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, empowers the Tribal Governing Board to: “organize, charter and regulate any association or group, including a housing authority, for the purpose of providing social or economic benefits to the members of the Band or residents of the reservation” Article V, Section 1 (l); and “delegate to subordinate boards, officers, committees or cooperative associations which are open to all members of the Band any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated powers” Article V, Section 1 (m).
- WHEREAS**, the Tribal Governing Board duly enacted the Housing Authority Code, as amended, for the purpose of providing adequate and affordable housing and housing services to low- and moderate- income Indian families and individuals within the Reservation and any other area served by the Tribe in compliance with the requirements, rules, and regulations of the Native American Housing Assistance and Self-determination Act of 1996.
- WHEREAS**, the Tribal Governing Board determines that it is in the best interests of the Tribe to amend the Housing Authority Code.

NOW THEREFORE BE IT RESOLVED that the amendment found below to Title XI, Chapter 7 of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians Tribal Code of Law "Housing Authority Code" shall be, and hereby are, enacted as an ordinance of the Tribe, pursuant to Article V, Section 1(l) and (m) of the Amended Constitution and By-laws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians and these sections as they exist at this time are hereby repealed in their entirety.

NOW THEREFORE BE IT FINALLY RESOLVED that the following has been amended.

§ 7.506 Ineligibility for Admission.

Subsection (9) is amended as follows.

Prior Subsection:

(5) No person shall be allowed admission to housing, either as head of household or other member of household, who has been convicted of the illegal manufacture, sale, or distribution of a controlled substance, or possession with intent to manufacture, sell, or distribute a controlled substance;

(6) No person shall be allowed admission to housing, either as head of household or other member of household, who has been convicted with use or possession of a controlled substance with intent to deliver, for a period of five-years after the date of the charge and a grant of a waiver pursuant to Title III, Chapter 6 of the LCOTCL – Pardon and Forgiveness Code;

(7) No person shall be allowed admission to housing, either as head of household or other member of household, who has been charged with use or possession of a controlled substance or drug paraphernalia, for a period of three years after the date of the charge and granted a waiver pursuant to Title III, Chapter 6 of the LCOTCL – Pardon and Forgiveness Code;

Amended Subsection:

(5) No person shall be allowed admission to housing, either as head of household or other member of household, who has been convicted of the illegal manufacture, sale, or distribution of a controlled substance, or possession with intent to manufacture, sell, or distribute a controlled substance, unless granted pardon and forgiveness;

(6) No person shall be allowed admission to housing, either as head of household or other member of household, who has been convicted with use or possession of a controlled substance with intent to deliver, for a period of five-years after the date of the charge or is granted a waiver pursuant to Title III, Chapter 6 of the LCOTCL – Pardon and Forgiveness Code;

(7) No person shall be allowed admission to housing, either as head of household or other member of household, who has been charged with use or possession of a controlled substance or drug paraphernalia, for a period of three years after the date of the charge or is granted a waiver pursuant to Title III, Chapter 6 of the LCOTCL – Pardon and Forgiveness Code;

CERTIFICATION

I, the undersigned, as Secretary/Treasurer of the Lac Courte Oreilles Tribal Governing Board, hereby certify that the Tribal Governing Board is composed of seven (7) members, of whom 5 being present, constituted a quorum at a meeting thereof, duly called, convened, and held on this **20th day of December, 2021**; that the foregoing Resolution was duly adopted at said meeting by an affirmative vote of 4 members, 0 against, 0 abstaining, and that said Resolution has not been rescinded or amended in any way.



Tweed Shuman, Secretary/Treasurer
Lac Courte Oreilles Tribal Governing Board