

**Pala Band of Mission Indians  
Ordinance No. 10  
Pala Peace and Security Ordinance**



**Amended  
June 11, 2025**

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**PALA BAND OF  
MISSION INDIANS**

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**Ordinance No. 10**

**Pala Peace and Security**

**Section 1 Title**

This Ordinance shall be known as the Pala Peace and Security Ordinance.

**Section 2 Policy**

The peace and security of all residents of the Pala Reservation ("Reservation"), both Tribal Member and Non-Member ("Reservation Community"), shall be preserved and protected by the Pala Band of Mission Indians ("Pala Band").

It is the policy of the Pala Band that the Reservation Community is entitled to the peaceful and tranquil pursuit of their lifestyles. It is further the policy of the Pala Band that the Reservation Community is entitled to security against harassment, vandalism, disturbing the peace, and other antisocial acts, both in public and private.

**Section 3 Jurisdiction**

- A. Boundaries. This Ordinance shall be applicable to all persons and lands within the exterior boundaries of the Reservation, and other Pala Trust lands.
- B. Criminal Jurisdiction. The Pala Tribal Law Enforcement Department is the primary agency to enforce Pala laws, with applicable arrest authority and powers.
- C. Tribal Court. Pala Tribal Court ("Tribal Court") shall have jurisdiction over all violations under this Ordinance.

**Section 4 Band Regulation**

The General Council of the Pala Band shall promulgate such regulations as it deems proper and necessary to carry out the policies of the Pala Band with respect to preserving and maintaining the peace and security of the Reservation Community. Such regulations may supersede and supplement any existing ordinances and include any provisions which the Pala Band deems necessary to carry out the policies and procedures of this Ordinance.

**Section 5 Definitions**

For purposes of this Ordinance, the following terms shall be defined as follows:

- A. Abatement Notice shall mean the notice warning a person of a potential civil citation and fine for failure to maintain property or structures in a manner that does not endanger the health and safety of person dwelling thereon or of the Reservation Community.

- B. Admin Building shall mean the Pala Administration Building located on the Pala Reservation.
- C. Animal shall mean all non-human mammals, birds, fish, and reptiles.
- D. Animal at Large shall mean any Animal that is on any private property without permission of the person who owns or has a right to possess or use the property; unrestrained by a leash on public property (unless expressly permitted by law), or private property open to the public; in any place where its presence presents substantial risk of imminent interference with the health, safety or welfare of the public or of other Animals.
- E. Animal Owner shall mean any person who is the legal owner, keeper, harborer, possessor, or the actual custodian of an Animal. Ownership may, but is not required to be established by a person registering as the owner of the Animal on a license or other legal document, or by a person who claims to be the owner or custodian and who takes possession or custody of an Animal.
- F. Civil Citation shall mean a citation issued by a Tribal Officer for violations of this Ordinance.
- G. Civil Penalty or Civil Penalties shall mean the penalty or penalties issued for violations of this Ordinance.
- H. Controlled Substances shall mean a drug or chemical whose manufacture, possession, sale, or use is regulated by federal and/or state law. For purposes of this Ordinance, Controlled Substances shall include substances the manufacture, possession, sale or use of which is unlawful under federal and/or state law, as well as substances that may be dispensed only by a physician's prescription.
- I. Criminal Street Gang shall have the same meaning as set forth in the California Penal Code §186.22, defined as any ongoing organization, association, or group of three or more persons, whether formal or informal, having one of its primary activities the commission of one or more of the criminal acts listed below, having a common name or common identifying symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity:
1. assault with a deadly weapon or by means of force likely to produce great bodily injury;
  2. robbery;
  3. unlawful homicide or manslaughter;
  4. sale, possession for sale, transportation, manufacture, offer for sale, or offer to manufacture controlled substances;
  5. shooting at an inhabited dwelling or occupied motor vehicle;
  6. discharging or permitting the discharge of a firearm from a motor vehicle;
  7. arson;

8. intimidation of witnesses and victims;
9. grand theft;
10. grand theft of any firearm, vehicle, trailer or vessel;
11. burglary;
12. rape;
13. looting;
14. money laundering;
15. kidnapping;
16. mayhem;
17. aggravated mayhem;
18. torture;
19. felony extortion;
20. felony vandalism;
21. carjacking;
22. sale, delivery, or transfer of a firearm;
23. unlawful possession of a pistol, revolver, or other firearm capable of being concealed upon the person;
24. threats to commit crimes resulting in death or great bodily injury;
25. theft and unlawful taking or driving of a vehicle;
26. prohibited possession of a firearm;
27. unlawful carrying of a concealed firearm; and,
28. unlawful carrying of a loaded firearm.

For purposes of this Ordinance, the criminal acts contained in this definition shall have the same definition as the laws of the State of California, unless otherwise provided by Tribal law or Federal law.

- J. Dangerous or Deadly Weapon shall mean any weapon, device, instrument, material or substance that is designed, made, adapted or purposely used in the manner inflict death or serious bodily injury. Dangerous or Deadly Weapon shall include, but is not limited to, firearms, dirks, daggers, clubs, metal knuckles, and knives.
- K. Dawn shall mean one half (1/2) hour before sunup.
- L. Debt Bondage shall mean the status or condition of a debtor arising from a pledge by the debtor of the debtor's personal services or those of a person under the debtor's control as a security for the debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

- M. Defendant shall mean a person who is required to answer a civil action brought before the Tribal Court in the form of a Civil Citation for violations of this Ordinance.
- N. Dog License shall mean the certification issued for a dog after is has been registered by his/her Animal Owner with Tribal Law Enforcement.
- O. Dusk shall mean one half (1/2) hour past sundown.
- P. Executive Committee shall mean the Executive Committee of the Pala Band.
- Q. Exigent Circumstances shall mean an emergency situation that requires unusual or immediate action to prevent imminent danger to life or serious damage to property, such that circumvention of usual procedures is warranted.
- R. Excluded or Evicted Person shall mean a person who has been excluded or evicted from the Reservation in accordance with Tribal law.
- S. Exclusion shall mean a person who has been permanently excluded from the Reservation by the authority of the General Council.
- T. Forced Labor shall mean labor or services that are performed or provided by another individual and are obtained or maintained through any one or more of the following:
1. Threat, either implicit or explicit, scheme, plan, or pattern, or other action intended to cause the victim to believe that if they did not perform or provide the labor or services, that the victim or another individual would suffer bodily harm or physical restraint; that any fact tending or alleged fact tending to cause shame or to subject any person to hatred, contempt, or ridicule would be exposed.
  2. Physically restraining or threatening to physically restrain a person;
  3. Abuse or threatened abuse of the legal process;
  4. Knowingly destroying, concealing, confiscating, removing or possessing any actual or purported passport or other immigration document;
  5. Knowingly destroying, concealing, confiscating, removing, or possessing any actual or purported domestic documents such as driver's license, social security card, birth certificate, or legal documents proving identity or citizenship;
  6. Use of blackmail.
- U. General Council shall mean the General Council of the Pala Band consisting of Tribal Members age eighteen years of age or older.
- V. Human Trafficking shall mean either sex trafficking or labor trafficking, whether or not against a minor, as defined herein.
- W. Illegal Activities shall mean any violation of Tribal law, and applicable federal and/or state criminal laws.
- X. Impounded Animal shall mean any Animal in the custody of Tribal Law Enforcement.

- Y. Labor Trafficking shall mean the recruitment, transportation, transfer, harboring, enticement, provision, obtaining, or receipt of a person by any means (including electronic/telephonic) for the purpose of Debt Bondage, Forced Labor, Slavery, or similar practices.
- Z. Labor Trafficking of a Minor shall mean the Labor Trafficking of a victim who is under the age of eighteen (18).
- AA. Motor Vehicle shall mean all vehicles that are powered by a motor, including, but not limited to, automobiles, trucks, motorcycles, motor homes, busses, tractors and other heavy equipment, and all-terrain vehicles.
- BB. Non-Member shall mean any person who is not an enrolled member of the Pala Band.
- CC. Non-street Legal Vehicle shall mean a vehicle that may not be legally driven on a California roadway, highway or street and includes but is not limited to: off-highway motorcycles, pocket bikes, motorized scooters, motorized skateboards, go carts, unless driven by a California licensed driver; motorized quad/tricycles, self-propelled wheelchairs, electronic personal assistive mobility devices, or all-terrain vehicles.
- DD. Notice of Entry of Dismissal shall mean the notice in which the Tribal Judge issues a legal opinion stating the grounds for dismissal of Civil Citation.
- EE. Notice of Entry of Judgment shall mean the notice in which the Tribal Judge issues a legal opinion stating the grounds for judgment for Civil Citation.
- FF. Order for Default Judgment shall mean an order entered by the Tribal Judge finding that a Defendant failed to perform a court-ordered action.
- GG. Order for Dismissal shall mean the order entered by the Tribal Judge in which Civil Citations are dismissed against a Defendant.
- HH. Pala Band shall mean the Pala Band of Mission Indians.
- II. Pala Park shall mean the park, enclosed with a rock wall, which is located at the north east section of the intersection of Pala Mission Road and Pala Temecula Road.
- JJ. Parties to the Case shall mean the Defendant, Defendant's representative, Tribal Officer(s), Executive Committee, and the Pala Band's representative(s).
- KK. Paved Road shall mean roads that have been covered in durable surface materials, such as concrete, asphalt, and composite, with the intention to sustain vehicular traffic and which are marked to guide traffic.
- LL. Personal Crimes shall mean offenses committed against another person including, but not limited to, rape, sexual assault, personal robbery, assault, purse snatching and pocket picking. This category includes both attempted and completed crimes.

- MM. Property Crimes shall mean offenses committed against property including, but not limited to, burglary, motor vehicle theft, or theft. This category includes both attempted and completed crimes.
- NN. Prostitution shall mean the performance for hire, or offering or agreeing to perform for hire, where there is an exchange of anything of value, or an offer to exchange anything of value, in exchange for Sexual Intercourse or Sexual Contact, as defined herein.
- OO. Public Place shall mean all unassigned tribal trust land that is open to the public, including, but not limited to commercial establishments within the boundaries of the Pala Reservation.
- PP. Request for Continuance shall mean a request for postponement of an action to a later date.
- QQ. Reservation shall mean the land within the exterior boundaries of the Pala Reservation.
- RR. Reservation Community shall mean the Pala Band, Tribal Members, and Reservation Residents (as defined below).
- SS. Reservation Resident shall mean shall mean a Non-Member who resides on the Reservation.
- TT. Schedule of Fines shall mean the lists the civil fines imposed for violations of this Ordinance and for repeated infractions.
- UU. Sexual Contact shall mean the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.
- VV. Sexual Intercourse shall mean vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the body of another.
- WW. Sex Trafficking shall mean the recruitment, transportation, transfer, harboring, enticement, providing, obtaining, or receipt of Sexual Contact or Sexual Intercourse for the purpose of Prostitution or practice similar to Prostitution.
- XX. Sex Trafficking of a Minor shall mean Sex Trafficking involving a victim who is under the age of eighteen (18).
- YY. Sheriff's Department shall mean the Sheriff's Department of San Diego County, State of California, which is authorized to enforce certain criminal and/or Tribal laws within the Reservation.

- ZZ. Slavery shall mean controlling a person through force, fraud or coercion to exploit said person.
- AAA. Traditional Restitution shall mean any customary or traditional compensation, as determined by the Tribal Court.
- BBB. Tribal Chairman shall mean the Chairman of the Executive Committee.
- CCC. Tribal Court shall mean the Tribal Court of the Pala Band.
- DDD. Tribal Employee shall mean a person who is employed by the Pala Band of Mission Indians, excluding persons employed by the Pala Casino Resort and Spa.
- EEE. Tribal Judge shall mean the appointed Judge of the Pala Tribal Court.
- FFF. Tribal Law Enforcement or "TLE" shall mean the Pala Band's Tribal Law Enforcement Department.
- GGG. Tribal Member shall mean a person who is an enrolled member of the Pala Band.
- HHH. Tribal Officer shall mean any officer of the Pala Band, including the Pala Casino Resort & Spa, who is authorized to enforce any provision of this Ordinance.
- III. Unpaved Roads shall mean roads that have been covered in subgrade materials, usually native material of the land, to include authorized and unauthorized pathways, and that may not be marked to guide traffic.
- JJJ. Vendor Permit shall mean an approved vendor license for which the Pala Band adopts regulations for businesses to sell and/or offer services within the Reservation.
- KKK. Victim Restitution is defined as any payment of victim's documented costs for medical treatment, counseling, substance abuse treatment, or any financial damage caused by the act of Human Trafficking.

## **Section 6 Prohibited Acts**

It shall be unlawful for any person to commit offenses as outlined in this Section, the violation of which may result in the issuance of a Civil Citation by Tribal Law Enforcement and/or Tribal Officer(s).

- A. It shall be unlawful for any person to commit any of the following property/public offenses:
1. Littering. Discard, drop, or scatter waste matter in other than appropriate storage containers or areas designated for such purposes. Waste matter includes, but not limited to, containers and closures, packaging, wrappers, wastepaper, newspapers, magazines, cigarettes, cigars, matches, trash, garbage, refuse, paper, packaging or construction material, carcass of a dead animal, any nauseous or offensive matter of any kind, or any object likely to injure any person or create a hazard. Littering also included waste matter that escapes or is allowed to escape from a container, receptacle, or package.

Violation of § 6.A.1. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, four hundred dollars (\$400) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

2. Disturbing the Peace. Disturb another person by making an unnecessary disturbing noise, including, but not limited to causing excessively loud noise, by shouting, playing loud music, or allowing a dog to bark for prolonged periods of time.

Violation of § 6.A.2. is subject to a civil penalty with a fine of fifty dollars (\$50) for the first (1<sup>st</sup>) offense, one hundred dollars (\$100) for the second (2<sup>nd</sup>) offense, and two hundred fifty dollars (\$250) for the third (3<sup>rd</sup>) offense.

3. Loitering. Be present in any public area of the Reservation from dusk to dawn, except when:
  - a. engaged in or going to or from an employment activity, without any detour or stop;
  - b. involved in an emergency;
  - c. attending a social or cultural event approved or sponsored by the Pala Band;

Violation of § 6.A.3. is subject to a civil penalty with a fine of fifty dollars (\$50) for the first (1<sup>st</sup>) offense, one hundred dollars (\$100) for the second (2<sup>nd</sup>) offense, and two hundred fifty dollars (\$250) for the third (3<sup>rd</sup>) offense.

4. Harassment. Engage in any knowing and willful conduct directed at a specific person that alarms, annoys, torments, terrorizes, intimidates, and/or places that specific person in reasonable fear of his/her safety for no legitimate purpose.

Violation of § 6.A.4. is subject to a civil penalty with a fine of one hundred dollars (\$100) for the first (1<sup>st</sup>) offense, two hundred dollars (\$200) for the second (2<sup>nd</sup>) offense, and five hundred dollars (\$500) for the third (3<sup>rd</sup>) offense.

5. Public Urination or Defecation. Urinating or defecating in a public area on the Reservation. A person who cannot comply with this section as a result of a disability, age, or a medical condition is exempt from this violation.

Violation of § 6.A.5. is subject to a civil penalty with a fine of three hundred dollars (\$300) for the first (1<sup>st</sup>) offense, five hundred dollars (\$500) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

6. Violation of Juvenile Curfew (Parent/Guardian). When a parent or guardian of a person under eighteen (18) years of age, knowingly permits, or by insufficient control allows, a minor to be present in any public area of the Reservation from dusk to dawn.

Violation of § 6.A.6. is subject to a civil penalty with a fine of fifty dollars (\$50) for the first (1<sup>st</sup>) offense, one hundred dollars (\$100) for the second (2<sup>nd</sup>) offense, and two hundred fifty dollars (\$250) for the third (3<sup>rd</sup>) offense.

7. Failure to Abate Nuisance. Maintain any real property or structure thereon in such a manner or condition as to endanger the health and safety of those persons dwelling therein or in the Reservation Community, provided the property owner or person having the right to use and possess the property shall first be provided with an Abatement Notice issued by the Executive Committee and served by a Tribal Officer in accordance with Section 10, which notice shall contain the following information:

- a. the street address or description sufficient for identification of the property at which the nuisance is located;
- b. that the Executive Committee has found the condition to be a nuisance, with a concise description of the basis of the findings;
- c. a direction to, within a reasonable period given the severity of the threat to public health and safety but not to exceed thirty (30) days, either:
  1. abate the nuisance;
  2. enter into a compliance agreement designed to abate the nuisance, mutually agreed by the owner or occupant and the Executive Committee; or
  3. obtain the written consent of the Executive Committee to an extension of time to abate the nuisance based on a showing of good cause why the owner or occupant cannot abate the nuisance within the time initially allotted;
- d. a statement that failure to abate the nuisance may result in the issuance of a Civil Citation; and
- e. a statement that the owner or occupant may be required to pay to the Pala Band a Civil Penalty for each day the nuisance continues after the time allotted to abate the nuisance expires.

Violation of § 6.A.7. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, four hundred dollars (\$400) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

8. Aiding and Abetting Excluded or Evicted Individuals, or Fugitives of Law.  
Aiding, Abetting, or harboring an Excluded or Evicted Person or a fugitive of the law, or a member of a Criminal Street Gang. Violation of this section, by Non-Indian violator, shall result in proceedings for the exclusion of the violator from the Reservation, in accordance with Tribal law.

Violation of § 6.A.8. is subject to a civil penalty with a fine of one thousand dollars (\$1,000) for the first (1<sup>st</sup>) offense, three thousand dollars (\$3,000) for the second (2<sup>nd</sup>) offense, and five thousand dollars (\$5,000) for the third (3<sup>rd</sup>) offense.

9. Illegal Activities on Property. It shall be unlawful for any business owner and/or land owner (fee land and allotments) on the Reservation, including assignment holders, to knowingly permit illegal activities on his/her property.

Violation of § 6.A.9. is subject to a civil penalty with a fine of one thousand dollars (\$1,000) for the first (1<sup>st</sup>) offense, two thousand dollars (\$2,000) for the second (2<sup>nd</sup>) offense, and five thousand dollars (\$5,000) for the third (3<sup>rd</sup>) offense.

10. Vandalism. Willful or ignorant, injury, destruction, and/or defacing of any real or personal property of another.

Violation of § 6.A.10. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, four hundred dollars (\$400) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

11. Arson. Willfully and maliciously set any fire to, or burn, or cause to be burned or aid, counsel, or assist in the burning of any real or personal property without the consent of the property owner, including crops, located on the Reservation, except when the burning is conducted as part of the traditional ceremonies of the Pala Band.

Violation of § 6.A.11. is subject to a civil penalty with a fine of one thousand dollars (\$1,000) for the first (1<sup>st</sup>) offense, two thousand dollars (\$2,000) for the second (2<sup>nd</sup>) offense, and five thousand dollars (\$5,000) for the third (3<sup>rd</sup>) offense.

- B. It shall be unlawful for any person to commit any of the following personal offenses:

1. Public Fighting. Fight in a public place or to challenge any other person in public to fight, except as part of an entertainment event approved or sponsored by the Pala Band.

Violation of § 6.B.1. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, four hundred dollars (\$400) for the second (2<sup>nd</sup>) offense, and eight hundred dollars (\$800) for the third (3<sup>rd</sup>) offense.

2. Trespass with Intent to Interfere or Assault. Go upon, enter, or remain upon the lands of another whether unenclosed or enclosed , for the purpose of injuring any property or with the intention of interfering with, obstructing, or injuring any lawful business occupation or activity carried on by the owner of such land, his agent or by the person in lawful possession.

Violation of § 6.B.2. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, five hundred dollars (\$500) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

3. Trespass. Wrongful entry on to the real property of another, whether or not such property is posted with a notice that entry constitutes trespass.

Violation of § 6.B.3. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, five hundred dollars (\$500) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

- C. It shall be unlawful for any person to commit any of the following drug/alcohol related offenses:

1. Public Consumption of Alcoholic Beverages. Drink alcoholic beverages of any kind, at any time, in the Pala Park or any public area of the Reservation, unless such consumption or drinking occurs at a recognized church, or organized Reservation function or tribally approved event at which the consumption of alcoholic beverages is approved

Violation of § 6.C.1. is subject to a civil penalty with a fine of one hundred dollars (\$100) for the first (1<sup>st</sup>) offense, two hundred dollars (\$200) for the second (2<sup>nd</sup>) offense, and five hundred dollars (\$500) for the third (3<sup>rd</sup>) offense.

2. Contributing to the Delinquency of Minors. Give, purchase for, or furnish any person under twenty-one (21) years of age, on the Reservation, any alcoholic beverage or Controlled Substance.

Violation of § 6.C.2. is subject to a civil penalty with a fine of five hundred dollars (\$500) for the first (1<sup>st</sup>) offense, eight hundred dollars (\$800) for the second (2<sup>nd</sup>) offense, and one thousand five hundred dollars (\$1,500) for the third (3<sup>rd</sup>) offense.

3. Possession, Delivery, or Sale of Controlled Substances. Introduce, cultivate, use, possess or sell on the Reservation any form of any Controlled Substance, except as prescribed by and used in accordance with a doctor's prescription.

The production and distribution of marijuana for medicinal purposes, whether or not in compliance with the laws of the State of California, is **strictly prohibited** on the Reservation, and all other lands under the ownership of the Pala Band.

Violation of § 6.C.3. is subject to a civil penalty with a fine of one thousand dollars (\$1,000) for the first (1<sup>st</sup>) offense, three thousand dollars (\$3,000) for the second (2<sup>nd</sup>) offense, and five thousand dollars (\$5,000) for the third (3<sup>rd</sup>) offense.

4. Under the Influence of Alcohol or Controlled Substances. Come upon or be upon the Reservation while under the influence of alcohol, or Control Substances.

Violation of § 6.C.4. is subject to a civil penalty with a fine of three hundred dollars (\$300) for the first (1<sup>st</sup>) offense, five hundred dollars (\$500) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

- D. It shall be unlawful for any person to commit any of the following vehicle related offenses:

1. Unlawful Parking. Park, stop, or leave standing a Motor Vehicle:

- a. within areas designated solely for the passage or parking of emergency vehicles or postal service vehicles;
- b. within a no-parking area as designated by a yellow-painted curb or no parking sign;
- c. within a parking area designated for physically disabled persons without a valid State of California, or other state, physically disabled parking permit;
- d. upon any portion of a street or public parking area when the Motor Vehicle is inoperable, except for such time as is reasonably necessary to arrange to have the Motor Vehicle towed or moved;
- e. within twenty (20) feet of any intersection or crosswalk on Pala Mission Road or Pala Temecula Road, except at the intersection near the Pala Mission Church when a public function is in progress at the Church;
- f. on any sidewalk;
- g. within fifteen (15) feet of a fire hydrant; or
- h. at any place where the Motor Vehicle would block or partially block the use of a road, driveway, or other driving area.

Violation of § 6.D.1.a.-h. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, three hundred dollars (\$300) for the second (2<sup>nd</sup>) offense, and five hundred dollars (\$500) for the third (3<sup>rd</sup>) offense.

2. Washing a Motor Vehicle in Public Park. Wash his/her Motor Vehicle in the Pala Park.

Violation of § 6.D.2. is subject to a civil penalty with a fine of twenty-five dollars (\$25) for the first (1<sup>st</sup>) offense, fifty dollars (\$50) for the second (2<sup>nd</sup>) offense, and one hundred twenty-five dollars (\$125) for the third (3<sup>rd</sup>) offense.

3. Driving without a License. Operate a Motor Vehicle, without a valid driver's license issued by the State of California or another State.

Violation of § 6.D.3. is subject to a civil penalty with a fine of one hundred dollars (\$100) for the first (1<sup>st</sup>) offense, two hundred dollars (\$200) for the second (2<sup>nd</sup>) offense, and five hundred dollars (\$500) for the third (3<sup>rd</sup>) offense.

4. Speeding. Drive a Motor Vehicle in excess of twenty-five (25) miles per hour on any Paved Road within the Reservation, with the exception of Highway 76, and it shall be unlawful to drive a Motor Vehicle on any Unpaved Road within the Reservation in excess of fifteen (15) miles per hour.

Violation of § 6.D.4. is subject to a civil penalty with a fine of fifty dollars (\$50) for the first (1<sup>st</sup>) offense, one hundred dollars (\$100) for the second (2<sup>nd</sup>) offense, and two hundred fifty dollars (\$250) for the third (3<sup>rd</sup>) offense.

5. Reckless Driving. Operate a Motor Vehicle on any Paved or Unpaved Roads within the Reservation in a willful or wanton disregard for the safety of persons or property.

Violation of § 6.D.5. is subject to a civil penalty with a fine of three hundred dollars (\$300) for the first (1<sup>st</sup>) offense, five hundred dollars (\$500) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

6. Unlawful Operation of Non-Street Legal Vehicle.

- a. Operate a Non-Street Legal Vehicle on Pala Mission Road, and Pala Temecula Road, or State Highway 76, under any circumstances.
- b. Operate a Non-Street Legal Vehicle anywhere on the Reservation, other than those locations identified in § 6.D.6. above:
  1. so as to disturb the peace of the Reservation Community, anytime during the day or night;
  2. without a spark arrester; or
  3. in the case of a person under eighteen (18) years of age, without a safety helmet designed for such use.

Violation of § 6.D.6.a-b. is subject to a civil penalty with a fine of three hundred dollars (\$300) for the first (1<sup>st</sup>) offense, five hundred dollars (\$500) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

- E. It shall be unlawful for any person to commit any of the following animal control related offenses:

1. Animals at Large. All Animals found to be Animals at Large will be impounded by the Tribal Law Enforcement. Impounded Animals may be claimed by the Animal Owner who must pay an impound fee of twenty-five (\$25) dollars per day per animal due when dog is picked up by owner.

All Impounded Animals, who are not claimed by the Animal Owner within forty-eight (48) hours, will be surrendered to the Escondido Humane Society or an appropriate facility.

Violation of § 6.E.1. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, four hundred dollars (\$400) for the second (2<sup>nd</sup>) offense, and five hundred dollars (\$500) for the third (3<sup>rd</sup>) offense.

2. Failure to Register Dogs. Animal Owners are required to properly register his/her dog or dogs by applying for a Dog License with Tribal Law Enforcement. Tribal Law Enforcement shall issue the Dog Licenses and maintain a database of Registered Dogs that includes the Animal Owner's name, address, and telephone number; the dog's name and description, including breed, color, sex, date of birth, if known; rabies vaccination date; license tag number and expiration date.

All dogs on the Reservation must be registered, will be issued a dog tag, and said dog tag must be collared at all times.

Violation of § 6.E.2. is subject to a civil penalty with a fine of fifty dollars (\$50) for the first (1<sup>st</sup>) offense, one hundred dollars (\$200) for the second (2<sup>nd</sup>) offense, and one hundred dollars (\$300) for the third (3<sup>rd</sup>) offense.

3. Animal Abuse. Physically mistreat an Animal either by abuse or failure to furnish minimum care. Physical mistreatment of an Animal shall include but is not limited to the killing, maiming, mutilating, beating, torturing, wounding, tormenting an animal and/or depriving an animal necessary sustenance, drink, food, or shelter.

Violation of § 6.E.3. is subject to a civil penalty with a fine of one hundred dollars (\$100) for the first (1<sup>st</sup>) offense, two hundred dollars (\$200) for the second (2<sup>nd</sup>) offense, and five hundred dollars (\$500) for the third (3<sup>rd</sup>) offense.

- F. It shall be unlawful for any person to commit any of the following weapons/firearms and fireworks offenses:

1. Possession or Discharge of Dangerous Fireworks. Possess, use, or sell dangerous fireworks as defined under California Health and Safety Code § 12500. This section does not apply to tribally sponsored fireworks events.

Violation of § 6.F.1. is subject to a civil penalty with a fine of one thousand dollars (\$1,000) for the first (1<sup>st</sup>) offense, two thousand dollars (\$2,000) for the second (2<sup>nd</sup>) offense, and three thousand dollars (\$3,000) for the third (3<sup>rd</sup>) offense.

2. Firearm – Discharge while Hunting near Dwelling. Hunt or discharge while hunting any firearm or other deadly weapon within one hundred fifty (150) yards of any occupied dwelling, house, residence, or other building or any barn or other out building used in connection therewith, unless the person is the owner, person in possession of the property, or person having the express permission of the owner or person in possession of the property.

Violation of § 6.F.2. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, four hundred dollars (\$400) for the second (2<sup>nd</sup>) offense, and eight hundred dollars (\$800) for the third (3<sup>rd</sup>) offense.

3. Firearm – Willful Discharge at Dwelling, Building, or Motor Vehicle. Willfully discharge a firearm at any dwelling house, occupied building, or occupied Motor Vehicle.

Violation of § 6.F.3. is subject to a civil penalty with a fine of three hundred dollars (\$300) for the first (1<sup>st</sup>) offense, five hundred dollars (\$500) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

4. Firearm – Using, Brandishing, or Possessing in a Hazardous Manner. Use, brandish, or possess any firearm or deadly or dangerous weapon in any manner that constitutes a danger or hazard to the Reservation Community.

Violation of § 6.F.4. is subject to a civil penalty with a fine of five hundred dollars (\$500) for the first (1<sup>st</sup>) offense, one thousand dollars (\$1,000) for the second (2<sup>nd</sup>) offense, and two thousand dollars (\$2,000) for the third (3<sup>rd</sup>) offense.

5. Firearm – Discharge upon Roads and Highways. Shoot any firearm from or upon roads or highways within the Reservation.

Violation of § 6.F.5. is subject to a civil penalty with a fine of five hundred dollars (\$500) for the first (1<sup>st</sup>) offense, one thousand dollars (\$1,000) for the second (2<sup>nd</sup>) offense, and two thousand dollars (\$2,000) for the third (3<sup>rd</sup>) offense.

- G. It shall be unlawful for any person to commit any of the following permit offenses:

1. Operating without a Valid Vendor's Permit. Selling goods and services on the Reservation without a proper Vendor Permit.

Violation of § 6.G.1. is subject to a civil penalty with a fine of two hundred dollars (\$200) for the first (1<sup>st</sup>) offense, five hundred dollars (\$500) for the second (2<sup>nd</sup>) offense, and one thousand dollars (\$1,000) for the third (3<sup>rd</sup>) offense.

- H. It shall be unlawful for any person to commit any of the following disobedience/court/civil offenses:

1. Resisting or Assaulting Officer. Physically attack, challenge to fight, resist arrest, refuse to produce proper identification upon request, or otherwise interfere with the performance of duty of any Tribal Officer.

Violation of § 6.H.1. is subject to a civil penalty with a fine of two hundred fifty dollars (\$250) for the first (1<sup>st</sup>) offense, five hundred dollars (\$500) for the second (2<sup>nd</sup>) offense, and two thousand dollars (\$2,000) for the third (3<sup>rd</sup>) offense.

2. Refusing to Assist or Obey Officer. Neglect or refuse to aid and assist in preventing any breach of the peace or the commission of any criminal offence after being requested by a Tribal Officer to do so, if the person is able bodied and above eighteen (18) years of age.

Violation of § 6.H.2. is subject to a civil penalty with a fine of one hundred dollars (\$100) for the first (1<sup>st</sup>) offense, two hundred dollars (\$200) for the second (2<sup>nd</sup>) offense, and five hundred dollars (\$500) for the third (3<sup>rd</sup>) offense.

3. Failure to Pay. Fail to pay Civil Penalties within the time allowed under this Ordinance.

Violation of § 6.H.3. is subject to a civil penalty with a fine of one hundred percent (100%) of the original fine for the first (1<sup>st</sup>) offense, one hundred percent (100%) of the original fine for the second (2<sup>nd</sup>) offense, and one hundred percent (100%) of the original fine for the third (3<sup>rd</sup>) offense.

- I. Human Trafficking. It shall be unlawful for any person to commit any of the following

Human Trafficking-related offenses:

1. Labor Trafficking. Any person who commits or benefits from any one or more of the following activities shall be subject to the penalties set forth in this Section I:
  - a. Benefits financially or receives anything of value from knowing participation in Labor Trafficking, knowing or having reason to know it is derived from an act of Labor Trafficking, or;
  - b. Promotes, recruits, entices, harbors, transports, provides or obtains by any means another person knowing that person may be subjected to Labor Trafficking; or
  - c. Attempts or conspires or has the intent to promote, recruit, entice harbor, transport, provide or obtain by any means another person knowing that person may be subjected to Labor Trafficking.
2. Labor Trafficking of a Minor.
  - a. Any person who commits or benefits from any one or more of the following activities shall be subject to the penalties set forth in this Section I:
    1. Benefits financially or receives anything of value from knowing participation in Labor Trafficking of a Minor, knowing or having reason to know it is derived from an act of Labor Trafficking of a Minor.
    2. Promotes, recruits, entices, harbors, transports, provides or obtains by any means another person under the age of 18, knowing that person will be subjected to Labor Trafficking of a Minor.

3. Attempts or conspires, or has the intent to promote, recruit, entice, harbor, transport, provide or obtain by any means another person under the age of 18, knowing that person may be subjected to Labor Trafficking of a Minor.
  - b. There is no limitation in which a charge may be filed or prosecution may commence for any offense under this Section I involving a victim who is under 18 years of age at the time of the alleged Labor Trafficking of a Minor offense.
  - c. The Tribe shall file a criminal complaint against a “John/Jane Doe” where there is physical evidence (forensic interview/examination, DNA, fingerprints, false name given, etc.) that Labor Trafficking of a Minor has occurred but where the perpetrator is unknown.
3. Sex Trafficking. Any person who commits or benefits from any one or more of the following activities shall be subject to the penalties set forth in this Section I:
  - a. Benefits financially or receives anything of value from knowing participation in Sex Trafficking of a person over the age of 18, knowing or having reason to know it is derived from an act of Sex Trafficking.
  - b. Promotes, recruits, entices, harbors, transports, provides or obtains by any means another person over the age of 18, knowing that person may be subjected to Sex Trafficking.
  - c. Attempts or conspires, or has the intent to promote, recruit, entice harbor, transport, provide or obtain by any means another person over the age of 18, knowing that person will be subjected to Sex Trafficking.
4. Sex Trafficking of a Minor.
  - a. Any person who commits or benefits from any one or more of the following activities shall be subject to the penalties set forth in this Section I:
    1. Benefits financially or receives anything of value from knowing participation in Sex Trafficking of a Minor, knowing or having reason to know it is derived from an act of Sex Trafficking of a Minor.
    2. Promotes, recruits, entices, harbors, transports, provides or obtains by any means another person under the age of 18, knowing that person may be subjected to Sex Trafficking of a Minor.
    3. Attempts or conspires, or has the intent to promote, recruit, entice harbor, transport, provide or obtain by any means another person under the age of 18, knowing that person will be subjected to Sex Trafficking of a Minor.

- b. There is no limitation on the time in which a charge may be filed or prosecution may commence for any offense under this Section I involving a victim who is under 18 years of age at the time of the alleged Sex Trafficking of a Minor offense.
  - c. The Tribe shall file a criminal complaint against a “John/Jane Doe” where there is physical evidence (forensic interview/examination, DNA, fingerprints, false name given, etc.) that Sex Trafficking of a Minor has occurred but where the perpetrator is unknown.
5. Penalties:
- a. Violation of this Section I is subject to the following;
    - 1. Imprisonment for up to one year (365 days);
    - 2. Five-thousand (\$5,000) fine;
    - 3. Any other penalty deemed appropriate by the Tribal Court including, but not limited to: probation, up to five (5) years in duration; loss of firearm privileges; substance abuse treatment; no contract orders; loss of business license; payment to a child advocacy center; victim restitution; traditional restitution; loss of hunting and fishing privileges; diversion of per capita payments, in accordance with Tribal law; and, sex offender registry.
  - b. In the event an individual charged with a violation of this Section I is convicted of a violation of this Section, the Tribal Court may order an assessment of the offender by a probation officer or other qualified service provider to ascertain an appropriate treatment plan for the offender, and shall make such an order when the victim is a minor.
  - c. Upon the recommendation by the probation officer or other qualified assessment personnel, the Tribal Court may order treatment, including but not limited to, substance abuse counseling, mental health, parenting, anger management, sexual offender treatment, or job training and make this order part of the offender’s probation or release. Failure to complete the term(s) of probation or release shall constitute probation or release violation and may subject the offender to incarceration or other sanctions.
  - d. Upon conviction of an offender who has been found to have violated this Section I, the Tribal Court may order an assessment of the victim by a qualified service provider. The victim may choose to accept or deny the evaluation. Upon recommendations by a qualified service provider, the Tribal Court may provide for treatment including, but not limited to, substance abuse counseling, mental health counseling, parenting classes and counseling, anger management, or job training for the victim and/or members of the victim’s family, as appropriate. All expenses incurred will be assessed as victim’s restitution and will be the responsibility of the offender.

- J. Aiding and Abetting. Whenever any act or omission is made unlawful under this Ordinance it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.
- K. Successive Violations. Each person is guilty of a separate violation for each and every day during any portion of which any violation of any provision of this Ordinance is committed, continued, or permitted by such person.

## **Section 7      Enforcement**

It shall be the duty of every Tribal Officer to enforce this Ordinance and all supplemental rules and regulations governing law and order on the Reservation adopted by the General Council.

## **Section 8      Civil Citation**

Whenever a Tribal Officer determines that a violation of this Ordinance has occurred, the Tribal Officer shall issue a Civil Citation to any person responsible for the violation(s).

Each Civil Citation shall contain the following information:

1. The date of the violation;
2. The address or a definite description of the location where the violation occurred;
3. The section(s) of this Ordinance violated and a brief description of the acts or omissions constituting the violation;
4. The amount of the penalty for the violation;
5. A description of the penalty payment process, including a description of the time within which and place to which the penalty shall be paid;
6. A description of the Civil Citation review process, including the time within which the Civil Citation may be contested; and
7. The name and signature of the citing Tribal Officer.

## **Section 9      Other Penalties**

- A. Referral to other Jurisdiction. Notwithstanding any tribal penalties provided for under this Ordinance, all persons found in violation of any federal and/or state law while within the Reservation may be referred to federal, state, or county law enforcement officials for prosecution.
- B. Exclusion of Individual. Use of remedies and procedures of this Ordinance shall not limit or preclude the use of other civil or criminal legal remedies by the Pala Band or any other person, including but not limited to Exclusion from the Reservation.

## **Section 10      Service**

- A.    Service of Citation. Service of the Civil Citation may be accomplished by;
  - 1.      Personal service on the person alleged to have committed the violation; or
  - 2.      Mailing the civil citation by certified mail, return receipt requested, addressed to the person alleged to have committed the violation at his/her mailing address if known, or such other place which is believed to give the occupant or owner actual notice of the Civil Citation by a Tribal Officer.
- B.    Effective Date of Service. Service is deemed effective on the date of personal service or when the certified mail is delivered. If the certified mail receipt is returned unsigned, then service shall be deemed effective on the date three days following deposit in the mail.
- C.    Validity of Proceedings. Where service of any notice required under this Ordinance is affected in compliance with this Section and with due process the asserted failure of any person to receive the notice shall not affect the validity of any proceedings taken under this Ordinance.

## **Section 11      Finality and Payment of Civil Penalties**

- A.    Finality. The Civil Citation becomes final when thirty (30) calendar days have elapsed from the date of service of the Civil Citation if a request for hearing has not been properly filed or, if a request for hearing has been properly filed, from the date of service upon the Defendant of the Tribal Court decision upholding the Civil Citation.
- B.    Payment of Civil Fines. Civil Penalties must be paid within ten (10) calendar days of the date on which they become final or by such other date as specified in an order of the Tribal Court, shall be paid by cash, money order, or cashier's check, and made payable to the "Pala Band of Mission Indians."

## **Section 12      Hearings**

- A.    Request for Hearings. A Defendant may contest that there was a violation of this Ordinance or that the Defendant is responsible for the violation by filing a Request for Hearing with the Tribal Court within thirty (30) calendar days from the date of service of the Civil Citation.
- B.    Request for Hearing Form. A Request for Hearing shall be incorporated in the Civil Citation.
- C.    Scheduling of Hearings. The Tribal Court shall schedule a hearing within sixty (60) days from the date the Request for Hearing is filed and provide the Notice of Hearing and Request for Hearing to the Defendant, Tribal Law Enforcement, and the Executive Committee at least fourteen (14) days prior to the date of the hearing.

- D. Additional Evidence. If the Tribal Officer submits an additional written report concerning the Civil Citation to the Tribal Judge for consideration at the hearing, then a copy of this report also shall be served on the Defendant at least five (5) days prior to the date of the hearing.
- E. Request for Continuance. The Defendant or the Tribal Officer may request one (1) continuance for any reason, provided that Tribal Court is given the Request for Continuance at least forty-eight (48) hours in advance of the scheduled hearing and that the continued hearing shall not be continued more than ninety (90) days after the hearing request was filed. A Request for Continuance made less than forty-eight (48) hours before the scheduled hearing may be granted by the Tribal Judge based upon exigent circumstances only.
- F. Hearings. All hearings shall be closed to the public. Only Parties and their attorneys, and those persons who have a direct interest in the case or whose presence is necessary and/or helpful to the proceedings, as determined by the court, may be present at the hearing
- G. Evidence and Witnesses. The Defendant shall be given the opportunity to testify, to present evidence, and cross-examine witnesses concerning the Civil Citation. The Defendant may appear personally or through an attorney. Prehearing discovery is not authorized, but subpoena of witnesses and documents shall be permitted as authorized by law or the Tribal Court's Rules of Court. The Tribal Judge is authorized to conduct the hearing informally, both as to rules of procedure and admission of evidence, in any manner which will provide a fair hearing.
- H. Default Judgment. The failure of a Defendant to appear at the hearing or, in the alternative, to present written or demonstrative evidence at the hearing shall constitute an admission by default of the violation by the Defendant and acceptance that the amount of the Civil Penalty is appropriate. The Tribal Judge shall issue an Order for Default Judgment.
- I. Presumptive Evidence. The Civil Citation and any additional report submitted by the Tribal Officer shall constitute presumptive evidence of the respective facts contained in those documents.
- J. Continuance for Additional Information. The Tribal Judge may continue the hearing and request additional information from the Tribal Officer or the Defendant of the Civil Citation prior to issuing a written decision.

### **Section 13 Tribal Court Decision**

- A. Notice of Decision. After considering all the testimony and evidence submitted at the hearing, the Tribal Judge shall issue a Notice of Entry of Judgment or Notice of Entry of Dismissal of the Civil Citation(s). The Notice of Entry of Judgment or Notice of Entry of Dismissal of the Tribal Court shall be issued within thirty (30) calendar days following completion of the hearing.

- B. Tribal Court Remedies. If the Tribal Judge determines that the Civil Citation should be upheld, he/she may, in his/her discretion, apply any of the following remedies singularly or in combination:
1. Injunctions. Issue an injunction ordering the Defendant to temporarily or permanently refrain from conducting the acts or actions that gave rise to the Civil Citation.
  2. Amount of Civil Penalties. Impose Civil Penalties in an amount not to exceed those identified in this Ordinance. In determining the amount of the Civil Penalties, the Tribal Judge may take into account any or all of the following factors:
    - a. the duration of the violation;
    - b. the frequency, recurrence, and number of violations, related or unrelated, by the same violator;
    - c. the seriousness of the violation;
    - d. the economic impact of the violation on the Reservation Community; and
    - e. such other factors as justice may require.
  3. Suspension of Civil Penalties. Suspend the Civil Penalties on the condition the Defendant does not commit any other violations of this Ordinance and complies with all Tribal Court orders relating to the violation during a specified period not to exceed one (1) year.
  4. Community Service. Order community service in addition to or in lieu of a Civil Penalties.
  5. Other Orders. Issue such other order as may be authorized under the Pala Band's Ordinance Establishing a Tribal Court.
- C. Court Costs. If the Tribal Judge finds that a request for hearing is completely without merit, he/she may hold the Defendant liable for, and order Defendant to pay, the Pala Band the reasonable costs, including attorney's fees, associated with defending Defendant's request for hearing. Notwithstanding any other remedy available to the Pala Band, this paragraph may be enforced against the Defendant in the Tribal Court.
- D. Payment Schedule. If the Tribal Judge determines the Civil Citation should be upheld, he/she shall set forth in the Notice of Entry of Judgment, the payment schedule for the Civil Penalties as well as for payment of any administrative costs assessed under § 14.C. above. Late payment charges shall accrue and be payable in the amount and by the terms specified in the Schedule of Civil Penalties.
- E. Order for Dismissal. If the Tribal Judge determines the Civil Citation should not be upheld, he/she shall issue Order for Dismissal.
- F. Service of Notice. The Defendant, Tribal Officer, and Executive Committee shall be served with the Notice of Entry of Judgment within seven (7) calendar days of its issuance.

- G. Finality. The decision of the Tribal Judge shall be final upon service on the Defendant and not subject to further appeal.
- H. Severance of Civil Penalties. The employment, performance evaluation, compensation, and benefits of the Tribal Judge shall not be directly or indirectly conditioned upon the amount of Civil Penalties upheld or dismissed by the Tribal Judge.

#### **Section 14     Collection**

- A. Collection of Civil Penalties. The Pala Band may collect the assessed Civil Penalties and administrative costs by use of all available legal means.
- B. Garnishment. The Executive Committee shall have the authority to garnish a Tribal Member's per capita distribution monies, in accordance with the Pala Gaming Allocation Plan, or a Tribal Employee's wages in the amount of the final Civil Penalties and associated costs if the Tribal Member or Tribal Employee, or his/her child under the age of eighteen (18), fails to pay a Civil Penalty imposed on his/her by the date prescribed by this Section. The garnishment shall be subject to a maximum of 25% of the amount of the per capita distribution or wages from which the penalty is being garnished, and such garnishments may continue at this maximum rate for subsequent per capita distributions and garnishments until the penalty is fully satisfied.

#### **Section 15     Publication**

A copy of this Ordinance shall be kept available for inspection at the Admin Building. A copy of this Ordinance may be provided to Tribal Members, upon request and in accordance with Tribal law. Non-members who are recipients of Civil Citations issued under this Ordinance may be permitted to review those portions of this Ordinance relating to the Civil Citation, including notice and appeal rights, at the discretion of the Executive Committee.

#### **Section 16     Severability**

If any provision of this Ordinance shall in the future be declared invalid by a court of competent jurisdiction, the invalid provision or provisions shall be severed and the remaining provisions shall continue in full force and effect.

#### **Section 17     Sovereign Immunity**

As agents of the Pala Band's government, Tribal Officers, and Tribal Judges acting pursuant to this Ordinance shall enjoy the full benefits of the Tribe's sovereign immunity, and any and all attributes of sovereignty enjoyed by the Pala Band's government. Such officers and Judges shall have no authority to waive the Pala Band's sovereign immunity.

#### **Section 18     Indemnification**

The General Council shall indemnify any Tribal Officer against expenses actually and reasonably incurred in connection with the defense of any action, suit or proceeding, civil or criminal, in which that individual is made a party by reason of being or having been such an officer, except in relation to matters as to which the officer shall be adjudged in such action, suit or proceeding to be liable for gross negligence, fraud or willful misconduct in the performance of duty to the Pala Band.

## Section 19 Effective Date and Amendments

- A. Effective Date. This Ordinance 6 – Peace and Security shall become effective on the day it is approved by the General Council of the Pala Band at a duly called meeting at which a quorum is present.
- B. Clerical Revisions. Any clerical, administrative, and non-substantive amendments may be approved by the Executive Committee.
- C. Amendment of Ordinance. This Ordinance 6 – Peace and Security may be amended by a majority vote of those members present at a duly called General Council meeting at which a quorum is present.

### CERTIFICATION

We, the undersigned duly elected members of the Executive Committee, do hereby certify that the foregoing Ordinance was adopted by a majority vote of the **General Council** by a vote of 15 in favor, 9 opposed, and 6 abstaining at a duly called meeting on the **21<sup>st</sup> day of April, 1983**; and amended and ratified at a duly called regular meeting of the **General Council**, at which a quorum was present, on this **25<sup>th</sup> day of January, 2006**, by a vote of 35 in favor, 16 opposed, and 6 abstaining; and amended and ratified at a duly called regular meeting of the **General Council**, at which a quorum was present, on this **9<sup>th</sup> day of May, 2007**, by a vote of 46 in favor, 6 opposed, and 15 abstaining; and amended and ratified at a duly called regular meeting of the **General Council**, at which a quorum was present, on this **11<sup>th</sup> day of March, 2009**, by a vote of 45 in favor, 37 opposed, and 37 abstaining; and amended and ratified at a duly called regular meeting of the **General Council**, at which a quorum was present, on this **10<sup>th</sup> day of August, 2011**, by a vote of 121 in favor, 25 opposed, and 0 abstaining; and amended and ratified at a duly called regular meeting of the **General Council**, at which a quorum was present, on this **11<sup>th</sup> day of May, 2016**, by a vote of 43 in favor, 5 opposed, and 9 abstaining; and amended and ratified at a duly called regular meeting of the **General Council**, at which a quorum was present, on this **11<sup>th</sup> day of June, 2025**, by a vote of 40 in favor, 10 opposed, and 10 abstaining.



Robert H. Smith, Chairman



Brandon L. Johnson, Vice-Chairman



Theresa J. Nieto, Treasurer



Theresa Villa, Secretary



Carla M. Nejo, Committee



Shelia L. Smith-Lopez, Committee