

Ordinance No. 10
Pala Peace and Security

Schedule of Penalties

Civil Penalties may be stacked/increased by the Executive Committee, issuing Tribal Officer, or Tribal Court Judge.

Section #	Violation	1 st Offense	2 nd Offense	3 rd Offense
<u>Public/Property Offenses</u>				
§6.A.1.	Littering. Discard, drop, or scatter waste matter in other than appropriate storage containers or areas so designated	\$200	\$400	\$1,000
§6.A.2.	Disturbing the Peace. Disturbing another by Making Unnecessary Noise Disturbance	\$50	\$100	\$250
§6.A.3.	Loitering. Loitering in Public areas from dusk to dawn	\$50	\$100	\$250
§6.A.4.	Harassment. Engaging in any knowing an 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	\$100	\$200	\$500
§6.A.5.	Public Urination or Defecation. Urinating or defecating in public area on the Reservation	\$300	\$500	\$1,000
§6.A.6.	Violation of Juvenile Curfew (Parent/Guardian). Parent or guardian who knowingly permits or by insufficient control allows minor to be present in public area from dusk to dawn	\$50	\$100	\$250
§6.A.7.a.-e.	Failure to Abate Nuisance. Maintaining real property or structure in such a manner that it endangers persons dwelling therein or others.	\$200	\$400	\$1,000
§6.A.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.	\$1,000	\$3,000	\$5,000
§6.A.9.	Illegal Activities on Property. Land or business owner who knowingly permits illegal activities on his/her property	\$1,000	\$2,000	\$5,000
§6.A.10.	Vandalism. Willful or ignorant, injury, destruction and/or defacing of any real or personal property of another	\$200	\$400	\$1,000
§6.A.11	Arson. Willfully & maliciously set any fire or burn or cause to be burned or aid, counsel, or assist in the burning of any real or personal property without consent of owner	\$1,000	\$2,000	\$5,000

Section #	Violation	1 st Offense	2 nd Offense	3 rd Offense
Personal Offenses				
§6.B.1.	Public Fighting. Fight in a Public Place or Challenge any Other Person in Public	\$200	\$400	\$800
§6.B.2.	Trespass with Intent to Interfere or Assault. Trespass: enter or remain with intent to interfere or injure any property, lawful business, or activity of the owner of such land	\$200	\$500	\$1,000
§6.B.3.	Trespass. Trespass: Wrongful Entry on to the real property of another	\$200	\$500	\$1,000
Drug & Alcohol Offenses				
§6.C.1.	Public Consumption of Alcoholic Beverages Drinking alcohol in a public area, unless at an event which the consumption of alcoholic beverages has been approved	\$100	\$200	\$500
§6.C.2.	Contributing to the Delinquency of Minors. Providing alcoholic beverage/controlled substance to a minor, under the age of 21 years old.	\$500	\$800	\$1,500
§6.C.3.	Possession, Delivery, or Sale of Controlled Substances. Introduce, cultivate, possess, or sell controlled substances	\$1,000	\$3,000	\$5,000
§6.C.4.	Under the Influence of Alcohol or Controlled Substances. Being under the influence of alcohol or controlled substance	\$300	\$500	\$1,000
Motor Vehicle Offenses				
§6.D.1.a.-h.	Unlawful Parking. Park, stop, or leave standing any motor vehicle within areas designated for passage or parking of emergency or postal vehicles: in no-parking areas as designated by yellow painted or no parking sign; in disabled parking without a disabled parking permit; in any portion of a street or public parking area when vehicle is inoperable; within 20 feet of any intersection or crosswalk on Pala Mission Road or Pala Temecula road (except at intersection near the Pala Church when public function is in progress; on any sidewalk; within 15 feet of a fire hydrant; or any place any motor vehicle would block the use of road, driveway or driving	\$200	\$300	\$500
§6.D.2.	Washing a Motor Vehicle in Public Park. Washing vehicles, trucks, or motorcycles in the Pala Park	\$25	\$50	\$125
§6.D.3.	Driving without a License. Operating automobile or other street-legal motor without a valid driver's license issued by the State of California or another State	\$100	\$200	\$500
§6.D.4.	Speeding. Speeding over 25 miles per hour on paved road, or over 15 miles per hour on unpaved road	\$50	\$100	\$250
§6.D.5.	Reckless Driving. Operate motor vehicle in a willful or wanton disregard for the safety of persons or property	\$300	\$500	\$1,000
§6.D.6.	Unlawful Operation of Non-Street Legal Vehicle. Unlawful operation of non-street vehicle	\$300	\$500	\$1,000

Section #	Violation	1 st Offense	2 nd Offense	3 rd Offense
<u>Animal Control Offenses</u>				
§6.E.1.	Animals at Large. Permitting animal to be at large	\$200* *per animal	\$400* *per animal	\$500* *per animal
§6.E.2.	Failure to Register Dogs. Dogs not registered with Tribe	\$50	\$200	\$300
§6.E.3.	Animal Abuse. Physical mistreatment or neglect of animal	\$100	\$200	\$500
<u>Weapons, Firearms, and Fireworks Offenses</u>				
§6.F.1.	Possession or Discharge of Dangerous Fireworks. Possess, use, or sell Class “C” fireworks as defined under California Health & Safety Code §12500	\$1,000	\$2,000	\$3,000
§6.F.2.	Discharge while Hunting near Dwelling Hunt or discharge while hunting with any firearm, or deadly weapon within 150 yards of occupied dwelling of another owner or person in possession of the property	\$200	\$400	\$800
§6.F.3.	Willful Discharge at Dwelling, Building, or Motor Vehicle Willfully discharge firearm at any dwelling house, occupied building or occupied motor vehicle	\$300	\$500	\$1,000
§6.F.4.	Using, Brandishing, or Possessing, in a Hazardous Manner Use, brandish, or possess any firearm or deadly dangerous weapon in any manner that constitutes a danger or hazard to the Reservation Community	\$500	\$1,000	\$2,000
§6.F.5.	Firearm – Discharge upon Roads and Highways. Shoot any firearm from or upon roads or highways within the Reservation	\$500	\$1,000	\$2,000
<u>Licensing and Permit Offenses</u>				
§6.G.1.	Operating without a Valid Vendor’s Permit. Selling goods and services without a valid Vendor’s Permit	\$200	\$500	\$1,000
<u>Disobedience and Civil Offenses</u>				
§6.H.1.	Resisting or Assaulting Officer. Physically attack, challenge to fight, resist arrest, refuse to produce proper identification upon request, or otherwise interfere w/the performance of any Tribal law enforcement officer	\$250	\$500	\$2,000
§6.H.2.	Refusing to Assist or Obey Officer. Neglect or refuse to aid and assist Tribal Officer after being requested to do so	\$100	\$200	\$500
§6.H.3.	Failure to Pay. Failure to pay Civil Penalties within time allowed under this Ordinance *This fine is in addition to the civil penalty already owed	100%	100%	100%

Section #	Violation	1 st Offense	2 nd Offense	3 rd Offense
§6.I. 1-4	Human Trafficking (1. Labor Trafficking 2. Labor Trafficking of a Minor 3. Sex Trafficking 4. Sex Trafficking of a Minor	1. Imprisonment for up to one year	2. Five Thousand (\$5,000.00) 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.

Ordinance No. 10

Peace and Security

California Health and Safety Code 12505

List of Dangerous Fireworks

12505. "Dangerous fireworks" includes all of the following:

(a) Any fireworks which contain any of the following:

(1) Arsenic sulfide, arsenates, or arsenites.

(2) Boron.

(3) Chlorates, except:

(A) In colored smoke mixture in which an equal or greater amount of sodium bicarbonate is included.

(B) In caps and party poppers.

(C) In those small items (such as ground spinners) wherein the total powder content does not exceed 4 grams of which not greater than 15 percent (or 600 milligrams) is potassium sodium, or barium chlorate.

(4) Gallates or Gallic acid.

(5) Magnesium (magnesium-aluminum alloys, called magnalium, are permitted).

(6) Mercury salts.

(7) Phosphorous (red or white except that red phosphorus is permissible in caps and party poppers).

(8) Picrates or picric acid.

(9) Thiocyanates.

(10) Titanium, except in particle size greater than 100-mesh.

(11) Zirconium.

(b) Firecrackers.

(c) Skyrockets and rockets, including all devices which employ any combustible or explosive material and which rise in the air during discharge.

(d) Roman candles, including all devices which discharge balls of fire into the air.

(e) Chasers, including all devices which dart or travel about the surface of the ground during discharge.

(f) Sparklers more than 10 inches in length or one-fourth of one inch in diameter.

(g) All fireworks designed and intended by the manufacturer to create the element of surprise upon the user. These items include, but are not limited to, auto-foolers, cigarette loads, exploding golf balls, and trick matches.

(h) Fireworks known as devil-on-the-walk, or any other firework which explodes through means of friction, unless otherwise classified by the State Fire Marshal pursuant to this part.

(i) Torpedoes of all kinds which explode on impact.

(j) Fireworks kits.

(k) Such other fireworks examined and tested by the State Fire Marshal and determined by him, with the advice of the State Board of Fire Services, to possess characteristics of design or construction which make such fireworks unsafe for use by any person not specially qualified or trained in the use of fireworks.