

TITLE 15 - ENVIRONMENT

CHAPTER 5 - ROCK, SHRUB, AND PLANT REMOVAL

Legislative History: Ordinance No. 31, regulating the removal of rocks, shrubs, and plants other than cactus, was enacted by the Papago Council on April 4, 1958 and approved by the Superintendent of the Papago Agency on April 11, 1958.

Related Legislation: Ordinance No. 28, governing permits for removal of plants and natural materials, camping, photography, and certain livestock purchases, was enacted by the Papago Council on November 15, 1947 and approved by the Sells Indian Agency Superintendent on November 25, 1947, but, according to multiple handwritten notations on the Ordinance, was vetoed by a Bureau of Indian Affairs Central Office letter dated January 31, 1958.

ORDINANCE
OF THE
PAPAGO COUNCIL

ORD. NO. 31

WHEREAS, the Papago Tribal Council receives applications from time to time for permission to collect rocks, shrubs, and plants from the reservation, and

WHEREAS, these applications are largely from non-members of the Papago Tribe, and

WHEREAS, the Papago Tribal Council believes permits should be issued for such rocks, shrubs and plants (other than cacti, the collection of which is generally prohibited under the regulations of Ordinance No. 1, the intention being for Said Ord. No. 1 to remain ineffect) and that fees should be charged for the collection of such materials.

THEREFORE, LET IT BE ORDAINED by the Papago Tribal Council that permit forms be printed and the Chairman of the Tribal Council or the Tribal Treasurer be authorized to issue and sign such permits which are to be paid by all applicants under following conditions, except those who are member of the Papago Tribe, from whom no permit will be required;

1. \$5.00 for a permit to collect rocks shrubs, and plants, the amounts and types that may be collected and removed from the reservation to be specified in each permit.

Any person violating any provisions of this ordinance shall be deemed a trespasser on the Papago Reservation pursuant to Chapter 6, Section 1, of the Papago Tribal Law and Order Code, and in addition shall also be required to surrender any rocks, shrubs or plants from the reservation which are in his possession.

The foregoing Ordinance was on April 4, 1958 duly enacted by a vote of 21 for and 0 against, at a meeting at which a quorum was present, pursuant to authority vested in it by Section 3 (h) of Article V of the Constitution of the Tribe ratified December 12, 1936, and approved by the Secretary of the Interior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934, (48 Stat. 984). Said Ordinance is effective as of the date of its approval by the Superintendent of the Papago Agency, subject to its rescission by the Secretary of the Interior pursuant to Section 6, Article V, of the Constitution and By-laws of the Papago Tribe.

THE PAPAGO COUNCIL

ATTEST:

BY: /s/
Mark Manuel, Chairman

/s/
Virginia R. Jose, Secretary

APPROVED: April 11, 1958

/s/
Harry W. Gilmore, Superintendent