



Little River Band of Ottawa Indians
375 River Street
Manistee MI 49660
(231) 723-8288

Resolution # 02-0213-04

Adoption of Amendments to the Utility Ordinance, # 01-500-05 to Include Requirements for Certain Interceptors

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.); and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7 to "exercise the inherent powers of the Little River Band by establishing laws through the enactment of ordinances and adoption of resolutions not inconsistent with this Constitution ...to promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members;" and

WHEREAS, the Tribal Council adopted Resolution # 01-1107-08 which adopted the Utility Ordinance; and

WHEREAS, the Water and Wastewater Director of the Utility Department has identified a need to amend the ordinance to require grease, oil and sand interceptors in certain circumstances; and

WHEREAS, the Tribal Council has reviewed the proposed amendments and determined that they promote the interests of public health and safety; and

WHEREAS, such review and comments have been incorporated into the final draft of the Utility Ordinance presented for adoption;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby amends the Utility Ordinance, Ordinance # 01-500-05, and directs that a copy of this resolution and the ordinance be forwarded to the Tribal Ogema, Executive Director of Operations and the Water and Waste Water Director for implementation; and

IT IS FURTHER RESOLVED THAT the Tribal Council hereby amends the Utility Ordinance as follows:

By amending section 2.01. *Adoption.*

This Ordinance is adopted by resolution # 01-1107-08 and amended by adoption of #
(insert this resolution number after adoption).

By adding the following sections.

7.04. *Interceptors.*

a. Grease, oil, sand interceptors and conventional grease traps shall be provided when, in the opinion of the Utility, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Utility and shall be located as to be readily and easily accessible for cleaning and inspection.

b. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

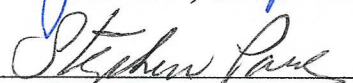
7.05. *Interceptor Maintenance.* Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at the owner's expense, in continuously efficient operation at all times and shall be accessible for inspection by the Utility at all reasonable times.

CERTIFICATION OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 For, 0 Against, 1 Absent, and 0 Abstaining, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community Center on February 13, 2002, with a quorum being present for such vote.



Janine Sam, Council Recorder

Attest: 

Steve Parsons, Council Speaker