



**Little River Band of Ottawa Indians**

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RESOLUTION NO. #99-0527- 02

**Amending the Liquor Control Ordinance  
In Response to Bureau of Indian Affairs Technical Review  
Pursuant to 18 U.S.C. §1161**

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994; 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 Deputy Commissioner of Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 of the Constitution of the Little River Band of Ottawa Indians ("Tribal Constitution"), is authorized to enact ordinances to promote, protect and provide for public health, peace, morals, education and general welfare of the Tribe; and

WHEREAS, the Tribe's Liquor Control Ordinance, Ordinance No. 98-400-02, was enacted on September 13, 1998, and submitted to the Secretary of the Interior for review and approval pursuant to 18 U.S.C. §1161; and

WHEREAS, on May 24, 1999, the Tribe received the technical comments from Department of Interior officials, recommending correction of certain typographical errors and other technical amendments;; and

WHEREAS, the Tribal Council supports the recommended amendments to the Liquor Control Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby amends Ordinance No. 98-400-03, entitled the Law and Order Ordinance, as adopted by the Tribal Council on March 25, 1999, in the following manner:



The definition of "Constitution", found in Section 2.05, is amended to replace the reference to the "Assistant Commissioner-Indian Affairs" with "Deputy Commissioner of Indian Affairs";

The definition of "Person", found in Section 2.11, is amended by deleting the sentence: "The term shall also include any tribal enterprise."

The definition of "Tribal Enterprise", found in Section 2.17, is amended by deleting the words "the Tribe" to read:

Tribal Enterprise means any activity or business owned, managed, or controlled by the tribe or any agency, subordinate organization, or other entity of the Tribe.

Section 3.03 is amended to read:

All persons shall purchase spirits, for resale by the person, from the Michigan Liquor Control Commission, and beer and wine from distributors licensed by the Michigan Liquor Control Commission, on the same basis that such beverages are purchased by similar licensees.

The references to "on-sale" and "off-sale" licenses in Section 3.05 were changed to "on-site" and "off-site" as recommended.

Section 3.06 is amended to add language identifying the person responsible for applying for a temporary license as follows:

In the case of a Temporary License, the person(s) organizing or sponsoring the event for which a Temporary license is required shall complete the License application.

The typographical error in Section 3.13 is corrected to replace the word "licensee" with the word "license".

The typographical error in Section 4.02(d) is corrected to replace the reference to "Section 3.08" with "Section 3.10".

The typographical error in Section 4.03 is corrected to replace the reference to "Section 5.01" with "Section 5.03".

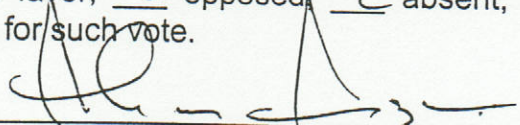
IT IS FURTHER RESOLVED THAT the Tribal Council Speaker is authorized and directed to forward this amended Ordinance to the Minneapolis Area Director requesting expedited approval of this Ordinance and publication in the Federal Register pursuant to 18 U.S.C. §1161.



Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at its Regular Session held at the Little River Community Center on May 27, 1999 by a vote of 7 in favor, 0 opposed, 2 absent, and 0 abstentions, a quorum being present for such vote.

Date: 5/27/99

  
Charles Fisher, Council Recorder

Attest:

  
Donald Koon, Councilor