



COYOTE VALLEY

Band of Pomo Indians

7601 N. State Street | P.O. Box 39 | Redwood Valley, CA 95470

ORDINANCE NO. CV-TC-05-22-01

AN ORDINANCE OF THE TRIBAL COUNCIL OF THE COYOTE VALLEY BAND OF POMO INDIANS ESTABLISHING STANDARDS TO RESTRICT AND PROHIBIT THE SMOKING OF TOBACCO PRODUCTS IN OR NEAR TRIBAL BUSINESSES AND BUILDINGS

The Tribal Council (“Council”) of the Coyote Valley Band of Pomo Indians (“Tribe”) does hereby ordain as follows:

Section 1. Findings and Declarations. The Council for the Tribe finds and declares that:

1. The Tribe is a federally recognized Indian Tribe organized under the provisions of a written constitution, which designates the Coyote Valley Tribal Council as the governing body of the Tribe.
2. Pursuant to Article VII, Section 1(n), of the Tribe’s Constitution, the Council is vested with the authority to “Promote the General Welfare: Enact Tribal Laws, Statutes and Codes.”
3. The Tribe is the beneficial owner of the Coyote Valley Indian Reservation (“Reservation”), the title to which is owned by the United States of America in trust (“Trust Land”) for the Tribe.
4. The Tribe is the owner of various buildings located on the Trust Land within the exterior boundaries of the Reservation.
5. The Tribe wishes to protect the safety and welfare of all persons within its jurisdiction by enacting an ordinance to prohibit the use of tobacco products in and/or near all tribal buildings and restrict the use of tobacco products to designated areas.

Section 2. Adoption of a new ordinance entitled “Standards To Restrict and Prohibit the Use of Tobacco Products In or Near Tribal Businesses and Buildings.”

1. A new ordinance entitled “Standards to Restrict and Prohibit the Use of Tobacco Products In or Near Tribal Businesses and Buildings” is hereby adopted and shall provide as follows:

**STANDARDS TO RESTRICT AND PROHIBIT THE SMOKING OF TOBACCO
PRODUCTS IN OR NEAR TRIBAL BUSINESSES AND BUILDINGS**

I) NON-SMOKING ZONES

- A) Smoking is strictly prohibited within 50 feet of all entrances, exits, and operable windows of the day care, gymnasium, learning center or recreation building including the pool area or anywhere children are present.
- B) Smoking is strictly prohibited in and/or around the Tribal Operations offices, shared workspaces, and any business office or building belonging to the Tribe as designated by the Tribal Council or Tribal Administrator excluding the Coyote Valley Casino building.
- C) Smoking is strictly prohibited within 50 feet of all entrances, exits, and operable windows of all Tribal buildings including Tribal Operations offices, shared work spaces, and any business office or building belonging to the Tribe as designated by the Tribal Council or Tribal Administrator excluding the Coyote Valley Casino building.
- D) Smoking is strictly prohibited in ALL Tribally owned vehicles.
- E) All buildings and offices shall be clearly marked and prominently displayed as a “NON-SMOKING ZONE” by signage that is permanently affixed near all entryways of buildings and offices designated as a non-smoking zone under this ordinance and shall read as follows:

**NON-SMOKING ZONE
Per Coyote Valley Tribal Ordinance No.
CV-2013-05-01**

Smoking of tobacco products is strictly prohibited within 50 feet of all entrances, exits, and operable windows of all Tribal buildings including the Tribal Operations office, shared workspaces, and any business office or building belonging to the Tribe as designated by the Tribal Council or Tribal Administrator.

Any person, under the jurisdiction of the Tribe, found to be in violation of this ordinance may be subject to fines in amounts established by Resolution of the Tribal Council.

II) DESIGNATED SMOKING AREAS

- A) Smoking of tobacco products shall be strictly limited to designated outdoor smoking areas.
- B) The Tribal Council or the Tribal Administrator shall designate public areas which smoking may be permitted.

- C) Designated smoking areas shall be clearly marked and prominently displayed as a "DESIGNATED SMOKING AREA" by stationary signage located at all areas on the reservation designated a smoking area by Resolution of the Tribal Council.
- D) All smoking materials shall be disposed of in proper receptacles provided by the Tribal Administration.

III) FINES AND PENALTIES

- A) Any person, under the jurisdiction of the Tribe, found to be violating this ordinance shall be subject to fines in amounts established from time to time by Resolution of the Tribal Council.
- B) The Tribal Council hereby grants Tribal Police the authority to enforce this ordinance at their own discretion by giving warnings and citations as warranted under this ordinance.

Section 3. Severability. If any part or provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Ordinance are severable.

Section 4. Effective Date. This Ordinance shall become effective immediately upon its passage.

CERTIFICATION

The foregoing Ordinance was adopted at a duly convened regular meeting of the Coyote Valley Tribal Council held on the 22nd day of May, 2013, by the following vote:

AYES: 6
NOES: 0
ABSENT: 0
ABSTAIN: 0



Michael Hunter, Chairman

ATTEST:



Recording Tribal Secretary