



GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85147

ORDINANCE GR-04-16

THE GILA RIVER INDIAN COMMUNITY COUNCIL HEREBY AMENDS THE GILA RIVER INDIAN COMMUNITY CODE BY RESCINDING THE CURRENT TITLE 15, CHAPTER 6, WASTEWATER MANAGEMENT, AND ENACTING A COMPREHENSIVE WASTEWATER AND RECLAIMED WATER MANAGEMENT ORDINANCE, TO BE CODIFIED AT TITLE 15, CHAPTER 6

WHEREAS, the Gila River Indian Community Council (the "Community Council") is the governing body of the Gila River Indian Community (the "Community"); and

WHEREAS, the Community Council is empowered through Article XV § 1(a)(9) to promote and protect the health and general welfare of the Community and its members; and

WHEREAS, the Community Council is empowered through Article XV § 1(a)(19) of the Constitution and Bylaws of the Community (March 17, 1960) to enact ordinances and laws necessary or incidental to the exercise of the powers granted to the Community Council; and

WHEREAS, the power to enact ordinances and laws is an inherent function of self-government, which the Community has exercised over the years; and

WHEREAS, the Community has jurisdiction of over more than 375,000 acres and has inherent authority to regulate the use of natural resources to protect the life, health, safety, property, welfare, and environment of its residents; and

WHEREAS, water resources and the protection of those resources are important to the health and economic well-being of the Community; and

WHEREAS, reclaimed wastewater is a valuable Community resource; and

WHEREAS, adequate regulation of the treatment of wastewater and the use and application of reclaimed wastewater are concerns of high priority to the Community; and

WHEREAS, the Community previously enacted a Wastewater Management Ordinance in 2008 and which was codified in the 2009 Gila River Indian Community Code and subsequently amended by Ordinance GR-04-10 (August 18, 2010); and

WHEREAS, amending the current Wastewater Management Ordinance provides the strongest opportunity for the Community to manage and regulate wastewater based on the Community's unique values and needs; and

WHEREAS, the Community finds that the activities regulated, if left unregulated, pose a threat to the political integrity, economic security, health, welfare, and environment of the Community; and

WHEREAS, the proposed Wastewater and Reclaimed Water Management Ordinance contains the necessary elements for a wastewater regulatory program including establishing standards, regulations, permits, requirements for reclaimed wastewater generation and management, and enforcement and appeals; and

WHEREAS, the Department of Environmental Quality has complied with GRIC Code Title 8, Chapter 7, Notification of Ordinances; and

WHEREAS, the Community Council has reviewed the proposed comprehensive amendments to Title 15, Chapter 6, and finds them to be in the best interest of the Community.

NOW, THEREFORE, BE IT ENACTED, that the Community Council hereby amends the Gila River Indian Community Code by enacting the attached Wastewater and Reclaimed Water Management Ordinance, to be codified at Title 15, Chapter 6, and effective immediately upon enactment.

BE IT FURTHER ENACTED, that the current Title 15, Chapter 6, Wastewater Management, and Ordinance GR-04-10 (August 18, 2010) are hereby rescinded.

BE IT FURTHER ENACTED, that persons or entities subject to regulation under the Wastewater and Reclaimed Water Management Ordinance shall cooperate with the Department of Environmental Quality in the issuance of revised permits.

BE IT FINALLY ENACTED, that the Governor or, in the Governor's absence, the Lieutenant Governor is hereby authorized to take all the necessary steps to carry out the intent of this Ordinance.

CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a) (7), (9), (18), (19), (b) (8), (10) and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the tribe January 22, 1960, and approved by the Secretary of the Interior on March 17, 1960, the foregoing resolution was adopted on the 04th of May 2016, at a regular Community Council meeting held in District 3, Sacaton, Arizona at which a quorum of 13 Members were present by a vote of: 10 FOR; 0 OPPOSE; 3 ABSTAIN; 4 ABSENT; 0 VACANCY.

GILA RIVER INDIAN COMMUNITY



GOVERNOR

ATTEST:


COMMUNITY COUNCIL SECRETARY

RECEIVED
PIMA AGENCY

MAY 06 2016

BUREAU OF INDIAN AFFAIRS
SACATON ARIZONA