



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
PLACING PROPOSED *ALTERNATE SIDE PARKING ORDINANCE*
(3 HCC § 9) OUT FOR FORTY-FIVE DAY PUBLIC COMMENT
RESOLUTION 10-21-08 I**

- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") grants the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and
- WHEREAS,** Article V, Section 2(h) of the Constitution grants the Legislature the power to enact all laws prohibiting and regulating conduct, and imposing penalties upon all persons within the jurisdiction of the Nation; and
- WHEREAS,** Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and
- WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its Legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and
- WHEREAS,** last winter there was record snow fall in Wisconsin Dells, Wisconsin; and
- WHEREAS,** this caused problems in the Ho-Chunk Village because residents left their cars on the street for days, weeks and in two cases, months at a time; and
- WHEREAS,** as the snow accumulated the snow banks grew high and the plows had trouble going around the parked cars and maintaining a sufficient lane for safe passage of traffic in and out of Ho-Chunk Village; and
- WHEREAS,** in the case of emergency the Executive Director of the Ho-Chunk Housing and Community Development Agency ("HHCDA") was not sure a Fire Truck or Ambulance could have gotten through during the worst periods; and

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- WHEREAS,** the Executive Director of the HHCDCA requested the Legislature enact an *Alternate Side Parking Ordinance* for the Ho-Chunk Village; and
- WHEREAS,** Representative Ona Garvin requested the Legislative Counsel's Office draft an *Alternate Side Parking Ordinance* for the Ho-Chunk Village; and
- WHEREAS,** after consulting with the Executive Director of the HHCDCA, the Legislative Counsel's Office drafted an *Alternate Side Parking Ordinance* (3 HCC § 9); and
- WHEREAS,** the *Legislative Organization Act* (2 HCC § 13) controls the process for enacting laws of the Nation; and
- WHEREAS,** Section 31, subparagraph d (1) (a) of the *Legislative Organization Act* provides that the Public Review period will typically be forty-five days.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority places the proposed *Alternate Side Parking Ordinance* (3 HCC § 9) out for forty-five day public comment.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **11 members**, of whom **8** constituting a quorum were present at a meeting duly called and convened and held on the **21st day of October, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **8 members, 0 opposed, and 0 abstaining**, pursuant to the authority of Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.



Elliott Garvin, Tribal Secretary

10-21-08

Date