

Band Assembly Bill 03-01-12-89

Preamble

It is enacted by the Band Assembly for the Non-Removable Mille Lacs Band of Chippewa Indians for the purpose of regulating littering by creating Band Statute _____-MLC-54 and other matters.

Section 1: Litter. Whoever unlawfully deposits garbage, rubbish, offal, or the body of a dead animal, or other litter in or upon any public or tribal highway, public waters or the ice thereon, public or tribal lands, or without the consent of the owner, private land, or water or ice thereon, shall be subject to a forfeiture not to exceed \$25.00.

Section 2.1: Littering on highways. Any person who shall throw, deposit, place or dump, or cause to be thrown, deposited, placed or dumped upon any street or highway or upon any public, tribal or privately owned land adjacent thereto without the owner's consent any snow, ice, glass bottle, glass, nails, tacks, wire, cans, garbage, swill, papers, ashes, refuse, carcass of any dead animal, offal, trash or rubbish or any other form of offensive matter or any other substance likely to injure any person, animal or vehicle upon any such street or highway shall be subject to a forfeiture not to exceed \$500.00

Section 2.2: Any person who drops, or permits to be dropped or thrown, upon any highway any of the material specified in section 2.1, shall immediately remove the same or cause it to be removed.

Section 2.3: Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

Section 2.4: No person shall drop or hurl any destructive or injurious material or object at or upon any motor vehicle upon any highway or the occupants thereof.

Section 2.5: Any person who violates any provision of sections 2.2, 2.3 or 2.4, shall be subject to a forfeiture not to exceed \$500.00

Section 3: Littering in natural areas. No person shall drain, throw or deposit upon the lands and waters within a natural area designated by the Commissioner of Natural Resources any substance that would mar the appearance, create a stench, destroy the cleanliness or safety of the land, or would be likely to injure any animal, vehicle, or person traveling upon those

lands and waters. The operator of a vehicle or watercraft, except a school bus or a vehicle transporting passengers for hire and regulated by the interstate commerce commission, shall not permit articles to be thrown or discarded from the vehicle upon any lands or waters within a natural area so designated.

Section 3.1: Any person who, within the limits of any natural area designated by the Commissioner of Natural Resources shall willfully cut, injure, or destroy any live tree, shrub, timber, evergreen, or ornamental plant of any kind, or who shall willfully injure, remove, destroy, deface, or mutilate any guide-board, guide-post, furniture, fixture, improvement, monument, tablet, or other public or tribal property shall be subject to a forfeiture not to exceed \$5,000.00.

Section 3.4: The Commissioner of Natural Resources is delegated the authority to designate natural areas for the purpose of sections 3 and 3.1. Such areas shall have positive outdoor values which may include but need not be limited to recreation, hunting, fishing, trapping, ricing, scenic beauty, or spiritual significance.

Section 3.5: Any person who violates any provision of Section 3 or Section 3.1 shall be subject to a forfeiture not to exceed \$5,000.00.

Section 4: Penalties. The Court of Central Jurisdiction may, in lieu of imposing the forfeiture provided for by sections 1, 2.1, 2.5, and 3.5, permit any person to remove litter from public or tribal lands under the direction of the Commissioner of Natural Resources for a period of time to be set by the Court.