

COMMISSIONER'S ORDER NO. 156-01

Community Development

A Commissioner's Order establishing a Comprehensive Land Use Plan regulating land use activities within the Bugg Hill development. Regulations designed to promote the health, safety and welfare of all persons, protect the environment of the Reservation, regulate land use, and regulate the placement of structures to encourage the most appropriate land use.

WHEREAS, the Mille Lacs Band of Chippewa Indians is a signatory and successor the Treaty of 1837, 7 Stat. 536, and the Treaty of 1842, 7 Stat. 591, and the Treaty of 1855, 10 Stat. 1165, and

WHEREAS, the Mille Lacs Band has the power to maintain a government which may enact laws to preserve the sovereignty of the Band and to promote and maintain individual right and promote the general welfare of the people of the Band pursuant to Title 2, Chapter 1 MLBSA § 1.

WHEREAS, the Commissioner of Community Development has been delegated the power to provide an effective system of administration to plan, direct and evaluate the functions of Community Development, Public Works, Facilities and Transportation for the Mille Lacs Band pursuant to ordinance 20-97, § 4(a);

WHEREAS, the Commissioner of Community Development has the authority to issue commissioner's orders on any subject matter within his jurisdiction pursuant to the authority conferred by Band Statute 4 MLBSA § 7(h);

WHEREAS, the Commissioner of Community Development has the authority to take measures necessary to prevent any action, which threatens the well being of programs within his jurisdiction by issuance of a formal commissioner's order pursuant to 4 MLBSA § 7(i), and

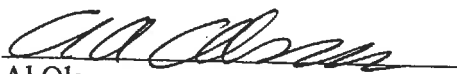
WHEREAS, the Commissioner of Community Development has the authority to exercise any and all authority conferred pursuant to any and all Band Statutes pursuant to 4 MLBSA § 7(j),

WHEREAS, nothing within this Order or the application of shall be construed by any government, agency, person or circumstance as a waiver by the Non-Removable Mille Lacs Band of Chippewa Indians of the solemn special trust obligation of the United States of America.

NOW THEREFORE IT IS HEREBY ORDERED, by the authority vested in me by the Mille Lacs Band of Ojibwe, Al Olson, Commissioner of Community Development for the Mille Lacs Band of Ojibwe, hereby adopt the attached regulations.

1. All homes within the Bugg Hill Development shall be stick built homes of at least 1000 square feet or greater.
2. There is hereby enacted a total prohibition against mobile homes. This prohibition includes all prefabricated mobile homes, and any home that is not placed on a concrete, or block wall foundation.
3. All new homes must submit a site plan to the Commissioner of Community Development and obtain a building permit from the Community Development.
 - a. The site plan must include a drawing of the proposed structure, and the drainage and grading design for the project.
 - b. Failure to obtain a building permit or failing to submit a site shall be punishable by a maximum civil forfeiture of \$1,000.00 plus costs for site remediation or removal of construction or other materials. In addition, the Commissioner of Community Development may refer violations to Band Assembly for possible lease revocation for serious violations.
4. The site plan must conform to natural contours of the property. The natural contours are defined as the lot or site designated by Community Development on a plat map or in the site plan submitted.
5. Appeals and petitions for a variance from the above regulations are appealable to the Commissioner of Community Development. Decisions rendered by Commissioner of Community Development are considered final.

Dated at Vineland, Minnesota this 23 day of June in the year 2003


Al Olson
Commissioner of Administration

APPROVE AS TO FORM,
EXECUTION AND NUMBERING


Solicitor General

OFFICIAL SEAL OF THE BAND