

**TRIBAL COUNCIL ACT 10-1**

**AN ACT RELATING TO**

**SNOQUALMIE TRIBE EMERGENCY MANAGEMENT RESPONSE ACT**

**BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL**

**SECTION 1.0 - TITLE AND CODIFICATION**

This Chapter shall be known as the Snoqualmie Tribe Emergency Management Response Act, and shall be codified as Title 10, Chapter 1 of the Snoqualmie Tribal Code.

**SECTION 2.0 - STATUTORY AUTHORIZATION**

The aboriginal and inherent sovereign power to govern the Snoqualmie Indian Tribe is vested in the Snoqualmie Tribal Council. The Snoqualmie Tribal Council has the authority to safeguard and promote the peace, safety, moral, and general welfare of the members of the Tribe by regulating the behavior of all persons within the jurisdiction of the Tribe and by providing for the enactment and enforcement of laws of the Tribe. This authority includes the ability to adopt laws or resolutions regulating the procedure of Tribal agencies and the conduct of Tribal officials. Snoqualmie Indian Tribe Constitution, Article VIII, § (o).

**SECTION 3.0 - PURPOSE AND SCOPE**

The purpose of this Chapter is to provide for the preparation and implementation of a comprehensive Tribal Emergency Management Plan to mitigate, prepare for, respond to, and recover from injury and damage to persons or property resulting from emergencies or disasters.

**SECTION 4.0 - DEFINITIONS**

**CHAIRPERSON** means the elected Chairperson of the Snoqualmie Indian Tribe.

**TRIBAL EMERGENCY MANAGEMENT PLAN** means a written comprehensive plan with elements that address all natural and man-made emergencies and disasters to which the Tribe is vulnerable which specifies the purpose, organization, responsibilities, capabilities and facilities of agencies, departments, and officials of the Tribe in the mitigation of, preparation for, response to, and recovery from emergencies and disasters.

**DISASTER** means an event or set of circumstances which demand immediate action to preserve public health, protect life or property, or to provide relief for the Tribe and or the Tribal community affected by such events or set of circumstances, including but not limited to an event or set of circumstances which reaches such dimension or degree of destructiveness as to warrant the Governor of the state of Washington to declare a state of emergency pursuant to state law or the President of the United States to issue an emergency determination under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C §§ 5121-5207 (the "Stafford Act"), such as acts of God, enemy or hostile governmental action, civil commotion, fire or other casualty, and pandemic or epidemic.

## **TRIBAL COUNCIL ACT 10-1**

**EMERGENCY** means a disaster, and shall also include an incident that requires typical police, fire, rescue, or emergency medical services.

**SNOQUALMIE TRIBAL FACILITIES** mean all buildings, structures or other areas used for the operation of the Snoqualmie Tribal government or Tribally-owned businesses, enterprises, or services located on or off Snoqualmie Tribal Lands.

**SNOQUALMIE TRIBAL LANDS** means all lands over which the Tribe exercises jurisdiction, including but not limited to, its Reservation, other lands held in trust for the Tribe by the United States, and all of the Tribe's "Indian Country" as defined by 18 U.S.C. § 1151, including but not limited to lands owned in fee by the Tribe wherever located.

**TRIBAL COUNCIL** means the elected Tribal Council of the Snoqualmie Indian Tribe.

**TRIBE** means the Snoqualmie Indian Tribe.

### **SECTION 5.0 - TRIBAL EMERGENCY MANAGEMENT PLAN**

- (a) The Tribal Council shall cause to be prepared and updated as needed on a periodic basis, a comprehensive Tribal Emergency Management Plan.
- (b) The Tribal Emergency Management Plan shall coordinate the response of emergency personnel and supporting services of the Tribe in the event of an emergency or disaster and during the aftermath thereof. Its purpose is to save lives, and protect public health, safety, property, the economy, the environment, culture, and history of the Tribe..
- (c) The Tribal Emergency Management Plan shall follow tribal and local emergency management best practices, including the Federal Emergency Management Agency (FEMA) Comprehensive Preparedness Guide (CPG 101), Washington State law requirements set forth in WAC 118-30, as well as any other Washington State administrative rules and regulations governing the development of emergency management plans.
- (d) The Tribal Emergency Management Plan shall be subject to the approval of the Tribal Council. Once approved by Tribal Council, the Tribal Emergency Management Plan shall govern and control all emergency management response to a disaster or emergency by the Tribe.

### **SECTION 6.0 – EMERGENCY MANAGEMENT FUNCTION; EMERGENCY POWERS OF THE CHAIRPERSON**

- (a) The Snoqualmie Tribe Public Safety Department is responsible for coordinating the emergency management function for the Tribe, its properties, assets, and infrastructure.
- (b) The Tribal Council and the Tribe's General Manager are responsible for establishing objectives and policies for emergency management and providing general guidance for disaster response and recovery coordination. On behalf of the Tribal Council and the Tribe's General Manager, a Director of Emergency Management may be appointed to coordinate the emergency management program. In the absence of a Director of

## **TRIBAL COUNCIL ACT 10-1**

Emergency Management, the Tribe's Chief of Police will fill this role. The Director of Emergency Management shall coordinate emergency operations when activated.

- (c) In the event of an emergency or disaster, the Chairperson is authorized to undertake the following:
- (1) To make and issue emergency rules, regulations and orders on matters reasonably related to the protection of life and property affected by such emergency or disaster, including but not limited to orders relating to closure or restriction of access to and evacuation of Snoqualmie Tribal lands and Snoqualmie Tribal facilities affected by the emergency or disaster, subject to approval by Tribal Council resolution as soon as practicable under the circumstances;
  - (2) To issue a Tribal state of emergency declaration, subject to approval by Tribal Council resolution as soon as practicable under the circumstances;
  - (3) When satisfied that the Tribal state of emergency no longer exists, issue a written declaration terminating the state of emergency, subject to approval by Tribal Council resolution as soon as practicable under the circumstances;
  - (4) To obtain or cause to be obtained supplies, equipment and services found lacking and needed for the protection of life or public property, and to bind the Tribe for the costs associated therewith, without regard to procurement and standard budgetary approval procedures;
  - (5) Subject to the Tribal Emergency Management Plan, to requisition necessary personnel or material of any other Tribal department or agency to aid in the emergency management response;
  - (6) To request mutual aid, assistance, and support from the U.S. Government, State of Washington, King County, and other entities when the Tribe's capabilities have been exceeded or exhausted;
  - (7) To ensure the continuity of the Tribal Council.

### **SECTION 8.0 - SEVERABILITY**

If any section of this Chapter, or the application of any section of this Chapter to any person under any circumstances, is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the continued effect of any other provision in this Chapter.

### **SECTION 9.0 - SOVEREIGN IMMUNITY**

Nothing within this Chapter shall be deemed a waiver of the Tribe's sovereign immunity.

### **SECTION 10.0 - AMENDMENT**

Any amendment to this Chapter will be effective upon enactment by the Snoqualmie Tribal Council.

**TRIBAL COUNCIL ACT 10-1**

**ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 10TH DAY OF JANUARY, 2008 IN SESSION DULY MET, WITH 5 FOR, 0 AGAINST, AND 0 ABSTAINING. TRIBAL COUNCIL ACT 01-08; RESOLUTION NO. 02-08.**

**CODIFIED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 21ST DAY OF OCTOBER, 2008.**

**ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 23RD DAY OF FEBRUARY, 2023 IN SESSION DULY MET, WITH 6 FOR, 0 AGAINST, AND 0 ABSTAINING. TRIBAL COUNCIL ACT 10.1; RESOLUTION NO. 35-2023**

**CODIFIED AS AMENDED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 23RD DAY OF FEBRUARY 2023.**

  
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TRIBAL SECRETARY, SHAUNA SHIPP-MARTINEZ