



Mashpee Wampanoag Tribe
483 Great Neck Rd So.
Mashpee, MA 02649
Phone (508) 477-0208
Fax (508) 477-1218

**TRIBAL COUNCIL RESOLUTION
2023-RES-121**

**APPROVAL OF MASHPEE WAMPANOAG TRIBE
UNLAWFUL DUMPING PENALTIES**

WHEREAS, the Mashpee Wampanoag Tribe (“Tribe”) is a federally-recognized Indian Tribe with a duly-enacted Constitution; and

WHEREAS, the Mashpee Wampanoag Tribal Council (“Tribal Council”), the governing body of the Tribe, deems it essential, and is empowered, under Article VI, §2.A. of the Mashpee Wampanoag Tribal Constitution (the “Constitution”) to promote and protect the health and general welfare of the members of the Tribe; and

WHEREAS, the Tribal Council is authorized, under Article VI, §2.E. to prevent the sale, loss or transfer of tribal land, and to manage the disposition, lease, encumbrance of tribal lands or interest of land inherited, acquired with tribal funds or other tribal assets; and

WHEREAS, the Tribe, as a sovereign nation, exercises jurisdiction over its Tribal lands and enforces its Tribal laws and policies; and

WHEREAS, the Tribal Council acknowledges its duty to protect and preserve its Tribal lands and comply with federal law, as applicable; and

WHEREAS, the Tribal Council is aware of unlawful dumping that has occurred on Tribal lands without permission, authorization or approval; and

WHEREAS, as good stewards of the land, the Tribe will protect and preserve the beauty, environmental integrity and cleanliness of its Tribal lands and intends to adopt a prohibition against Unlawful Dumping with associated penalties and requirements; and

WHEREAS, the Tribal Council desires to adopt the prohibitions and penalties against Unlawful Dumping set forth by the Town of Mashpee Bylaws in *Chapter 106, Health and Sanitation*, as may be amended from time to time, to be known hereafter as the *Mashpee Wampanoag Tribe Unlawful Dumping Penalties*; and

WHEREAS, the *Mashpee Wampanoag Tribe Unlawful Dumping Penalties* shall be enforced on Tribal lands and is effective immediately; and

WHEREAS, the Tribe will notify the Department of Interior – Bureau of Indian Affairs of any unlawful dumping that may occur on its Tribal lands that are in violation of applicable Tribal law and is considered civil and criminal trespass on Tribal lands.

NOW, THEREFORE BE IT RESOLVED, the Tribal Council hereby approves the *Mashpee Wampanoag Tribe Unlawful Dumping Penalties*, effective immediately and to be enforced on all Tribal lands.

BE IT FURTHER RESOLVED, the Tribal Council will engage and cooperate with the Department of Interior—Bureau of Indian Affairs to enforce applicable Tribal and Federal law related to civil and criminal trespass and seek enforcement actions, as needed.

BE IT FINALLY RESOLVED, that the Tribal Council Chairman, or in his absence or unavailability, other Tribal Council Officer, is hereby authorized to take all necessary action to enforce and take such other actions as are reasonable and necessary in furtherance of the execution or performance of this Resolution.

Effective immediately and until revoked or modified by the Tribal Council, pursuant to the authority vested in the Tribal Council pursuant to Article VI, Sections 2.A. and D. of the Constitution of the Mashpee Wampanoag Tribe.

All resolutions or parts of resolutions inconsistent with this resolution are repealed. This resolution is effective immediately and shall continue pursuant to the authority vested in the Tribal Council pursuant to Article VI, §§ 2.A. and D. of the Constitution.


CERTIFICATION

We, the undersigned Chairperson and Secretary of the Mashpee Wampanoag Tribal Council do hereby certify that the Tribal Council is composed of 13 members of whom 12, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened, and held on the 6th day of December, 2023, and that the foregoing Resolution was duly adopted by the affirmative vote of 11 members, with 0 opposing, and with 0 not voting.

Dated this 6th day of December 2023.


Brian M. Weeden, CHAIRMAN
Mashpee Wampanoag Tribal Council

ATTEST:


Cassie D. Jackson, SECRETARY
Mashpee Wampanoag Tribal Council