

# **NOTTAWASEPPI HURON BAND OF THE POTAWATOMI UNSAFE BUILDING CODE**

## **CHAPTER 1. GENERAL PROVISIONS.**

### **SEC. 101. TITLE**

THE TITLE OF THIS CODE SHALL BE THE NOTTAWASEPPI HURON BAND OF THE POTAWATOMI UNSAFE BUILDING CODE.

### **SEC. 102. PURPOSE.**

THE PURPOSE OF THIS CODE IS TO:

- A. SET FORTH THE LAWS GOVERNING THE ABATEMENT OF NUISANCES AS THEY ARE DESCRIBED AND FOUND TO EXIST WITHIN THE TERRITORIAL JURISDICTION OF THE TRIBE.
- B. PRESERVE THE SAFETY, HEALTH, AND GENERAL WELFARE OF THE TRIBE AND THOSE PERSONS PERMITTED TO ENTER OR RESIDE ON THE RESERVATION.
- C. PROVIDE FOR PROCEDURES FOR REMOVING OF UNSAFE AND/OR UNINHABITABLE BUILDINGS AND STRUCTURES FROM RESERVATION LANDS WHEN THE PRESENCE OF UNSAFE OR UNINHABITABLE BUILDINGS AND STRUCTURES ENDANGER THE HEALTH AND SAFETY OF THE TRIBE AND THOSE PERSONS VISITING OR RESIDING ON THE RESERVATION.
- D. ENCOURAGE OWNERS AND TENANTS TO MAINTAIN DWELLINGS AND STRUCTURES LOCATED ON TRIBAL LANDS IN ORDER TO IMPROVE THE QUALITY OF RESIDENTIAL HOUSING AS A TRIBAL RESOURCE.

### **SEC. 103. JURISDICTION**

- A. TERRITORIAL JURISDICTION. JURISDICTION OF THIS CODE EXTENDS TO ALL BUILDINGS AND LANDS WHICH MAY BE WITHIN THE PINE CREEK INDIAN RESERVATION OR OTHER LANDS HELD IN TRUST FOR, THE TRIBE.
- B. JURISDICTION IS EXTENDED OVER:
  - 1. ALL PERSONS OR ENTITIES WITHIN THE TERRITORIAL JURISDICTION OF THE TRIBE WHO OWN, CLAIM OWNERSHIP RIGHTS TO, OR WHO RENT OR LEASE OR ALLOW PERSONS TO OCCUPY HOUSING OR OTHER STRUCTURES LOCATED WITHIN THE TERRITORIAL JURISDICTION OF THE TRIBE;

2. ALL PERSONS WHO OCCUPY HOUSING, DWELLINGS, OR ACCOMMODATION FOR THE PURPOSE OF HUMAN DWELLING WITHIN THE TERRITORIAL JURISDICTION OF THE TRIBE;

## **CHAPTER 2. DEFINITIONS**

### **SEC. 201. GENERAL**

UNLESS SPECIFICALLY DEFINED BELOW OR UNLESS THE CONTEXT CLEARLY REQUIRES A DIFFERENT MEANING, TERMS USED IN THIS CHAPTER HAVE THE MEANING GIVEN THEM BY THE CURRENTLY ADOPTED EDITION OF THE UNIFORM BUILDING CODE. GENDER AND NUMBER ARE INTERCHANGEABLE. DEFINED TERMS OR CONCEPTS FROM THIS TITLE GENERALLY APPLY TO THIS CHAPTER.

- A. *“ABANDONED”* MEANS ANY REAL PROPERTY WHICH IS UNATTENDED AND EITHER OPEN OR UNSECURED SO THAT ADMITTANCE MAY BE GAINED WITHOUT DAMAGING ANY PORTION OF THE PROPERTY, OR WHICH EVIDENCES INDICATE THAT NO PERSON IS PRESENTLY IN POSSESSION, E.G., DISCONNECTED UTILITIES, ACCUMULATED DEBRIS, DISREPAIR AND, IN THE CASE OF CHATTELS, LOCATION. THE LENGTH OF TIME INVOLVED, OR ANY PARTICULAR STATE OF MIND OF THE OWNER OR PERSON ENTITLED TO POSSESSION, IS NOT CONCLUSIVE IN DETERMINING THAT PROPERTY IS ABANDONED.
- B. *“BOARDED-UP BUILDING”* MEANS ANY BUILDING THE EXTERIOR OPENINGS OF WHICH ARE CLOSED BY EXTRINSIC DEVICES OR SOME OTHER MANNER DESIGNED OR CALCULATED TO BE PERMANENT, GIVING TO THE BUILDING THE APPEARANCE OF NON-OCCUPANCY OR NON-USE FOR AN INDEFINITE PERIOD OF TIME.
- C. *“BUILDING”* MEANS ANY BUILDING, DWELLING, STRUCTURE, OR MOBILE HOME, FACTORY-BUILT HOUSE, OR PART THEREOF, BUILT FOR THE SUPPORT, SHELTER OR ENCLOSURE OF PERSONS, ANIMALS, PERSONAL PROPERTY, OR PROPERTY OF ANY KIND.
- D. *“BUILDING INSPECTOR”* MEANS THE TRIBAL GOVERNMENT OFFICIAL DESIGNATED AS HAVING RESPONSIBILITY FOR INSPECTION AND MAINTENANCE OF ALL TRIBAL GOVERNMENT BUILDINGS AND FACILITIES. FOR PURPOSE OF THIS CODE, THE *“BUILDING INSPECTOR”* MAY BE A PRIVATE CONTRACTOR RETAINED BY THE TRIBE FOR THE PURPOSE OF PERFORMING INSPECTIONS CONTEMPLATED BY THIS CODE.
- E. *“OWNER”* MEANS ANY PERSON HAVING ANY INTEREST IN THE BUILDINGS LOCATED ON ANY TRIBAL LANDS AS SHOWN UPON THE RECORDS

OF THE HOUSING DEPARTMENT, OR WHO ESTABLISHES HIS INTEREST THE IMPROVEMENTS IN A HEARING BEFORE THE DIRECTOR OR THE TRIBAL COUNCIL. FOR THE PURPOSE OF GIVING NOTICE, THE TERM "OWNER" ALSO INCLUDES ANY PERSON IN PHYSICAL POSSESSION.

### **CHAPTER 3. INSPECTION, CONDEMNATION AND REMOVAL OF UNSAFE BUILDINGS.**

**SEC. 301 UNSAFE BUILDINGS DEFINED.** ALL BUILDINGS OR STRUCTURES WHICH HAVE ANY OR ALL OF THE FOLLOWING DEFECTS SHALL BE DEEMED "UNSAFE BUILDINGS":

- A. THOSE WHOSE INTERIOR WALLS OR OTHER VERTICAL STRUCTURAL MEMBERS LIST, LEAN OR BUCKLE TO SUCH AN EXTENT THAT A PLUMB LINE PASSING THROUGH THE CENTER OF GRAVITY FALLS OUTSIDE THE MIDDLE THIRD OF ITS BASE;
- B. THOSE WHICH, EXCLUSIVE OF THE FOUNDATION, SHOW THIRTY-THREE PERCENT (33%) OR MORE, DAMAGE OR DETERIORATION OF THE SUPPORTING MEMBER OR MEMBERS, OR FIFTY PERCENT (50%) DAMAGE OR DETERIORATION OF THE NON-SUPPORTING INTERIOR OR OUTSIDE WALLS;
- C. THOSE WHICH HAVE IMPROPERLY DISTRIBUTED LOADS UPON THE FLOORS OR ROOFS IN WHICH THE SAME ARE OVERLOADED, OR WHICH HAVE INSUFFICIENT STRENGTH TO BE REASONABLY SAFE FOR THE PURPOSE IT IS INTENDED TO BE USED
- D. THOSE WHICH HAVE BEEN DAMAGED BY FIRE, WIND OR OTHER CAUSES SO AS TO HAVE BECOME DANGEROUS TO LIFE, SAFETY, OR THE GENERAL HEALTH AND WELFARE OF THE OCCUPANTS OR THE PEOPLE OF THE TRIBE;
- E. BUILDINGS OR STRUCTURES WHICH HAVE BECOME OR ARE SO DILAPIDATED, DECAYED OR UNSAFE THAT THEY ARE UNFIT FOR HUMAN HABITATION OR ARE LIKELY TO CAUSE INJURY TO OCCUPANTS OR TO OTHERS IN THE VICINITY;
- F. THOSE WHICH HAVE PARTS THEREOF WHICH ARE SO ATTACHED THAT THEY MAY FALL AND INJURE MEMBERS OF THE PUBLIC OR PROPERTY;
- G. THOSE, WHICH HAVE BEEN ABANDONED BY THE OWNER AND BECAUSE OF ABANDONMENT, COULD OR HAVE BECOME DANGEROUS TO THE HEALTH, SAFETY OR GENERAL WELFARE OF THE PUBLIC;
- H. THOSE BUILDINGS EXISTING IN VIOLATION OF APPLICABLE BUILDING AND FIRE SAFETY CODES.

**SEC. 302. STANDARDS FOR REPAIR; VACATION OR DEMOLITION.** THE FOLLOWING STANDARDS SHALL BE FOLLOWED BY THE BUILDING INSPECTOR OR OTHER ENFORCEMENT OFFICERS DESIGNATED BY THE TRIBAL COUNCIL, AND THE TRIBAL COUNCIL IN ORDERING REPAIR, VACATION OR DEMOLITION OF UNSAFE BUILDINGS OR STRUCTURES:

- A. IF THE “UNSAFE BUILDING” CAN REASONABLY BE REPAIRED SO THAT IT WILL NO LONGER EXIST IN VIOLATION OF THE TERMS OF THIS CODE, IT SHALL BE ORDERED REPAIRED;
- B. IF THE “UNSAFE BUILDING” IS IN SUCH CONDITION AS TO MAKE DANGEROUS TO THE HEALTH, SAFETY OR GENERAL WELFARE OF ITS OCCUPANTS, IT SHALL BE ORDERED TO BE VACATED;
- C. IF THE “UNSAFE BUILDING” IS FIFTY PERCENT (50%) DAMAGED, DECAYED OR DETERIORATED FROM ITS ORIGINAL VALUE, OR IF IT CANNOT BE REPAIRED SO THAT IT WILL NO LONGER EXIST IN VIOLATION OF THIS CODE, OR APPLICABLE FIRE SAFETY CODES, IT SHALL BE ORDERED DEMOLISHED;
- D. IF THE “UNSAFE BUILDING” WHETHER OR NOT VACANT, HAS NOT BEEN REPAIRED IN ACCORDANCE WITH THE NOTICE AND ORDER OF THE BUILDING INSPECTOR AND IF IT IS IN SUCH CONDITION AS TO MAKE IT DANGEROUS TO THE HEALTH, SAFETY OR GENERAL WELFARE OF ITS OCCUPANTS OR THE PUBLIC, AND THE VACATION OF THE BUILDING WOULD NOT ELIMINATE SUCH CONDITION, IT SHALL BE ORDERED DEMOLISHED;
- E. IF A VACANT, UNOCCUPIED OR USED BUILDING IS SO DILAPIDATED OR IN SUCH A STATE OF DISREPAIR THAT IT CONSTITUTES A DANGER TO THE SAFETY OF CHILDREN, OR THE HEALTH AND GENERAL WELFARE OF THE NEIGHBORHOOD, IT SHALL BE ORDERED DEMOLISHED.

**SEC. 303. UNSAFE BUILDINGS AS NUISANCES.** ALL “UNSAFE BUILDINGS” WITHIN THE TERMS OF SECTION 302 ARE HEREBY DECLARED TO BE PUBLIC NUISANCES AND SHALL BE ORDERED REPAIRED, VACATED OR DEMOLISHED AS PROVIDED IN THIS CODE.

**SEC. 304. DUTIES OF BUILDING INSPECTOR.** THE BUILDING INSPECTOR, OR ASSISTANTS SPECIALLY DESIGNATED BY THE TRIBAL COUNCIL, SHALL:

- A. INSPECT OR CAUSE TO BE INSPECTED ANNUALLY, ALL PUBLIC BUILDINGS, SCHOOLS, CHURCHES, RESIDENTIAL UNITS, HOTELS, OR OTHER COMMERCIAL BUILDINGS WITHIN THE PINE CREEK RESERVATION AND OTHER LANDS WITHIN THE TERRITORIAL JURISDICTION OF THE TRIBE FOR THE PURPOSE OF DETERMINING WHETHER ANY CONDITION EXISTS WHICH RENDER SUCH PLACES “UNSAFE BUILDINGS” WITHIN THE TERMS OF SECTION 302 OF THIS

CODE;

- B. INSPECT ANY BUILDING, WALL OR STRUCTURE ABOUT WHICH COMPLAINTS ARE FILED BY ANY PERSON TO THE EFFECT THAT A BUILDING, WALL OR STRUCTURE IS OR MAY BE EXISTING IN VIOLATION OF THIS CODE;
- C. C. INSPECT ANY BUILDING, WALL OR STRUCTURE REPORTED BY FIRE DEPARTMENT OR POLICE DEPARTMENT HAVING JURISDICTION WITHIN THE PINE CREEK RESERVATION OR OTHER TRUST LANDS AS PROBABLY EXISTING IN VIOLATION OF THIS CODE;
- D. NOTIFY, IN WRITING, THE OWNER, OCCUPANT, LESSEE OR ANY OTHER PERSON CLAIMING AN INTEREST IN A BUILDING OR STRUCTURE FOUND TO BE AN “UNSAFE BUILDING” THAT:
  - 1. THE OWNER MUST VACATE, REPAIR OR DEMOLISH THE BUILDING IN ACCORDANCE WITH THE TERMS OF THE NOTICE AND THIS CODE;
  - 2. THE OCCUPANT OR LESSEE MUST VACATE THE BUILDING OR MAY HAVE IT REPAIRED IN ACCORDANCE WITH THE NOTICE AND REMAIN IN POSSESSION; OR
  - 3. THE OWNER OR OTHER PERSON(S) HAVING AN INTEREST IN THE BUILDING MAY, AT HIS OWN RISK AND EXPENSE, REPAIR, VACATE OR DEMOLISH THE BUILDING OR HAVE SUCH WORK DONE; PROVIDED THAT THE PERSON SHALL BE REQUIRED TO COMMENCE AND COMPLETE THE WORK OR ACT REQUIRED BY THE ORDER WITHIN A REASONABLE TIME, NOT EXCEEDING THIRTY DAYS.
- E. SET FORTH IN THE NOTICE PROVIDED IN SUBSECTION D.(3) HEREOF, A DESCRIPTION OF THE BUILDING OR STRUCTURE DEEMED UNSAFE, A STATEMENT OF THE PARTICULAR CONDITIONS WHICH MAY THE BUILDING OR STRUCTURE AN “UNSAFE BUILDING” AND AN ORDER REQUIRING THE CORRECTIVE ACTION TO BE TAKEN WITHIN A REASONABLE PERIOD OF TIME, NOT EXCEEDING THIRTY DAYS.
- F. REPORT ANY NON-COMPLIANCE AND/OR NON-RESPONSE TO THE NOTICE PROVIDED TO THE TRIBAL COUNCIL;
- G. APPEAR AT ALL HEARINGS CONDUCTED BY THE TRIBAL COUNCIL AND TESTIFY AS TO THE CONDITION OF THE “UNSAFE BUILDINGS”;
- H. PLACE A NOTICE ON ALL UNSAFE BUILDINGS READING AS FOLLOWS:

“THIS BUILDING HAS BEEN FOUND TO BE AN UNSAFE AND DANGEROUS BUILDING BY THE BUILDING INSPECTOR DESIGNATED BY THE TRIBAL COUNCIL. THIS NOTICE IS TO REMAIN ON THIS BUILDING UNTIL IT IS REPAIRED, VACATED, OR DEMOLISHED IN ACCORDANCE WITH THE NOTICE WHICH HAS BEEN GIVEN TO THE OWNER, OCCUPANT, LESSEE AND OTHER PERSONS HAVING AN INTEREST IN THE BUILDING. IT IS UNLAWFUL TO REMOVE THIS NOTICE UNTIL THE

CONDITIONS REQUIRED IN THE NOTICE ARE COMPLIED WITH.”

**SEC.305.HEARING BEFORE THE TRIBAL COUNCIL.**

- A. *FAILURE OF OWNER TO COMPLY WITH NOTICE.* IN THE EVENT AN OWNER OR OTHER PERSONS HAVING AN INTEREST IN A BUILDING OR STRUCTURE FOUND TO EXIST IN VIOLATION OF THIS CODE FAILS OR REFUSES TO REPAIR, VACATE DEMOLISH AND REMOVE THE UNSAFE BUILDING WITHIN THE TIME DIRECTED BY THE BUILDING INSPECTOR, THE TRIBAL COUNCIL MAY, IN ITS JUDGMENT, CAUSE THE SAME TO BE REPAIRED, VACATED OR DEMOLISHED OR SUCH OTHER STEPS TAKEN AS IT MAY FIND TO BE NECESSARY TO SUPPRESS AND ABATE THE NUISANCE AND REMOVE THE FIRE AND SAFETY HAZARD AND THE DANGER TO LIFE, HEALTH, OR OTHER PROPERTY FOUND TO EXIST, AND MAY, IN ITS DISCRETION, CHARGE THE COST AND EXPENSE OF DOING SUCH WORK AGAINST THE OWNER(S) RESPONSIBLE FOR CREATING THE CONDITION REQUIRING ABATEMENT.
- B. *RIGHT TO HEARING.* BEFORE THE TRIBAL COUNCIL MAY DIRECT THAT A BUILDING OR STRUCTURE MAY BE REPAIRED, VACATED OR DEMOLISHED AS PROVIDED IN THIS CODE, THE BUILDING INSPECTOR SHALL NOTIFY THE OWNERS THEREOF, IN WRITING, BY CERTIFIED OR REGISTERED MAIL TO THE LAST KNOWN ADDRESS OF SUCH OWNER, OR BY PERSONAL SERVICE OF SUCH NOTICE BY THE BUILDING INSPECTOR OR HIS ASSISTANT OR BY POSTING NOTICE AS PROVIDED IN SECTION 304, AND THAT A HEARING WILL BE HELD BEFORE THE TRIBAL COUNCIL AT A DESIGNATED PLACE AT A TIME NOT LESS THAN TEN (10) DAYS AFTER THE DATE OF SUCH WRITTEN NOTICE, AT WHICH TIME AND PLACE THE OWNER SHALL BE ENTITLED TO BE HEARD IN PERSON OR BY COUNSEL UPON ALL LEGAL OR FACTUAL QUESTIONS RELATING TO THE MATTER AND SHALL BE ENTITLED TO OFFER SUCH EVIDENCE AS HE MAY DESIRE WHICH IS RELEVANT OR MATERIAL TO THE QUESTIONS SOUGHT TO BE DETERMINED OR THE REMEDIES SOUGHT TO BE EFFECTED.
- C. *NOTICE BY POSTING/PUBLICATION.* IF THE NAME OR WHEREABOUTS OF THE OWNER CANNOT, AFTER DUE DILIGENCE, BE DISCOVERED, THE NOTICE HEREIN REFERRED TO SHALL BE CONSIDERED PROPERTY AND ADEQUATELY SERVED IF A COPY THEREFORE IS POSTED ON THE OUTSIDE OF THE BUILDING OR STRUCTURE IN QUESTION AT LEAST TEN (10) DAYS PRIOR TO THE DATE FIXED FOR THE HEARING AND A NOTICE OF THE HEARING IS PUBLISHED ON TIME IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE CALHOUN COUNTY AT LEAST ONE WEEK PRIOR TO THE DATE FIXED FOR SUCH HEARING. SUCH NOTICE SHALL STATE THE ADDRESS OR LOCATION OF THE BUILDING OR STRUCTURE AND THE TIME, PLACE AND PURPOSE OF THE HEARING.

*D. DEFAULT.* IF THE OWNER FAILS TO RESPOND TO THE NOTICE AND/OR FAILS TO ATTEND THE HEARING BEFORE THE TRIBAL COUNCIL, A DEFAULT SHALL BE ENTERED AGAINST THE OWNER AND THE TRIBAL COUNCIL SHALL ENTER AN ORDER REQUIRING THE UNSAFE BUILDING OR STRUCTURE TO BE REPAIRED, VACATED AND/OR DEMOLISHED AS THE TRIBAL COUNCIL DEEMS APPROPRIATE UNDER THE CIRCUMSTANCES CONSISTENT WITH THE REQUIREMENTS DESCRIBED IN SECTION 302.

*E. FORM OF ORDER.* THE TRIBAL COUNCIL'S ORDER SHALL REQUIRE THE OWNER TO COMMENCE DEMOLITION, REMOVAL AND/OR OTHER REMEDIAL STEPS WITHIN 30 DAYS AFTER THE DATE OF THE TRIBAL COUNCIL'S ORDER. THE TRIBAL COUNCIL'S ORDER MAY:

1. REQUIRE THE OWNER, WITHIN THE TIME SPECIFIED IN THE ORDER, TO REPAIR, ALTER OR IMPROVE SUCH BUILDING TO RENDER IT FIT FOR HUMAN HABITATION OR FOR OTHER USE, AND TO VACATE AND CLOSE THE BUILDING; OR
2. REQUIRE THE OWNER, WITHIN THE TIME SPECIFIED IN THE ORDER, TO REPAIR, ALTER OR IMPROVE SUCH BUILDING TO RENDER IT FIT FOR HUMAN HABITATION OR FOR OTHER USE, OR TO VACATE AND CLOSE THE BUILDING; OR
3. REQUIRING THE OWNER TO ABATE THE NUISANCE AND SETTING OUT GENERALLY THOSE STEPS NECESSARY TO ABATE IT, INCLUDING BOARDING-UP AN ABANDONED OR VACANT BUILDING. IN ADDITION, SUCH ORDER SHALL STATE THAT UNLESS THE COMPLIES WITH THE ORDER, THE TRIBE'S BUILDING INSPECTOR SHALL HAVE THE POWER, WITHOUT FURTHER NOTICE OR PROCEEDINGS, TO VACATE AND SECURE THE BUILDING OR PREMISES AND DO ANY ACT REQUIRED OF THE OWNER IN THE ORDER OF THE TRIBAL COUNCIL, AND TO CHARGE ANY EXPENSES INCURRED THEREBY TO THE OWNER AND SUCH COSTS MAY BE RECOVERED BY WITHHOLDING ANY AMOUNTS THAT SUCH OWNER(S) MAY BE ENTITLED TO RECEIVE FROM ANY AMOUNTS, OTHER THAN NEED-BASED BENEFITS THAT THE OWNER MAY BE ENTITLED TO UNDER APPLICABLE TRIBAL LAW OR ENACTMENTS.

**SEC. 306.PRESUMPTION OF PUBLIC DANGER.** IN ALL CASES IN WHICH THE TRIBAL COUNCIL, UNDER AUTHORITY OF THIS CODE, CAUSES THE DEMOLITION AND REMOVAL OF ANY UNSAFE BUILDING OR STRUCTURE TO BE CARRIED OUT, OR DIRECTS SUCH OTHER REMEDIAL STEPS TO BE TAKEN AS MAY BE NECESSARY TO

ABATE THE NUISANCE AND REMOVE THE HAZARDS, IT SHALL BE CONCLUSIVELY PRESUMED THAT THE PUBLIC NUISANCE AND THE FIRE SAFETY HAZARD AND DANGER TO LIFE, HEALTH OR OTHER PROPERTY, CREATED AND MAINTAINED BY THE CONTINUED PRESENCE OF SUCH UNSAFE BUILDING OR STRUCTURE IN SUCH CONDITION AS IS FOUND TO EXIST, CONSTITUTE A CLEAR AND PRESENT DANGER AMOUNTING TO A SITUATION OF EMERGENCY INVOLVING THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE, WHICH REQUIRES ENTRY UPON PRIVATE PROPERTY FOR THE SUMMARY ABATEMENT AND REMOVAL OF SUCH DANGER, IN THE PUBLIC INTEREST.

**SEC. 307. EMERGENCY CASES.** IN CASES WHERE IT REASONABLY APPEARS THAT THERE IS IMMEDIATE DANGER TO LIFE OR SAFETY OF ANY PERSON UNLESS AN “UNSAFE BUILDING” AS DEFINED HEREIN IS IMMEDIATELY REPAIRED, VACATED, OR DEMOLISHED, THE BUILDING INSPECTOR SHALL REPORT SUCH FACTS TO THE TRIBAL COUNCIL AND THE TRIBAL COUNCIL SHALL CAUSE THE IMMEDIATE REPAIR, VACATION OR DEMOLITION OF THE “UNSAFE BUILDING”. THE COST OF SUCH EMERGENCY REPAIR, VACATION OR DEMOLITION MAY BE CHARGED TO THE OWNER AS PROVIDED IN SECTION 305 E.3..

**SEC. 308. DUTIES OF TRIBAL POLICE DEPARTMENT.** ALL EMPLOYEES OF THE TRIBAL POLICE DEPARTMENTS SHALL MAKE A REPORT TO THE BUILDING INSPECTOR OF ANY BUILDINGS OR STRUCTURES, WHICH ARE, OR ARE SUSPECTED TO BE “UNSAFE BUILDINGS” WITHIN THE TERMS OF THIS CODE. SUCH REPORTS SHALL BE DELIVERED TO THE BUILDING INSPECTOR WITHIN TWENTY-FOUR HOURS OF THE DISCOVERY OF AN UNSAFE BUILDING BY A TRIBAL POLICE OFFICER.

**SEC. 309. VIOLATIONS.** IT SHALL BE UNLAWFUL AND A VIOLATION OF THIS CODE TO KNOWINGLY:

- A. OCCUPY OR SUFFER TO BE OCCUPIED ANY BUILDING OR PREMISES ORDERED VACATED;
- B. FAIL TO COMPLY WITH ANY ORDER ISSUED PURSUANT TO THIS CODE;  
OR
- C. OBSTRUCT ANY OFFICER OR AGENT OF THE TRIBE IN THE ENFORCEMENT OF THIS CODE. VIOLATION OF THIS SECTION IS A CIVIL INFRACTION PUNISHABLE BY A CIVIL FINE NOT LESS THAN \$250.00.

**SEC. 310. SEVERABILITY.** IF ANY CLAUSE, SENTENCE, PARAGRAPH, SECTION, OR PART OF THIS CODE SHALL, FOR ANY REASON BE ADJUDICATED BY ANY COURT OF COMPETENT JURISDICTION, TO BE INVALID OR UNCONSTITUTIONAL, SUCH JUDGMENT SHALL NOT AFFECT, IMPAIR, OR INVALIDATE THE REMAINDER

THEREOF, BUT SHALL BE CONFINED IN ITS OPERATION TO THE CLAUSE, SENTENCE, PARAGRAPH, SECTION, OR PART THEREOF DIRECTLY INVOLVED IN THE CONTROVERSY IN WHICH THE JUDGMENT SHALL HAVE BEEN RENDERED.