

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

- WHEREAS, the General Manager of the Sunrise Ski Park advises the Tribal Council that on Christmas Eve a patron of the ski area skied outside the boundary rope, which surrounds the ski area and beyond which skiers are not permitted; and
- WHEREAS, said skier lost his way and was not found until 10:30 p.m. that evening; and
- WHEREAS, the search for the lost skier necessitated mobilizing 20 employees of the ski area at a cost of approximately \$3,000.00; and
- WHEREAS, the General Manager states that other ski areas impose a rescue fee and automatic fine and penalty for similar actions by skiers but that there is no adequate tribal ordinance in existence prohibiting similar activities by skiers and imposing restitution or rescue fee for costs incurred by the ski area for search and rescue; and
- WHEREAS, the General Manager has consulted with the Tribal Attorney who has advised him that it is well within the power of the Tribal Council to pass an ordinance which would establish a civil penalty plus search and rescue fees for future violations; and
- WHEREAS, the Tribal Council concludes that an ordinance is necessary not only to deter skiers from going beyond the ski park boundaries but to reimburse the ski area for necessary search and rescue expense.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Attorney to draft an ordinance immediately for posting for the requisite 10 days as required by the Constitution, said ordinance to establish a \$500.00 penalty for trespassing beyond the boundary signs of the ski area plus provision for reimbursement for search and rescue expenses incurred by the ski area.


The foregoing resolution was on January 5, 1983, duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (h & i) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

RECEIVED

JAN 21 1983

FORT APACHE INDIAN
AGENCY
WHITERIVER ARIZ


Chairman of the Tribal Council


Secretary of the Tribal Council