



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Closing Public Places on the Fort Apache Indian Reservation; Prohibiting Congregations Greater than 10; and Imposing a Curfew)

WHEREAS, The Constitution also provides, at Article IV, Section 1(a) that the Council shall exercise the power “To represent the Tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this constitution”; and

WHEREAS, Worldwide, Coronavirus (“COVID-19”) has infected more than 377,000 people, and caused over 16,000 deaths; and

WHEREAS, Arizona is currently experiencing an exponential spike in cases as the federal government has been unable to control growth or provide adequate and timely testing of those exhibiting symptoms; and

WHEREAS, The most effective strategies for containment and mitigation of this pandemic are proving to be social distancing and quarantine; and

WHEREAS, Chapter Two of the Tribe’s Health and Safety Code provides the Tribe with authority to institute measures to prevent the spread of infectious disease; and

WHEREAS, The Council now finds that closing and prohibiting access to certain public places, as a way to prevent congregation and mitigate spread of COVID-19, is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the following public places are hereby immediately closed:

1. Memorial Hall;
2. All public basketball courts;
3. All playgrounds;
4. All public horseshoe pits;
5. All athletic fields, including school yards;
6. All skateparks;
7. All volleyball courts; and
8. All other public places where more than 10 people can congregate.

Resolution No. 03-2020-67

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that every congregation of greater than 10 individuals is hereby prohibited, except in residential circumstances.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that a curfew is hereby imposed between the hours of 10:00 P.M. and 5:00 A.M.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that persons found by law enforcement to be in violation of these measures may be civilly liable to the Tribe in the following manner:

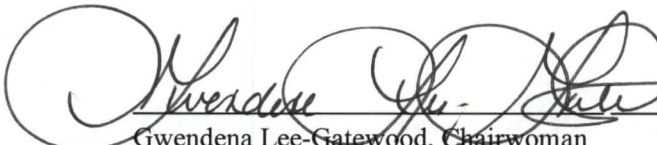

- A. **First Offense** - Verbal Warning;
- B. **Second Offense** - \$250.00 fine; and
- C. **Third Offense** – Loss of Tribal Member privileges, including re-imposition of housing rental fees and water utility bills.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that these measures shall remain in effect until such time that the Council acts to lift or modify them or until lifted by the Tribe's Incident Commander.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on MARCH 23, 2020 duly adopted by a vote of NINE for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

 3.23.20  3/23/2020
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date