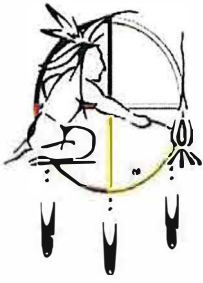


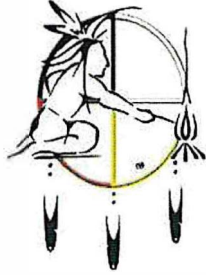
**FOREST COUNTY POTAWATOMI
COMMUNITY
CAMPING ORDINANCE 5-13-2023**



FOREST COUNTY POTAWATOMI COMMUNITY CAMPING ORDINANCE

Table of Contents

| | |
|--|---|
| § 1. General..... | 3 |
| § 2. Definitions..... | 4 |
| § 3: Rule Making Authority..... | 4 |
| § 4: Sanitation – Prohibited Acts..... | 4 |
| § 5: Operation of Motor Vehicles – Prohibited Acts..... | 5 |
| § 6: Fires – Prohibited Acts..... | 5 |
| § 7: Remote Camping..... | 5 |
| § 8: Destruction or Unauthorized use of Tribal Property – Prohibited Acts..... | 6 |
| § 9: Fireworks and Firearms – Prohibited Acts..... | 6 |
| §10: Enforcement..... | 6 |
| §11: Failure to Pay Fees..... | 6 |
| §12: Penalties..... | 7 |
| §13: Validity..... | 7 |
| §14: Effective Date..... | 7 |



FOREST COUNTY POTAWATOMI COMMUNITY CAMPING ORDINANCE

§ 1. General

1.1 Purpose

The purpose of this Ordinance shall be to protect the health, safety, and welfare of those persons engaging in the outdoor recreational activities defined herein, on Tribal Lands, as well as to protect Forest County Potawatomi Community Tribal Lands, buildings and structures. The purpose of this Ordinance shall also be to promote and ensure the enjoyment of the Tribe's campgrounds and natural resources by all campground users, according to generally-accepted concepts of cooperation, campground etiquette, and common courtesy.

1.2 Authority

The Forest County Potawatomi General Council enacts this ordinance pursuant to its authority granted under the Forest County Potawatomi Tribal Constitution, Article IV, §1(d).

1.3 Effective Date and Title

This ordinance is hereby adopted immediately following the majority approval from the Forest County Potawatomi General Council, and it shall be known as the Forest County Potawatomi Community Camping Ordinance.

1.4 Sovereign Immunity

The Tribe, by adoption of this Ordinance, does not waive its sovereign immunity in any respect.

§ 2. Definitions

For the purpose of this Ordinance, the following words and phrases shall have the meanings given to them in this section and by law:

"Camping" shall mean the activity of spending a limited amount of time living in a camp, tent or camper in an approved Campground Area, or at a Remote Camping site.

"Campground Area" shall mean a recreation site developed for the purpose of camping, with designated campsites and other improvements, and approved by the Executive Council.

"Clean Wood" shall mean wood free of plastics, metal, or treated or stained wood, and used for the purpose of burning.

"Electric Vehicles" shall mean vehicles that are either partially or fully powered on electric power, including, but not limited to, automobiles, motorcycles/scooters, bicycles, or ATVs/UTVs.

"Executive Council" shall mean the Forest County Potawatomi Community Executive Council, as defined in Article 3, §6 of the Constitution.

"Garbage." See definition of "Solid Waste" in the Solid Waste Ordinance.

"Littering" shall mean solid waste or recyclables improperly placed so as to be a nuisance or health concern.

"Motor Vehicle" shall mean any vehicle powered by an internal combustion engine, including, but not limited to, automobiles, motorcycles/scooters, bicycles, or ATVs/UTVs.

"Ordinary High-Water Mark" shall mean the point on the bank or shore where the water, by its presence, wave action, or flow, leaves a distinct mark on the shore or bank.

"Remote Camping" shall mean camping outside of a designated Campground Area.

"Tribe" shall mean the Forest County Potawatomi Community.

"Tribal Court" shall mean the Forest County Potawatomi Community Tribal Court.

"Tribal Lands" or "Reservation" shall mean any trust lands located within Forest County, Wisconsin.

§ 3: Rule Making Authority

The Land and Natural Resources Division, subject to the approval of the Executive Council, may promulgate rules and regulations governing the use and enjoyment of all lands, structures and

property owned, leased or administered by the Tribe and under the management and supervision of the Land and Natural Resources Division.

§ 4: Sanitation – Prohibited Acts – The following prohibitions shall apply to both Campground Areas and Remote Camping, unless clearly stated otherwise.

- 4.1 Littering on Tribal Lands shall be strictly prohibited.
- 4.2 Depositing in any toilet, toilet vault, or plumbing fixture, any bottle, can, cloth, rag, metal, wood, stone, flammable liquid, or other substance which could damage or interfere with the operation or maintenance of the fixture.
- 4.3 Placing any substance in or near a stream (within the ordinary high-water mark), lake, or other body of water, which may cause pollution to such body of water.
- 4.4 In or within 500 yards of a Campground Area, depositing any bodily waste except into receptacles provided for that purpose.
- 4.5 In a Campground Area, placing any garbage and/or recyclables outside of a designated receptacle. If garbage/recyclable receptacles are not available or are full, a camper must take all garbage and recyclables with them.
- 4.6 While Remote Camping, failing to comply with a “Carry in, Carry out” policy for all garbage and recyclables produced at a Remote Camping site.

§ 5: Operation of Motor Vehicles – Prohibited Acts - The following prohibitions shall apply to both Campground Areas and Remote Camping, unless clearly stated otherwise.

- 5.1 Placing a vehicle or other object in such a manner that it is an impediment to the use of common areas, gates, a road or trail, or a hazard to the safety of any person.
- 5.2 Within a Campground Area, operating a Motor Vehicle or Electric Vehicle except in places developed for this purpose.
- 5.3 Within a Campground Area, operating a Motor Vehicle or Electric Vehicle for any purpose other than entering or leaving the Campground area.
- 5.4 Operating a Motor Vehicle or Electric Vehicle carelessly, recklessly, or without regard for the safety of any person, or in a manner that endangers or is likely to endanger any person or property.
- 5.5 Within a Campground Area, parking or leaving a Motor Vehicle, Electric Vehicle, or trailer outside a parking space assigned to one’s own camp unit, unless such vehicle is parked in a designated overflow parking area.

5.6 Using a Campground Area for commercial purposes, unless approved by Executive Council.

§ 6: Fires – Prohibited Acts - The following prohibitions shall apply to both Campground Areas and Remote Camping, unless clearly stated otherwise.

6.1 Within a Campground Area, building, and/or maintaining, a wood fire outside of a Tribally-provided fire ring, or other grill or stove.

6.2 Burning any material other than Clean Wood/kindling.

6.3 Using other than Clean Wood from a local source (within 30 miles of campground).

6.4 Leaving fires or grills unattended or otherwise creating a fire hazard.

6.5 Within a Campground Area, cutting of any live trees for firewood.

§ 7: Remote Camping

7.1 Any person Remote Camping shall be required to comply with the Camping Rules and Regulations attached hereto.

7.2 Any person Remote Camping with animals for longer than seven (7) days shall be required to remove all animal waste at or near their Remote Camping site to prevent the creation of a nuisance situation for future campers.

§ 8: Destruction or Unauthorized use of Tribal Property – Prohibited Acts -- The following prohibitions shall apply to both Campground Areas and Remote Camping unless clearly stated otherwise.

8.1 Cutting of any live trees without prior approval from the Tribe's Land and Natural Resources Division.

8.2 Mutilating, defacing, removing, disturbing, injuring, or destroying any property of FCPC.

8.3 Entering any building or structure owned or controlled by FCPC when such building or structure is not open.

§ 9: Fireworks and Firearms – Prohibited Acts -- The following prohibitions shall apply to both Campground Areas and Remote Camping unless clearly stated otherwise.

9.1 Discharging or igniting a firecracker, rocket or other firework, or explosive.

9.2 Discharging a firearm or any other implement capable of taking human life, causing injury, or damaging property: (1) in or within 150 yards of a residence, building, or Campground Area, or (2) across or on a body of water adjacent to a Campground Area, whereby any person or property is exposed to injury or damage as a result of such discharge.

§ 10: Enforcement

- 10.1 Any person who violates this Ordinance, or any rules or regulations promulgated pursuant thereto, may be subject to the penalties contained in Section 12, and/or may be excluded from the use of Tribal property/facilities for camping or other purposes. Any person so excluded, who refuses to leave such Tribal property, may be prosecuted for criminal trespass.
- 10.2 The Land and Natural Resources Division Administrator or his/her designee in the Land and Natural Resources Division shall be authorized to enforce this Ordinance and the Rules and Regulations promulgated pursuant hereto by issuing citations for violation pursuant to Sections 11 and 12 (below).

§11: Failure to Pay Fees

- 11.1 Any person who fails to pay any fee established for admission to, or use of, a site, facility, equipment, or service within a Campground Area, may be issued a citation for violation of this Ordinance.

§12: Penalties

- 12.1 Any person violating any of the provisions of this Ordinance shall, upon conviction or admission, forfeit not less than \$25.00, nor more than \$100.00 for each offense, not including the costs of prosecution and restitution. All camping permits shall include notice that, as a condition of issuing the permit, the permittee consents to the personal jurisdiction of the Forest County Potawatomi Community Tribal Court.
- 12.2 (Tribal members) Any fines imposed against Tribal members not paid after thirty (30) business days shall be subject to collection pursuant to the Debts Owed to the Tribe Ordinance, including all costs of collection.
- 12.3 (non-Tribal members) Any fines imposed against non-Tribal members not paid after thirty (30) business days shall be subject to collection pursuant to applicable law.

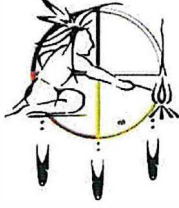
§ 13: Validity

- 13.1 If any section, clause, provision, or portion of the Ordinance is deemed unconstitutional, such decision shall not affect the remainder of this Ordinance.

§ 14: Effective Date

- 14.1 This Ordinance shall be in full force and effect from and after its adoption and publication as provided by law.

Legislative History for the Forest County Potawatomi Community Camping Ordinance



Recommended by the Ordinance Department.....
Approved by Executive Council5-3-2022
Approved by General Council.....5-13-2023
Ordinance Department notified of amendments.....
Amendments recommended by the Ordinance Department.....
Amended Ordinance approved by Executive Council
Amended Ordinance approved by General Council.....

This Ordinance amends and supersedes the following