01.01.01 Purpose

The purpose of this ordinance is to authorize and require the codification of all current and future ordinances adopted by the Tribal Council of the Sitka Tribe of Alaska into titles and chapters of the Sitka Tribal Code and to establish a process for the creation and codification of ordinances and regulations of the Sitka Tribe of Alaska. This codification system is designed to provide for a logically consistent creation and ordering of the ordinances and regulations of the Sitka Tribe, and also contains the format and referencing system to ensure that there is one consistent and authoritative version of the Sitka Tribal Code.

01.01.02 Authority

The authority of this ordinance is contained in Article VII, Section 1 and Article VII, Section 6 of the Sitka Tribe of Alaska Tribal Constitution.

01.01.03 Definitions and abbreviations

(a) Ordinance – a tribal law enacted by the Tribal Council to give effect to the Constitution of the Sitka Tribe of Alaska or other applicable law.

(b) Regulation – a rule established to provide details for the implementation of ordinances.

01.01.04 Policy

(a) The basic unit of tribal law for the Sitka Tribe of Alaska shall be the ordinance. Ordinances shall be enacted by the Sitka Tribe of Alaska Tribal Council. All Ordinances enacted shall be formatted according to the provisions of this ordinance.

(b) Regulations of the Sitka Tribe of Alaska may be created to provide further definition of ordinances by an individual or committee, as designated by the Tribal Council in each ordinance.

(c) Tribal ordinances shall be developed into a codification system for the organization of and reference to all Sitka Tribe of Alaska Ordinances. The codification of ordinances shall be referred to as the "Sitka Tribal Code." This ordinance establishes the process for codifying ordinances.

(d) All ordinances and policies previously adopted by the Tribal Council shall, within a reasonable time from the adoption of this ordinance, be reformatted and renumbered to be consisted with the codification system set out herein.

01.01.05 Procedure for enacting ordinances

An ordinance shall be enacted through the following procedures:

a) A proposed ordinance must be submitted in writing to the Tribal Council at a Tribal Council meeting by a member of the Tribal Council or upon recommendation from a Tribal Council committee.

b) A proposed ordinance must contain a statement of purpose; a citation of the authority for creation of the proposed ordinance; definitions, if needed; a policy statement that describes the intent or underlying philosophy of the ordinance; sufficient detail to facilitate implementation of the ordinance; a statement as to who is authorized to create regulations under the ordinance, if necessary; and a section at the end that identifies the day on which it was adopted.

c) The initial submission of a proposed ordinance shall constitute a "first reading" of a proposed ordinance, if the proposed ordinance is accepted by a majority vote of the Tribal Council;

d) After the first reading, the proposed ordinance shall be made available for review by tribal citizens by at least two of the follow ways: at the Tribe's website, on the Tribe's bulletin boards, notices in the tribal newsletter, public service announcement in the local newspaper, or making copies available for tribal citizens at the Tribe's receptionist's desk.

e) The proposed ordinance must be introduced for discussion in two regular meetings of the Tribal Council after its original introduction (first reading) and shall be voted on for approval or disapproval in the second of those two succeeding meetings. The Tribal Council may amend the proposed ordinance at any time during the three readings of the proposed ordinance, provided such amendment is approved by a majority vote of the Tribal Council. If such amendment is made to the proposed ordinance during the first or second reading, it will be incorporated into the proposed ordinance presented at the following reading. If such amendment is made at the third and final reading, the amendment will be incorporated into the final version of the adopted ordinance.

f) Tribal citizens shall be afforded the opportunity to comment on a proposed ordinance during each reading of the proposed ordinance.

g) A majority vote shall be required for approval of a proposed ordinance.

h) Once an ordinance is adopted by the Tribal Council, the ordinance will be posted for thirty days prior to it taking effect, unless the Tribal Council deems the ordinance adoption as an emergency, and so designates it in the motion approving the ordinance.

01.01.06 Procedure for amending ordinances

Once an ordinance is enacted, an amendment must be presented and approved in the same manner as initial enactment of ordinances as detailed in 01.01.05, unless the Tribal Council, by a majority vote, finds that an amendment to the Code is an emergency or such amendment is so minor that it does not need three readings.

01.01.07 Procedure for codifying ordinances

(a) Upon approval of an ordinance by the Sitka Tribe of Alaska Tribal Council, the tribal attorney shall format the ordinance so it will become a chapter of the Sitka Tribal Code.

(b) Once a chapter or title is approved, then any future changes to the subject matter covered by the ordinance giving rise to the title will be made by amendment by the Tribal Council to the respective title, by reference to the title, chapter and section, instead of to the ordinance via the process established in 01.01.06.

01.01.08 Organization of Sitka Tribal Code

(a) General Organization of Sitka Tribal Code

Ordinances shall be grouped into categories called "titles", and subcategories called "chapters," with each chapter containing an ordinance applicable to a particular aspect of operations of tribal affairs. The Sitka Tribal Code shall be organized in groups of ordinances with similar subject matter. Each subject matter grouping shall be designated as a title of the Sitka Tribal Code. Each section of an ordinance shall be identified by a series of numerals separated into three parts by decimal points (00.00.00), with the numerals preceding the first decimal point designating the *title* in which the ordinance is located; the numerals between decimal points designating the *ordinance* in which it is located, and the numerals following the second decimal point designating the *section* of the chapter (that is, 00.00.00 = Title.Ordinance.Section).

(b) Establishment of Subject Matter Titles and Ordinance Classifications

This ordinance hereby establishes the following subject matter titles, which shall include the ordinances regarding the title's subject matter. The following "titles" shall be created

01 General Provisions
02 Tribal Council
03 Tribal Citizens
04 Administrative Operations
05 Personnel
06 Tribal Court

(c) Section Numbering
Major sections in each ordinance shall be sequentially numbered using Arabic numbers. Subsections shall be designated sequentially in alphabetical order by small letters. Subparts of

subsections shall be designated sequentially by Arabic numerals. Subparts of subparts shall be sequentially alphabetized by Capital letters. Sub-subparts shall be sequentially numbered by lowercase roman numerals. An example is as follows:

01.01.01 Section
(a) subsection
(1) subpart
(A) Subpart
(B) Subpart
(i) sub-subpart

(d) Header Information
Every page of every ordinance shall have a header containing the following information: Sitka Tribal Code; Title.Chapter; Name of Ordinance.

(e) Footer Information
Every page of every ordinance shall have a footer containing the following information: the date the ordinance or chapter was adopted, the date of the most recent amendment, if applicable, and the page number.

01.01.09 Record Keeping

(a) A master copy of the Sitka Tribal Code shall be maintained by the Tribal Attorney. The master copy shall be maintained in such a way as to keep a complete legislative record of such ordinance and its amendments.

(b) A complete copy of the code of ordinances shall be maintained at the Tribe's administrative offices for examination by tribal citizens.

01.01.10 Certification of Ordinances

Upon enactment of each ordinance and ordinance amendment, the Tribal Council Chair and Tribal Council Secretary shall sign a certification as to the enactment or amendment of such ordinance. This certification will become part of the record of the master copy of the Sitka Tribal Code, but will not be part of the actual Sitka Tribal Code.

01.01.11 Date of Enactment and Amendment

This ordinance was enacted after three readings of the Tribal Council on January 16, 2008.