

**Title 12 – Building and Construction**  
**Chapter 1 – Swinomish Building Code**

**Sec.**

*Subchapter I – General Provisions*

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**Legislative History**

**Enacted:**

Ordinance 412 Amending STC Title 12, Chapter 1 (11/17/20).  
Ordinance 378 Amending STC Title 12, Chapter 1 (5/8/18).  
Building and Construction, Ord. 222 (10/5/04), BIA (10/15/04).

**Repealed or Superseded:**

Building and Construction, Ord. 178 (9/5/03), BIA (9/12/03).  
Adopting the Uniform Building Code and Uniform Building Standards, Ord. 133  
(2/2/99) (repealing Ord. 46 and all other ordinances or parts of ordinances in  
conflict).

Adopting a Uniform Building Code for the Swinomish Reservation, Ord. 46 (11/3/81), Res. 81-11-878, BIA (11/23/81) (repealing all other ordinances or parts of ordinances in conflict).

Adopting Applicable Provisions of the Skagit County Health Code, Res. 76-7-399 (7/3/76).

Adopting the Applicable Building Codes of Skagit County, Res. 391 (3/8/76).

Noted:

Supporting Tribally Adopted Building Standards, Res. 95-2-15 (2/7/95) (confirming the tribal acceptance of the Uniform Building Code, CABO Code for One and Two Family Dwellings, Federal Accessibility Guidelines, and Class 3 Earthquake Zone Conditions on Reservation (1995).

Sanitation and Inspection Committee, Ord. 12 (4/28/41) (requiring the replacement of broken windows).

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### *Subchapter I – General Provisions*

#### **12-01.010 Title.**

This Chapter shall be known as the “Swinomish Building Code.”

[History] Ord. 222 (10/5/04); Ord. 178 (9/05/03); Ord. 133 (2/2/99).

#### **12-01.020 Purpose.**

The purpose of the Swinomish Building Code is to:

- (1) regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings and/or structures on the Reservation;
- (2) provide for the issuance of permits and collection of fees therefore; and
- (3) provide penalties for violations of the Swinomish Building Code.

[History] Ord. 222 (10/5/04).

#### **12-01.030 Authority.**

This Chapter is enacted pursuant to authority provided by Article VI, Sections 1(h), (k)(1), (l), (r) and (s) of the Swinomish Constitution, as most recently amended.

[History] Ord. 222 (10/5/04); Ord. 178 (9/5/03); Ord. 133 (2/2/99).

**12-01.040 Jurisdiction.**

Tribal jurisdiction over the activities subject to this Chapter shall extend to all lands and waters within the exterior boundaries of the Swinomish Indian Reservation to the maximum extent permitted by law.

[History] Ord. 222 (10/5/04).

**12-01.050 Construction.**

In the event of a conflict between the provisions of this Chapter and the provisions of any other Title, Chapter, or Section of the International Building Code or International Residential Code, the provisions of this Chapter shall prevail.

[History] Ord. 378 (5/8/18); Ord. 222 (10/5/04); Ord. 178 (9/5/03).

**12-01.060 Definitions.**

(A) Unless explicitly stated otherwise, the following words and phrases, as they are used in this Chapter, shall have the following meanings:

- (1) **“Building Official”** means the Director of the Office of Planning and Community Development or his or her designee.
- (2) **"Code"** means the Swinomish Tribal Code.
- (3) **“Department”** shall mean the Office of Planning and Community Development.
- (4) **“IBC”** means the International Building Code.
- (5) **“IRC”** means the International Residential Code.
- (6) **“Reservation”** means all lands and waters within the exterior boundaries of the Swinomish Indian Reservation.
- (7) **“SBC”** means the Swinomish Building Code.
- (8) **Senate”** means the Senate of the Swinomish Indian Tribal Community.
- (9) **“Tribal Court”** shall mean the Swinomish Tribal Court.

(B) All other words and phrases shall have their ordinary and customary meanings.

[History] Ord. 412 (11/17/20); Ord. 378 (5/8/18); Ord. 222 (10/5/04).

**12-01.070 Adoption of International Building and Residential Codes.**

- (A) Except as otherwise provided in this Chapter, the Senate hereby adopts and incorporates as tribal law as if fully set out herein the following:
- (1) The International Building Code, 2015 Edition, published by the International Code Conference, together with the following appendices thereto:
    - (a) Appendix E, Supplementary Accessibility Requirements (sections 101 through 107 only);
    - (b) Appendix G, Flood-Resistant Construction; and
    - (c) Appendix J, Grading
  - (2) Washington State amendments to the IBC, codified at Chapter 19.27 RCW:
    - (a) Emergency exemptions for housing of indigent persons-19.27.042
    - (b) Temporary growing structures-19.27.065
    - (c) Temporary worker housing-19.27.067
    - (d) Buildings with special historic or architectural significance-19.27.120
    - (e) Carbon Monoxide Alarms exemptions-19.27.530
  - (3) The International Residential Code, 2015 edition, and 25 through 40, published by the International Code Council, together with the following appendices thereto:
    - (a) Appendix A Gas Piping;
    - (b) Appendix E Manufactured Housing Used as Dwellings (sections 101 through 106 only);
    - (c) Appendix G Piping Standards for Various Applications; and
    - (d) Appendix J Existing Buildings and Structures;

and

- (4) Washington State amendments to the IRC, codified at Chapter 51-51 WAC.

The IBC and the IRC together shall constitute the "Swinomish Building Code."

[History] Ord. 378 (5/8/18); Ord. 222 (10/5/04); Ord. 178 (9/5/03); Ord. 133 (2/2/99).

**12-01.080 Amendments to the International Building Code.**

(A) IBC Section 105.2, Work Exempt from Permit is amended as follows:

- (1) One story detached accessory building used as a tool or storage shed, play house or similar use are exempted from permit, provided, that
  - (a) the building is not used for sleeping purposes;
  - (b) the building's floor area does not exceed two hundred (200) square feet; and
  - (c) the building
    - i. is separated from all other structures by not less than eight feet; and
    - ii. meets the requirements of Chapter 20-03-Zoning of the Swinomish Tribal Code.
      - a. Fences under six feet in height are exempted from permit.
      - b. Oil derricks are not exempted from permit.
      - c. Retaining walls are not exempted from permit.
      - d. Sidewalks and driveways are not exempted from permit.

14. Construction or alteration of group U private garage occupancies for which the total cost of fair market value, as determined by currently adopted valuation methods, does not exceed seventy five hundred (\$7,500) dollars, Provided, that new construction

- (a) occurs only on the first story and not over a basement below; and
- (b) meets the requirements of Chapter 20-03-Zoning of the Swinomish Tribal Code.

15. Membrane structures as defined in the International Building Code, provided, that

- (a) The structure is used exclusively for the protection or propagation of plants not on display for public viewing or sales;

- (b) The structure is located a minimum of twenty feet (20') from any property line or other structure and it meets the requirements of Chapter 20-03-Zoning of the Swinomish Tribal Code;
- (c) Multiple membrane structures located on the same lot and having an aggregate floor area exceeding twelve thousand (12,000') square feet shall maintain a minimum of sixty (60') foot clear yards on all sides; and
- (d) A site plan is submitted to the Swinomish Office of Planning and Community Development, which demonstrates compliance with Section 106.2 of the International Building Code.

(B) IBC Section 105.5 Expiration is amended as follows:

Every building permit issued by the Building Official under the provisions of the IBC shall expire and become null and void if the building or work authorized by such permit is not completed within three (3) years of the date of issuance of the permit. To renew action on a permit after the permit has expired, the permittee shall pay a renewal fee according to the fee schedule adopted by the Senate, provided, that a new permit will be required where more than six months has passed from the expiration date of the original permit.

Any permittee holding an unexpired permit may apply for a six-month extension in order to complete the authorized work. The Building Official may grant the extension on written request from the permittee showing that circumstances beyond the control of the permittee have prevented the authorized work from being completed. No permit may be extended more than once.

(C) IBC Sections 1608.1 and 1608.2 for snow loads are amended as follows:

The Swinomish Building Official shall refer to the anticipated snow loads for Skagit County determined by the Skagit County Building Department. The snow loads and the snow load map of Skagit County have been reviewed by local structural and civil engineers for methodology and conformance with the 1995 Snow Load Analysis published by the Structural Engineers Association of Washington and have been found to be conforming.

(D) IBC section 3002.4 Elevator car to accommodate ambulance stretcher is amended as follows:

Stretcher Requirements. In all structures two or more stories in height in Group A, E, B, I, R1 and LC occupancies where elevator cars are installed, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door including return panels, of not less than 86 inches by 54 inches (2184 mm x

1372 mm) and a minimum distance from wall to return panel of not less than 51 inches (1295 mm) with a 42 inch (1067 mm) side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 86 inches by 26 inches (2184 mm x 660 mm).

In buildings where one elevator does not serve all floors, two or more elevators may be used. The elevators shall be identified by the international symbol for emergency medical services (Star of Life). The symbol shall not be less than 3 inches (76 mm) and placed inside on both sides of the hoistway door frame. The symbol shall be placed no lower than 78 inches (1981 mm) from the floor level or higher than 84 inches (2134 mm) from the floor level.

(E) Appendix J to the IBC, Grading, Section J103.2 Exemptions is amended as follows:

1. Exemption #1 regarding isolated areas is not adopted.

8. A fill:

(a) Is not within a defined critical area or its buffers, unless there has been critical areas review of the project and the location has been approved; and

(b) Does not obstruct natural drainage and is less than 1 foot in depth and placed on natural terrain with a slope less than 12%; and

(c) is not within a defined critical area or its buffers unless there has been critical area review of the project and is in an approved location, less than 3 feet (914 mm) in depth, not intended to support structures, and that does not exceed 100 cubic yards (76.5 m<sup>3</sup>) on any one lot.

9. Agricultural projects such as tilling, planting, and fertilizing.

[History] Ord. 378 (5/8/18); Ord. 222 (10/5/04).

#### **12-01.090 Amendments to the International Residential Code.**

(A) IRC Section R105.2, Work Exempt from Permit is amended as follows:

1. One story detached accessory building used as a tool or storage shed, play house or similar use, provided that

(a) the building is not used for sleeping purposes;

(b) only one such building is allowed on any parcel;

- (c) the building's floor area does not exceed two hundred (200) square feet;
- (d) the building is separated from all other structures by not less than eight feet; and
- (e) the building meets the requirements of Chapter 20-03-Zoning of the Swinomish Tribal Code.

5. Uncovered platforms, walks, decks and driveways not more than thirty inches (30") above grade and not over any basement or story below.

10. Construction or alteration of either Group R division 3 or group U private garage occupancies, or both, for which the total fair market value, as determined by the fee schedule in effect at the time of valuation, does not exceed seventy five hundred (\$7,500) dollars, provided, that new construction

- (a) occurs only on the first story;
- (b) is not over a basement; and
- (c) meets the setback requirements of Chapter 20-03-Zoning of the Swinomish Tribal Code.

(B) IRC Section R105.5 Expiration is amended as follows:

Every building permit issued by the Building Official under the provisions of the IRC shall expire and become null and void if the building or work authorized by such permit is not completed within three (3) years of the date of issuance of the permit. To renew action on a permit after the permit has expired, the permittee shall pay a renewal fee according to the fee schedule adopted by the Senate, provided, that a new permit will be required where more than six months has passed from the expiration date of the original permit.

Any permittee holding an unexpired permit may apply for a six-month extension in order to complete the authorized work. The Building Official may grant the extension on written request from the permittee showing that circumstances beyond the control of the permittee have prevented the authorized work from being completed. No permit may be extended more than once.

(C) IRC Section R108.2 Schedule of permit fees is amended as follows:

General Fees shall be as set forth in the fee schedule for the Swinomish Office of Planning and Community Development.



- (D) Figure R301.2(5) of the IRC for snow loads is amended as follows:

The Swinomish Building Official shall refer to the anticipated snow loads for Skagit County determined by the Skagit County Building Department. The snow loads and the snow load map of Skagit County have been reviewed by local structural and civil engineers for methodology and conformance with the 1995 Snow Load Analysis published by the Structural Engineers Association of Washington and have been found to be conforming.

- (E) Appendix J to the IRC, Section J101.1 General is amended as follows.

Buildings in existence at the time of the adoption of this Chapter may have their existing use or occupancy continued, Provided, that such use or occupancy existed prior to February 24, 1977 and, Provided, that the Building Official determines that such use or occupancy is not dangerous to life. Buildings legally permitted and approved for occupancy before or after such date are considered legal at the time of the adoption of this Chapter.

[History] Ord. 378 (5/8/18); Ord. 222 (10/5/04).

**12-01.100 Public Inspection.**

An official copy of the Swinomish Building Code shall be placed on file in the Office of Planning and Community Development where it shall be available for public review and copying during regular business hours, subject to reasonable administrative costs and restrictions.

[History] Ord. 222 (10/5/04).

**12-01.110 Site Inspection.**

- (A) The Building Official shall inspect all projects subject to this Chapter to ensure compliance with the terms and provisions of this Chapter and the terms and provisions of the permit.
- (B) When it is necessary to make an inspection to enforce the provisions of this Chapter, the Building Official may enter the premises at reasonable times to inspect or perform the duties established by the terms and provisions of this Chapter. The Building Official shall make a reasonable effort to locate the owner or a person with authority over the premises to request entry. If such entry is refused, the official shall have recourse to the remedies provided by law to secure entry.

[History] Ord. 412 (11/17/20).

**12-01.120 Enforcement Orders.**

- (A) In the event of any violation of any provision of this Chapter or any violation of a permit condition or mitigation requirement pursuant to this Chapter, the Building Official may issue an administrative order requiring the landowner or other responsible party to perform any or all of the following:
  - (1) Cease the activity, use or work causing the violation;
  - (2) Abate the work, development or structure in violation;
  - (3) Remediate, restore or mitigate for any adverse environmental effects of such activity, use, work, development or structure in violation;
  - (4) Pay a civil fine or penalty pursuant to Section 12-01.130; and
  - (5) Pay statutory damages pursuant to Section 12-01.140.
- (B) Any administrative order issued by the Building Official may be appealed in accordance with Subchapter II of this Chapter.

[History] Ord. 412 (11/17/20).

**12-01.130 Penalties.**

- (A) Penalties that may be levied for violations of this Chapter shall be pursuant to the published fee schedule.
- (B) The fine shall be based on the following factors:
  - (1) Severity of the violation;
  - (2) History of violations of this Chapter or other chapters of the Swinomish Tribal Code related to environmental protection or land use for the same parcel or violator;
  - (3) Staff time required to correct the violation as per the fee schedule;
  - (4) Cooperation with the Tribe, which may allow reduction of the fine by up to fifty percent (50%) based on all of the following:
    - (a) Immediate compliance with an order to cease an ongoing violation;
    - (b) Actions taken to correct the violation as quickly as feasible;
    - (c) Full cooperation with investigations related to the violation; and

- (d) The violation was fully rectified within 30 days of notice.
- (C) For the purpose of assessing a fine, each day the project remains in violation may be considered a separate violation.

[History] Ord. 412 (11/17/20).

**12-01.140 Statutory Damages.**

- (A) In addition to any other remedies for violations of this Chapter, the Building Official is authorized to assess and to recover, on behalf of the Tribe, statutory damages in the following amounts:
  - (1) Double the economic benefit the violator gained by non-compliance, as determined by the Building Official;
  - (2) Double the amount of money the Tribe lost due to the person's violation of this Chapter, as determined by the Building Official; and/or
  - (3) Double the amount of money the Tribe expended in mitigating the environmental effects of the violation of this Chapter, as determined by the Building Official.

[History] Ord. 412\_(11/17/20).

*Subchapter II – Hearings, Appeals, Computation of Time and Law Applicable*

**12-01.200 Request for Hearing Before the Planning Commission.**

- (A) Any party aggrieved by a decision or action of the Building Official, for which this Title provides a right to request a hearing, may request such a hearing by the Planning Commission within thirty calendar days from the date of notice of the challenged decision or within thirty calendar days from the date of the challenged action, as applicable.
- (B) Any request for a hearing shall be filed with the Building Official and shall state:
  - (1) The reasons for the hearing request, specifically identifying any claimed errors involving any of the following in the challenged decision or action:
    - (a) Conclusions as to Swinomish law, plans or policies, as to Federal law, or in the application of such law, plans or policies;
    - (b) Any factual findings or statements of facts; or

- (c) Any arbitrary or capricious action; and
- (2) Any way in which the party requesting a hearing has been or will be substantially prejudiced by the challenged decision or action.
- (C) Application of this subchapter. Persons aggrieved by a decision or action taken pursuant to any chapter in this Title may seek relief pursuant to the procedures outlined in this subchapter.

[History] Ord. 412 (11/17/20).

**12-01.210 Hearings by the Planning Commission.**

- (A) All Planning Commission hearings held pursuant to this Chapter shall be conducted in accordance with the provisions of this Section.
- (B) Notice of Public Hearing. The Department shall publish and shall provide the party who requested a hearing notice of the Planning Commission hearing at least fifteen (15) calendar days in advance of the date of the hearing. The hearing shall be held within sixty (60) calendar days of the date on which the request for hearing was filed.
- (C) **Public Hearing Procedures.** Planning Commission hearings shall proceed in the following manner:
  - (1) The Department shall provide copies of any application or request, supporting documents and any documents relating to the challenged decision or action. Planning Commission members may ask questions of the staff.
  - (2) The party who requested the hearing may submit written documents or materials in response to the Department's recommendation, decision or action. Planning Commission members may ask questions of the party who requested the hearing.
  - (3) Members of the public may offer comments on the proposal for consideration by the Planning Commission. Questions or comments from the public shall be addressed to the Planning Commission and directed by the Chair of the Commission to staff or the party that requested the hearing, at the discretion of the Chair.
  - (4) Response or clarifying statements by the Department and the party that requested the hearing.
  - (5) Closing of the evidentiary portion of the hearing and deliberation on the proposal by the Planning Commission.
- (D) **Public Record.** The Planning Commission shall make a written or audio record of all hearings.

- (E) **Basis of Decision.** The Planning Commission shall review the record of the hearing and the documents submitted at the hearing, and shall base its decision upon such record, applying the provisions of the Swinomish Code and of Federal law and considering the best interests of the Tribe.
- (F) **Written Decision.** The Planning Commission shall issue its decision in writing. Copies shall be provided to the Department and the party requesting the hearing, and shall be available for public inspection and copying at reproduction cost. The decision shall be issued within thirty (30) calendar days of the date of the hearing.

[History] Ord. 412 (11/17/20).

**12-01.220 Appeals of Planning Commission Decisions.**

- (A) Any party aggrieved by a decision of the Planning Commission may appeal that decision to the Senate by filing a written notice of appeal within thirty (30) calendar days from the date of notice of the decision; provided, however, that this Section is not applicable to recommendations made by the Planning Commission to the Senate.
- (B) The Senate shall make a decision on appeal based on the administrative record of the proceedings before the Planning Commission. The Senate shall not receive or consider any additional evidence not contained in the administrative record of the proceedings before the Planning Commission, and shall not consider any issue that was not raised by the appealing party in the administrative proceedings before the Planning Commission. The Senate shall issue a decision within sixty (60) calendar days of the date on which the notice of appeal was filed.
- (C) The Senate shall affirm the decision of the Planning Commission unless the appealing party demonstrates to the Senate both (1) and (2) below:
  - (1) The decision of the Planning Commission is either:
    - (a) Contrary to Swinomish or Federal law; or
    - (b) Arbitrary or capricious; or
    - (c) Not supported by substantial evidence in the record of proceedings held before the Planning Commission; or
    - (d) Not in the best interests of the Tribe; and
  - (2) The appealing party has been or will be substantially prejudiced by the challenged action.
- (D) If the Senate determines that the aggrieved party has met the burden set forth in subsection (C)(1) and (2), then the Senate, in its discretion, may issue a decision on

the merits or may send the matter back to the Planning Commission for further proceedings in accordance with the Senate's ruling.

[History] Ord. 412 (11/17/20).

**12-01.230 Appeals of Senate Decisions.**

- (A) Any party aggrieved by a decision of the Senate pursuant to this Chapter may appeal such decision to Tribal Court within thirty (30) calendar days from the date of notice of the decision. Any appeal to the Tribal Court shall be in writing and shall identify the name of the party petitioning for review, the interest of the petitioning party in the decision appealed from, and shall name as respondent only the Director, in his or her official capacity.
- (B) The review by the Tribal Court shall be limited to the evidentiary record made in the administrative proceedings held before the Planning Commission. The Department may charge an appealing party the reasonable costs of preparing copies of the administrative record or of transcribing a recording of a hearing for the Tribal Court and for the appealing party.
- (C) The Tribal Court shall not receive or consider any additional evidence not contained in the administrative record of the proceedings before the Planning Commission. The Tribal Court shall not consider any issue that was not raised by the appealing party in the administrative proceedings before Planning Commission and before the Senate.
- (D) The Tribal Court review shall be conducted by the Court, without a jury. The review shall be in accordance with those provisions of the Swinomish Rules of Civil Procedure that are determined to be applicable by the Tribal Court.
- (E) Any appeal from a decision of the Tribal Court shall be filed and adjudicated in accordance with the Swinomish Rules of Appellate Procedure.
- (F) The review by the Swinomish Tribal Court of Appeals shall be limited to the evidentiary record made in the administrative proceedings held before the Planning Commission. The Court of Appeals shall not consider any issue that was not raised by the appealing party in both the administrative proceedings before the Planning Commission and the Senate and in the record of proceedings before the Tribal Court.
- (G) The Tribal Court and the Court of Appeals shall affirm the decision of the Senate upon review unless the appealing party demonstrates to the Court both (1) and (2) below:
  - (1) The decision of the Senate is either:
    - (a) Contrary to Swinomish or Federal law;

- (b) Arbitrary or capricious; or
  - (c) Not supported by substantial evidence in the record of proceedings held before the Senate; and
- (2) The appealing party has been or will be substantially prejudiced by the challenged action.
- (H) If the Court determines that the aggrieved party has met the burden set forth in subsection (G)(1) and (2), then the Court shall reverse the decision appealed from and shall remand the matter to the Senate for further proceedings in accordance with the Court's ruling. The Senate, in its discretion, may send the matter to the Planning Commission for further proceedings in accordance with the Court's ruling. The Tribal Court and the Court of Appeals shall not have authority to issue a permit, impose a penalty or to grant an exemption, exception or a variance under this Chapter, and shall not have authority to grant any relief other than an order reversing the decision appealed from and remanding the matter to the Senate for further proceedings.
- (I) The decision of the Court of Appeals shall be final, and is not subject to further review.

[History] Ord. 412 (11/17/20).

**12-01.240 Time and Finality.**

- (A) The date of notice of any decision shall be the date on which the decision is mailed by the body making the decision to the last known address of the applicant. The date of notice shall be stated in the decision.
- (B) All time periods set forth in in this subsection shall be calculated in accordance with Rule 3-02.100, "Computation and Extension of Time", of the Swinomish Rules of Civil Procedure.
- (C) Any decision issued by any person or body under this Chapter shall inform the recipient of any right to request a hearing or to appeal that is provided by this Chapter, of the procedure for requesting a hearing or filing an appeal, and of the time period in which such a request for hearing or notice of appeal must be filed.
- (D) If a decision or action of the Department, Planning Commission, Senate, or Tribal Court is not appealed within the time period set forth in this Subchapter, then that decision is final and conclusive, and is not subject to further review.

[History] Ord. 412 (11/17/20).

**12-01.250 Tribal Administrative Remedies and Tribal Court.**

All cases or controversies arising under the terms and provisions of this Chapter shall be heard only in the Swinomish Tribal Court, and only as provided in this subchapter. An applicant or other aggrieved party must exhaust any and all administrative remedies provided in this Chapter before seeking review in Tribal Court.

[History] Ord. 412 (11/17/20).

**12-01.260 Sovereign Immunity.**

The sovereign immunity of the Tribe is not in any way waived or limited by this Chapter, or by any appeal commenced pursuant to this Chapter, and nothing in this Chapter shall constitute or be construed as a waiver of the sovereign immunity of the Tribe. Such sovereign immunity shall extend to the Tribe, the Senate, the Planning Commission, the Department, the Director, all tribal officials, employees, staff and agents, as to all actions taken in, or concerning, the administration or enforcement of this Chapter, and as to all actions taken pursuant to any authority of any action, decision or order authorized by this Chapter.

[History] Ord. 412 (11/17/20).

**12-01.270 Repealer.**

This Chapter repeals and supersedes Ordinance 178.

[History] Ord. 222 (10/5/04).

\*Previously codified as 12-01.110.

**12-01.280 Severability.**

If any section, subsection, sentence, clause, or phrase of this Chapter is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter.

[History] Ord. 222 (10/5/04); Ord. 178 (9/5/03); Ord. 133 (2/2/99).

\*Previously codified as 12-01.120.

**12-01.290 Effective Date.**

This Chapter shall be effective immediately upon approval by the Senate.

[History] Ord. 378 (5/8/18); Ord. 222 (10/5/04); Ord. 178 (9/5/03); Ord. 133 (2/2/99).

\*Previously codified as 12-01.130.