

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL  
FOR THE OGLALA SIOUX TRIBE  
(An Unincorporated Tribe)

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL AMENDING OGLALA SIOUX TRIBAL COUNCIL ORDINANCE NO. 06-16 ("BRAEDON'S LAW") TO REQUIRE BOTH THE OGLALA SIOUX TRIBE DEPARTMENT OF PUBLIC SAFETY AND THE OGLALA SIOUX TRIBE DEPARTMENT OF ANIMAL CONTROL TO IMMEDIATELY CONFISCATE AND DESTROY ANY UNALTERED OR PART-MIX PIT BULL, ROTTWEILER, DOBERMAN PINSCHER OR OTHER VICIOUS DOG OR ANY OTHER VICIOUS ANIMAL IN A HUMANE MANNER.

WHEREAS, the Oglala Sioux Tribe has adopted its Constitution and By-Laws by referendum vote on December 10, 1935, in accordance with Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 476), and under Article IV of the Oglala Sioux Tribe Constitution the Oglala Sioux Tribal Council is the governing body of the Pine Ridge Indian Reservation, and

WHEREAS, the Oglala Sioux Tribal Council is empowered pursuant to Article IV § 1(k) of the Oglala Sioux Tribe Constitution and By-Laws "to promulgate and enforce ordinances governing the conduct of persons on the Pine Ridge Reservation," and

WHEREAS, the Oglala Sioux Tribal Council has enacted Oglala Sioux Tribe Ordinance No. 93-06 ("Chapter 30 of the Oglala Sioux Tribe Law and Order Code entitled 'Animal Control Code'") to regulate persons owning dogs and vicious animals on the Pine Ridge Indian Reservation, and

WHEREAS, on July, 25, 2006, the Oglala Sioux Tribal Council enacted Oglala Sioux Tribal Council Ordinance No. 06-16 (Braedon's Law") which "prohibited any person residing on the Pine Ridge Indian Reservation from owning an unaltered or part-mix Pit Bull, Rottweiler, or Doberman Pinscher", and

WHEREAS, Oglala Sioux Tribe Ordinance No. 06-16 also noted that "any person who owns a dog that attacks, bites or attempts to bite a person (s), or chases a person(s), shall receive a criminal sentence not to exceed one (1) year or a criminal fine not to exceed \$5,000.00, or both", and

WHEREAS, since the enactment of Oglala Sioux Tribe Ordinance No. 06-16, there has been some uncertainty concerning which enforcement agency is responsible for carrying out "Braedon's Law", and

WHEREAS, the Oglala Sioux Tribal Council finds that it is necessary to amend Oglala Sioux Tribe Ordinance No. 06-16 to clarify and ensure that "Braedon's Law" is properly and effectively enforced, now

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THEREFORE BE IT ORDAINED, that the Oglala Sioux Tribal Council does hereby amends Oglala Sioux Tribe Ordinance No. 06-16 ("Braedon's Law") to require both the Oglala Sioux Tribe Department of Public Safety and the Oglala Sioux Tribe Department of Animal Control to immediately confiscate and destroy any Pit Bull, Rottweiler, Doberman Pinscher, vicious dog, or any other vicious animal in a humane manner, and

BE IT FURTHER ORDAINED, that any individual(s) that own an unaltered or part-mix Pit Bull, Rottweiler, and/or Doberman Pinscher or any other vicious dog or animal that attacks, bites or attempts to bit a person(s), or chases a person(s), shall receive a criminal sentence not to exceed one (1) year or a criminal fine not to exceed \$5,000.00 or both, and

BE IT FURTHER ORDAINED, that any individual(s) that does not comply with "Braedon's Law" or interferes with the Oglala Sioux Tribe Department of Animal Control from enforcing "Braedon's Law" shall be criminally charged in accordance with the Oglala Sioux Tribe Law and Order Code, and

BE IT FURTHER ORDAINED, the Oglala Sioux Tribe Department of Solid Waste has thirty (30) days to dig the necessary landfills to dispose of vicious dogs or other animals, and

BE IT FURTHER ORDAINED, that only the Oglala Sioux Tribe Department of Public Safety and the Oglala Sioux Tribe Department of Animal Control shall use the landfills for disposing of vicious dogs or other vicious animals, and

BE IT FURTHER ORDAINED, that any person(s) responsible for enforcing this law, but who willfully fails to do so, shall be held responsible as interfering with enforcement of this law, and subject to the appropriate criminal penalties.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, as the undersigned Secretary of the Oglala Sioux Tribal Council of the Oglala Sioux Tribe hereby certify that this Ordinance was adopted by the vote of: 14 for; 4 against; 0 abstaining; 0 not voting during a REGULAR SESSION held on the 7<sup>th</sup> day of AUGUST 2007.

WHEREAS, there has been an increase in Health awareness and the willingness to achieve a healthier lifestyle, yet, there has also been a tremendous increase in dog attacks and the number of stray dogs across the Pine Ridge Indian Reservation, putting the Lakota people at risk, and

WHEREAS, the Oglala Sioux Tribal Council deems that it is necessary to amend Chapter 30 of the Oglala Sioux Tribe Law and Order Code to ensure that the health and safety of children, elderly, and other individuals on the Pine Ridge Indian Reservation are secure from vicious dogs, now

THEREFORE BE IT ORDAINED, that the Oglala Sioux Tribal Council does hereby enact enacting "Braedon's Law", prohibiting any individual residing on the Pine Ridge Indian Reservation from owning an unaltered or part-mix pit bull, rottweiler, or doberman pinscher and that any individual that owns a dog that attacks, bites or attempts to bite an individual or individuals, or chases an individual or individuals, shall receive a criminal sentence not to exceed one (1) year or a criminal fine not to exceed \$5,000.00, or both, and

BE IT FURTHER ORDAINED, that this will include all stray dogs without leashes, and

BE IT FURTHER ORDAINED, that this Ordinance shall be cited as "Braedon's Law", and

BE IT FURTHER ORDAINED, that all entities across the Pine Ridge Indian Reservation assist in enforcing "Braedon's Law".

C-E-R-T-I-F-I-C-A-T-I-O-N

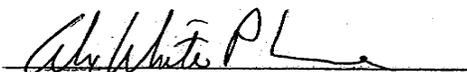
I, as undersigned Secretary of the Oglala Sioux Tribal Council of the Oglala Sioux Tribe, hereby certify that this Ordinance was adopted by a vote of: 14 For, 0 Against, 0 Abstain, 0 Not Voting, during a REGULAR SESSION held on the 25<sup>TH</sup> day of JULY 2006.



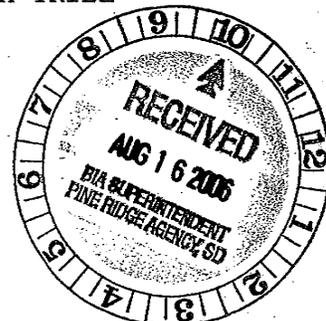
RHONDA J. TWO EAGLE

Secretary  
OGLALA SIOUX TRIBE

A-T-T-E-S-T:



ALEX C. WHITE PLUME  
President  
Oglala Sioux Tribe

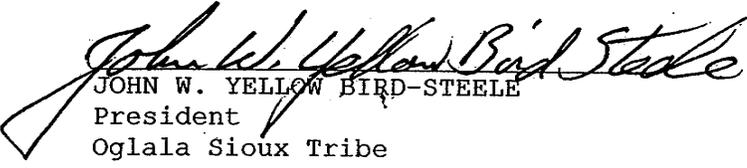


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ELIZABETH WATERS  
Secretary  
Oglala Sioux Tribe

A-T-T-E-S-T:



JOHN W. YELLOW BIRD-STEELE  
President  
Oglala Sioux Tribe

