



## Mashpee Wampanoag Tribe

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### TRIBAL ORDINANCE

2016-ORD-004

### MASHPEE WAMPANOAG TRIBAL HOMELAND SECURITY DEPARTMENT

#### TABLE OF CONTENTS

##### CHAPTER 1. GENERAL PROVISIONS

- Section 1.1. Findings
- Section 1.2. Authority and Purpose
- Section 1.3. Definitions

##### CHAPTER 2. HOMELAND SECURITY DEPARTMENT

- Section 2.1. Establishment of Homeland Security Department
- Section 2.2. Homeland Security Board of Directors

##### CHAPTER 3. POLICE DEPARTMENT

- Section 3.1. Establishment of Police Department
- Section 3.2. Head of Police Department
- Section 3.3. Tribal Police Officers

##### CHAPTER 4. FIRE DEPARTMENT

- Section 4.1. Establishment of Fire Department
- Section 4.2. Head of Fire Department
- Section 4.3. Firefighters
- Section 4.4. Emergency Medical Services

##### CHAPTER 5. EMERGENCY PREPAREDNESS DEPARTMENT

- Section 5.1. Establishment of Emergency Preparedness Department
- Section 5.2. Head of Emergency Preparedness Department

##### CHAPTER 6. MISCELLANEOUS PROVISIONS

- Section 6.1. Repealer
  - Section 6.2. Severability
  - Section 6.3. Effective Date
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## Mashpee Wampanoag Tribe

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The Mashpee Wampanoag Tribal Council does ordain as follows:

### **CHAPTER 1. GENERAL PROVISIONS**

#### **Section 1.1. FINDINGS**

The Mashpee Wampanoag Tribal Council finds as follows:

- (a) The Mashpee Wampanoag Tribe (the "Tribe") is a federally-recognized Indian Tribe with a duly-enacted Constitution and the governing body of the Tribe is the Mashpee Wampanoag Tribal Council (the "Tribal Council") pursuant thereto.
- (b) Article VI, § 2.A of the Constitution provides that the Tribal Council is empowered to promote and protect the health, peace, morals, education, political integrity, economic security and general welfare of the Tribe and its members.
- (c) Article VI, § 2.B of the Constitution provides that the Tribal Council is empowered to establish a departmental structure for the Tribal government with a delegation of appropriate powers to such subdivisions and agencies.
- (d) Article VI, § 2.L. of the Constitution provides that the Tribal Council is empowered to establish and enforce all ordinances governing Tribal members.
- (e) The Tribal Council considers it is Tribal government's paramount responsibility to provide for and ensure public safety and protection for the members of the Mashpee Wampanoag Tribal community, general public, employees of the Tribe, and of Tribal land, property and assets.
- (f) The Tribal Council finds it is a goal of the Tribal Government to combat crime and terrorism within its Tribal lands, enhance the public's safety on Tribal lands, and enhance the Tribe's emergency management with upmost integrity and accountability.
- (g) The Tribal Council, therefore, finds that there is a need to establish a Tribal department that will ensure a dialogue between the members of the Mashpee Wampanoag Tribal community, general public, employees of the Tribe, the Tribal government, and the Mashpee Wampanoag Tribal Gaming Authority to create more awareness about safety concerns within our Tribe and to be responsible for the Tribe's programs and services related to police, fire, emergency medical, animal control, emergency preparedness, pedestrian safety and such other matters as directed by the Tribal Council for the public's safety and the protection of the Mashpee Wampanoag Tribal community, general public, employees of the Tribe, and Tribal land, property and assets.



## Mashpee Wampanoag Tribe

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(h) As the Department will be vested with the responsibility to ensure public safety and protection, it is the intent of Tribal Council that this Ordinance be construed liberally to provide the Department maximum authority under this Ordinance and the ability to act quickly without coming before the Tribal Council unless required by this Ordinance.

### Section 1.2. AUTHORITY AND PURPOSE

(a) **Authority.** The authority for this Ordinance is found in Article VI, §§ 2.A, 2.B and 2.L of the Constitution.

(b) **Purpose.** The purpose of this Ordinance is to accomplish the following objectives:

(1) to establish a Homeland Security Department to work on behalf of the Mashpee Wampanoag Tribe and its Tribal members to meet their needs regarding police, fire, emergency medical, animal control, emergency preparedness, pedestrian safety and such other matters as directed by the Tribal Council for the public's safety and the protection of the Mashpee Wampanoag Tribal community, general public, employees of the Tribe, and Tribal land, property and assets;

(2) to establish parameters for the Homeland Security Department that are consistent with the Constitution, Mashpee Tribal law, and applicable federal law.

### Section 1.3. DEFINITIONS

(a) "Board of Directors" means the Mashpee Wampanoag Homeland Security Board of Directors as established in Section 2.2 of this Ordinance.

(b) "Constitution" means the document that has been adopted for the self-governance of the Mashpee Wampanoag Tribe, titled "Constitution of the Mashpee Wampanoag Tribe" and certified into law on June 28, 2004, with any amendment thereto that may be enacted from time to time.

(c) "Director" means a director of the Board of Directors.

(d) "Emergency Medical Technician" or "EMT" means a person who provides immediate and/or lifesaving transportation and medical care away from a hospital to a victim of sudden illness or injury as established in Chapter 4 of this Ordinance.

(e) "Emergency Preparedness Department" means the Mashpee Wampanoag Tribal Emergency Preparedness Department as established in Chapter 5 of this Ordinance.



## Mashpee Wampanoag Tribe

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(f) "Fire Department" means the Mashpee Wampanoag Tribal Fire Department as established in Chapter 4 of this Ordinance.

(g) "Firefighter" means a Firefighter of the Fire Department as established in Chapter 4 of this Ordinance.

(h) "Gaming Authority" means the Mashpee Wampanoag Tribal Gaming Authority as established by 2012-ORD-004, Mashpee Wampanoag Tribal Gaming Authority Ordinance, as may be amended from time to time.

(i) "Homeland Security Department" means the Mashpee Wampanoag Tribal Homeland Security Department as established in Chapter 2 of this Ordinance.

(j) "Police Department" means the Mashpee Wampanoag Tribal Police Department as established by Chapter 3 of this Ordinance.

(k) "Police Officer" means an Officer of the Police Department as established in Chapter 3 of this Ordinance.

(l) "Tribal Council" means the governing body of the Mashpee Wampanoag Tribe.

(m) "Tribal lands" means all trust lands of the Tribe, all lands owned by the Tribe, and all lands over which the Tribe has jurisdiction.

(n) "Tribal Member" means an enrolled member of the Tribe.

(o) "Tribe" means the Mashpee Wampanoag Tribe.

### **CHAPTER 2. HOMELAND SECURITY DEPARTMENT**

#### **Section 2.1. ESTABLISHMENT OF HOMELAND SECURITY DEPARTMENT**

(a) **Establishment.** The Mashpee Wampanoag Tribal Council hereby establishes the Mashpee Wampanoag Tribal Homeland Security Department.

(b) **Purpose.** The purpose of the Homeland Security Department is to protect the public's safety through implementation of the following minimum areas:

- (1) to ensure a safe and secure environment for all persons on Tribal lands;



## Mashpee Wampanoag Tribe

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- (2) to exercise the law enforcement powers of the Tribe as directed within this Ordinance, including, but not limited to, provide for the preservation of peace and enforcement of law and ordinances;
- (3) to protect lives, property, and the environment from fire through fire prevention and education, fire response and management services, and the training of firefighters;
- (4) to provide emergency medical services to individuals on Tribal lands;
- (5) to develop and provide a Tribal Emergency Preparedness and Response Exercise Program;
- (6) to consult and cooperatively work with the Gaming Authority to provide public safety at Tribal gaming facilities;
- (7) to protect and preserve generally the Mashpee Wampanoag Tribal community, general public, employees of the Tribe, and Tribal land, property and assets; and
- (8) to perform all functions, duties, and activities with dignity and respect.

(c) **Structure.** The Homeland Security Department consists of the Board of Directors and its subsidiary departments as established herein and illustrated in the graph attached hereto as Appendix A, as may be amended from time to time by the Board of Directors, and such other departments and offices necessary for the execution of its mission, performance of its mandated duties and functions, and to achieve its long term and short term goals. The Homeland Security Department may employ staff professionals, support personnel, and/or contract with professional service firms as the Board of Directors determines, consistent with the Tribe's laws. The Board of Directors oversees the Homeland Security Department and provides the day-to-day administrative and management services for the Department's operating departments, divisions and offices. As an exception to 2013-RES-033 or any amendments thereto, the Mashpee Wampanoag Tribal Administrator shall only be involved in the Department as may be directed within this Ordinance or upon request of the Board of Directors.

(d) **Law, Policy, and Rulemaking Authority.** The Homeland Security Department through the Board of Directors shall have the authority and power to develop and submit to Tribal Council for review and approval or disapproval of Homeland Security-related laws, rules, and regulations or amendments to such.

(e) **Cooperation with Outside Entities.** The Homeland Security Department shall communicate and establish relationships with any entity or federal, state, local or tribal government, department, agency, instrumentality or subdivision thereof for the purpose of



## Mashpee Wampanoag Tribe

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fulfilling its responsibilities under this Ordinance; provided, however, the authority to enter into final agreements, contracts, and understandings will be subject to Tribal Council's approval.

(f) **Compliance with Orders Required.** It shall be the duty of the Homeland Security Department to implement and enforce Mashpee Tribal ordinances and resolutions pertaining to the Homeland Security Department.

(g) **Compliance with Contract and Federal Requirements.** The Homeland Security Department has the authority to pursue federal, state, local, or private financial assistance as approved by the Tribal Council. Each project developed under a contract or grant providing federal, state, local, or private financial assistance shall be developed and operated in compliance with all requirements of such contract or grant and applicable law including regulations and other requirements prescribed from time to time.

(h) **Tribal Government Operations Budget Requirement.** The Homeland Security Department is responsible for protecting the health, safety, security and general welfare of the Mashpee Wampanoag Tribal community, general public, employees of the Tribe, and Tribal land, property and assets, and, therefore, the Tribal Council considers the Homeland Security Department programs as essential Tribal governmental services. Where funding is available from the Tribal budget to continue those services deemed essential, the Tribal Council is required to allocate such funding in each annual Tribal governmental budget.

(i) **Confidentiality Required.** All personal confidential information and records collected, as a result of the sensitive nature that the Homeland Security Department will engage in from time to time, will be protected from disclosure unless federal law or a court with jurisdiction requires or permits disclosure. Only authorized employees of the Homeland Security Department shall have access to such confidential information and records as it relates to the work of the Homeland Security Department. For the Tribal Council or its designee to have access to such information and records, a majority vote of a quorum of Tribal Council must agree and the individual accessing the information and records must first sign a confidentiality agreement, provided the disclosure thereof does not violate applicable law.

### Section 2.2. HOMELAND SECURITY BOARD OF DIRECTORS

(a) **Establishment.** The Tribal Council hereby establishes the Mashpee Wampanoag Tribal Homeland Security Board of Directors and directs the Board of Directors to manage all affairs of the Homeland Security Department and its subsidiary departments, divisions, offices and agencies. The Tribal Council established the Mashpee Wampanoag Tribal Public Safety Commission in 2013-RES-021, *Establishment of the Mashpee Wampanoag Tribe Public Safety Board of Directors*. Upon passage of this Ordinance, the Tribal Council shall repeal 2013-RES-021 by resolution after the passage of ninety (90) days from the date of adoption of this



## Mashpee Wampanoag Tribe

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Ordinance. During those ninety (90) days, the Public Safety Commission shall assist the Tribal Council in implementing this Ordinance.

(b) **Structure.** The Board of Directors shall have the following structure:

- (1) **Composition and Qualifications.** The Board of Directors shall be composed of three to five Directors. The Directors must be Tribal Members and twenty-five (25) years of age or older. Each Director shall have high moral character and not have any conviction of a felony or the most serious classification of misdemeanor charge in the jurisdiction where convicted.
- (2) **Executive Board.** The Board of Directors shall elect a chair, secretary and treasurer from its members to oversee the administration of the Board of Directors by a majority vote sitting in a quorum, which shall constitute the executive board of the Board of Directors.

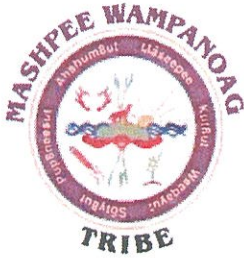
(c) **Hiring.** The Board of Directors shall be hired by the Tribal Council subject to available funding. If no funding is available, the Tribal Council may appoint a Board of Directors on a volunteer basis until funding is available. The Board of Directors shall be subject to all Tribal employee handbooks and policies applicable to the Homeland Security Department that are first approved by the Tribal Council.

(d) **Discipline and Removal.** As an exception to current Tribal employment policies, only Tribal Council may discipline and/or remove members of the Board of Directors as specified herein. The Board of Directors may be subject to discipline and/or removal by a majority vote of a quorum of the Tribal Council for the following grounds:

- (1) unexcused absences to three consecutive (3) meetings of the Board of Directors within one (1) calendar year, which may be brought to Tribal Council's attention by the Board of Directors;
- (2) malfeasance or nonfeasance as defined under the Constitution, which may be brought to Tribal Council's attention by the Board of Directors; or
- (3) engaging in conduct that adversely reflects upon the reputation or integrity of the Tribe.

(e) **Duties and Powers.** The Board of Directors shall have the following duties and powers:

- (1) as an exception to Section 2.1(e) above and any other applicable Tribal Ordinances, to enter into and make contracts or agreements for the purchase of goods or services



## Mashpee Wampanoag Tribe

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in the amount of \$50,000 or less of every kind and nature with any person, firm, association, corporation, municipality, Indian tribe, and state of body politic without the approval of the Tribal Council, only where it relates to fulfilling the Homeland Security Department's purposes under this Ordinance and where funds are provided in the Department's approved annual budget;

- (2) to create subordinate department, divisions, offices or agencies, of the Homeland Security Department to fulfill the Department's purposes as set forth in this Ordinance and subject to Tribal Council's approval;
- (3) to develop and authorize terms of employment for all employees and agents of the Homeland Security Department in consultation with the Human Resources Director to ensure consistency with the Tribe's employment policies and procedures;
- (4) to propose homeland security-related laws, rules and regulations to the Tribal Council;
- (5) to provide an annual written report to the Tribal Council regarding the operation of the Tribe's Homeland Security Department;
- (6) to report to the Tribal Council Chairman regarding the operation of the Tribe's Homeland Security Department as requested by the Tribal Council Chairman and/or his designee;
- (7) to review requests to cross-deputize officers and approve or deny such requests and subject to the approval of Tribal Council;
- (8) to enter into service agreements with federal, state, tribal or local entities for those matters that fall under this Ordinance, subject to the approval of the Tribal Council;
- (9) to meet with the Gaming Authority as necessary to ensure the Tribe's gaming facilities are provided with public safety;
- (10) to coordinate with the Tribal Enrollment Department to ensure that the Tribe's Police Department and the Tribe's Emergency Preparedness Department has access to the current Tribal membership roll;
- (11) to prepare an annual budget for the Board of Directors and provide the recommended budget to the Tribal Council for inclusion in the annual budget;





## Mashpee Wampanoag Tribe

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- (12) to review the programs of the Homeland Security Department, to prepare annual budgets in consultation with the heads of the Police Department, Fire Department and Emergency Preparedness Department therefrom, and to provide a recommended proposed budget to the Tribal Council for inclusion in the annual budget;
- (13) to review and approve requests from the appropriate Tribal officials regarding establishing ranks and appointing and commissioning officers within the Homeland Security Department;
- (14) to ensure that all requisite insurance is carried by the Homeland Security Department; and
- (15) to exercise such other duties and functions that is consistent with this type of Tribal department.

(f) **Sovereign Immunity.** The Homeland Security Department is an instrumentality of the Tribe and is entitled to all of the privileges and immunities of the Tribe, including sovereign immunity from suit, and such sovereign immunity extends to the Board of Directors and the Authority's employees acting within the scope of their official duties. Nothing herein shall be construed to constitute a waiver of the Homeland Security Department's sovereign immunity from suit, and any and all such waivers shall be given in strict compliance with this Section 2.2(f). As provided above, the Board of Directors has the limited authority to enter into contracts or agreements for goods or services in the amount of \$50,000 or less. Within these contracts or agreements only, the Board of Directors is authorized to waive any defense of sovereign immunity from suit in Mashpee Wampanoag Tribal Court only that the Homeland Security Department may otherwise enjoy under applicable law and to consent to alternative dispute resolution mechanisms such as arbitration or mediation. A suit, however, must be commenced in Tribal Court within six (6) months after the occurrence of the facts that are the primary basis of the action, or within three (3) months after arbitration or meditation is terminated. Additionally, a suit shall only be for the collection of sum(s) due under the subject contract or agreement. Nothing in this Ordinance, and no waiver of the Department's sovereign immunity pursuant to this Section 2.2(f), shall be construed as a waiver of the sovereign immunity of the Tribe or any other instrumentality of the Tribe, and no such waiver by the Homeland Security Department shall create any liability on the part of the Tribe or any other instrumentality of the Tribe for the debts and obligations of the Homeland Security Department, or shall be construed as a consent to the encumbrance or attachment of any property of the Tribe or any other instrumentality of the Tribe based on any action, adjudication or other determination of liability of any nature incurred by the Homeland Security Department.

(g) **Limitations.** The Board of Directors is not authorized to take the following actions:



## Mashpee Wampanoag Tribe

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- (1) to waive any right, privilege or immunity of, or release any obligation owed to, the Tribe;
- (2) to dispose of, pledge, or otherwise encumber real property of the Tribe;
- (3) to pledge the credit of the Tribe;
- (4) to explicitly or implicitly waive the sovereign immunity or rights of the Tribe except for the limited authority provided in Section 2.2(f) above for contracts or agreements for goods or services in the amount of \$50,000 or less entered into by the Board of Directors; and
- (5) to engage in any unlawful activity.

### CHAPTER 3. POLICE DEPARTMENT.

#### Section 3.1. ESTABLISHMENT OF POLICE DEPARTMENT.

(a) **Establishment of Police Department.** The Tribal Council hereby establishes the Mashpee Wampanoag Tribal Police Department as a subordinate department of the Homeland Security Department.

(b) **Purpose.** The purpose of the Tribe's Police Department is to prevent crime, preserve the peace, protect Tribal members and other persons on Tribal lands, protect natural resources and prevent unlawful disturbances, to make arrests when necessary, to investigate public offenses, to administer any Security and Guard services of the Tribe, and to prevent and respond to acts of terrorism.

(c) **Structure.** The Police Department consists of a department head and such offices necessary for the execution of its purpose.

#### Section 3.2. HEAD OF POLICE DEPARTMENT.

(a) **Establishment.** Initially, the Board of Directors is charged with the day-to-day management of the Police Department until funding is available to hire a department head, which shall not be longer than two (2) years from the passage of this Ordinance. The Board of Directors and Human Resources Director shall fill the position of department head of the Police Department. A department head shall then be responsible for the day-to-day management of the Police Department. The title, responsibilities, duties, and conditions of employment of such department head shall be determined by the Board of Directors and Human Resources Director prior to hiring.



## Mashpee Wampanoag Tribe

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(b) **Hiring.** The Human Resources Director, subject to available funding and the approval of the Board of Directors, shall hire a department head of the Police Department upon such terms and conditions of employment as the Human Resources Director and the Board of Directors direct.

### Section 3.3. TRIBAL POLICE OFFICERS.

(a) **Hiring.** Tribal Police Officers shall be hired by the Human Resources Director subject to available funding and approval of the Board of Directors. The terms and conditions of employment shall be established by the Human Resources Director and the Board of Directors and in accordance with applicable law and Tribal policies. Police Officer responsibilities and duties shall be determined by the Board of Directors and Human Resources Director prior to hiring.

(b) **Qualifications.** The minimum qualifications of Tribal Police Officers shall be as follows:

- (1) a sound physical and mental condition and ability to perform the required duties;
- (2) certified or eligible for certification as a police officer under any Mashpee tribal, state or federal jurisdiction;
- (3) high moral character and absence of conviction of a felony or the most serious classification of misdemeanor charge in the jurisdiction where convicted,
- (4) absence of any other criminal offense within one year prior to appointment;
- (5) high school diploma or GED;
- (6) twenty-one (21) plus years of age;
- (7) a U.S. citizen; and
- (8) other qualifications as determined by the Human Resources Director in consultation with the Board of Directors.

## CHAPTER 4. FIRE DEPARTMENT

### Section 4.1. ESTABLISHMENT OF FIRE DEPARTMENT

(a) **Establishment.** The Tribal Council hereby establishes the Mashpee Wampanoag Tribal Fire Department as a subordinate department of the Homeland Security Department.



## Mashpee Wampanoag Tribe

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(b) **Purpose.** The Fire Department shall provide quality services including, but not limited to, fire suppression, prevention, education, and emergency medical services.

(c) **Structure.** The Department consists of a department head and such offices necessary for the execution of its purpose.

### Section 4.2. HEAD OF FIRE DEPARTMENT.

(a) **Establishment.** Initially, the Board of Directors is charged with the day-to-day management of the Fire Department until funding is available to hire a department head, which shall not be longer than two (2) years from the passage of this Ordinance. When funding is available, the Board of Directors and Human Resources Director shall establish the position of department head of the Fire Department. A department head shall then be responsible for the day-to-day management of the Fire Department. The title, responsibilities, duties, and conditions of employment of such department head shall be determined by the Board of Directors and Human Resources Director prior to hiring.

(b) **Hiring.** The Human Resources Director, subject to available funding and the approval of the Board of Directors, shall hire a department head of the Fire Department upon such terms and conditions of employment as the Human Resources Director and the Board of Directors shall direct.

### Section 4.3. FIREFIGHTERS.

(a) **Hiring.** Tribal Firefighters shall be hired by the Human Resources Director subject to available funding and the approval of the Board of Directors. The terms and conditions of employment shall be established by the Human Resources Director and the Board of Directors and in accordance with applicable law and Tribal policies. Where qualified, an individual may serve as both a Tribal Firefighter and EMT. Tribal Firefighter responsibilities and duties shall be determined by the Board of Directors and Human Resources Director prior to hiring.

(b) **Qualifications.** The minimum qualifications of Tribal Firefighters shall be as follows:

- (1) a sound physical and mental condition and ability to perform the required duties;
- (2) certified or eligible for certification as a firefighter under any state or federal jurisdiction;
- (3) high moral character and absence of conviction of a felony or the most serious classification of misdemeanor charge in the jurisdiction where convicted;



## Mashpee Wampanoag Tribe

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- (4) absence of any other criminal offense within one year prior to hiring;
- (5) high school diploma or GED;
- (6) twenty-one (21) plus years of age;
- (7) a U.S. citizen; and
- (8) other qualifications as determined by the Human Resources Director or his/her designee in consultation with the Board of Directors.

### **Section 4.4. EMERGENCY MEDICAL SERVICES**

(a) **Hiring.** Tribal Emergency Medical Technicians or EMTs shall be hired by the Human Resources Director and Board of Directors. The terms and conditions of employment shall be established by the Human Resources Director and the Board of Directors and in accordance with applicable law and Tribal policies. Where qualified, an individual may serve as both a Tribal EMT and Firefighter. Tribal EMT responsibilities and duties shall be determined by the Board of Directors and Human Resources Director prior to hiring.

(b) **Qualifications.** The minimum qualifications of Tribal EMTs shall be as follows:

- (1) a sound physical and mental condition and ability to perform the required duties;
- (2) certified or eligible for certification in the Commonwealth of Massachusetts;
- (3) high moral character and absence of conviction of a felony or the most serious classification of misdemeanor charge in the jurisdiction where convicted,
- (4) any other criminal offense within one year prior to appointment;
- (5) high school diploma or GED;
- (6) twenty-one (21) plus years of age;
- (7) a U.S. citizen; and
- (8) other qualifications as determined by the Human Resources Director or his/her designee in consultation with the Board of Directors.



## Mashpee Wampanoag Tribe

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### CHAPTER 5. EMERGENCY PREPAREDNESS DEPARTMENT

#### Section 5.1. ESTABLISHMENT OF EMERGENCY PREPAREDNESS DEPARTMENT

(a) **Establishment.** The Tribal Council hereby establishes the Mashpee Wampanoag Tribal Emergency Preparedness Department as a subordinate department of the Homeland Security Department.

(b) **Purpose.** The Emergency Preparedness Department is charged with the development of the Tribe's Emergency Preparedness, Planning and Response Exercise Program (EPREP), which shall include but not limited to, all National Incident Management System (NIMS) compliant hazards plans and capabilities with the collaboration of federal, state, tribal, county, local and private stakeholders to prepare for, prevent, protect against, respond to, recover from and mitigate all manmade or natural hazards and disasters like flooding, hurricanes and hazardous materials incidents. Additionally, the Emergency Preparedness Department shall adhere to the functions and principles of NIMS, the NIMS structure that was initiated by a Presidential Directive in 2003<sup>[1]</sup> and utilize the Incident Command System (ICS) to enable effective and efficient incident management in emergency situations.

#### Section 5.2. HEAD OF THE EMERGENCY PREPAREDNESS DEPARTMENT

(a) **Establishment.** Initially, the Board of Directors is charged with the day-to-day management of the Emergency Preparedness Department until funding is available to hire a department head, which shall not be longer than two (2) years from the passage of this Ordinance. When funding is available, the Board of Directors and Human Resources Director shall establish the position of department head of the Emergency Preparedness Department. A department head shall then be responsible for the day-to-day management of the Emergency Preparedness Department. The title of such department head, responsibilities, duties, and conditions of employment shall be determined by the Board of Directors and Human Resources Director prior to hiring.

(b) **Hiring.** The Human Resources, subject to available funding and the approval of the Board of Directors, shall hire a department head of the Emergency Preparedness Department upon such terms and conditions of employment as the Human Resources Director and the Board of Directors shall direct.

(c) **Qualifications.** The minimum qualifications of all employees of the Emergency Preparedness Department, including the department head, shall be as follows:

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<sup>[1]</sup> The Department of Homeland Security coordinates this program under the authority of Homeland Security Presidential Directive-5 (HSPD-5) *Management of Domestic Incidents*, February 2003.



## Mashpee Wampanoag Tribe

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- (1) a sound physical and mental condition and ability to perform the required duties;
- (2) certified or eligible for all required certifications;
- (3) high moral character and absence of conviction of a felony or the most serious classification of misdemeanor charge in the jurisdiction where convicted,
- (4) any other criminal offense within one year prior to appointment;
- (5) high school diploma or GED;
- (6) twenty-one (21) plus years of age;
- (7) a U.S. citizen; and
- (8) other qualifications as determined by the Human Resources Director or his/her designee in consultation with the Board of Directors.

### CHAPTER 6. MISCELLANEOUS PROVISIONS

**Section 6.1. REPEALER.** All ordinances or parts of ordinances inconsistent with this Ordinance are repealed. The Tribal Council shall repeal *2013-RES-021, Establishment of the Mashpee Wampanoag Tribe Public Safety Commission* by resolution after the passage of ninety (90) days from the date of adoption of this Ordinance.

**Section 6.2. SEVERABILITY.** If any section, subsection, paragraph, sentence, or other portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

**Section 6.3. EFFECTIVE DATE.** This Ordinance shall take immediate effect and be enforced from and after its passage and publication according to Tribal law.

Passed by the Mashpee Wampanoag Tribal Council on April 14, 2016.



**Mashpee Wampanoag Tribe**

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**CERTIFICATION**

We, the undersigned Chairperson and Secretary of the Mashpee Wampanoag Tribal Council do hereby certify that the Tribal Council is composed of 13 members of whom 10, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened, and held on the 14<sup>th</sup> day of April, 2016, and that the foregoing Resolution 2016-ORD-004, was duly adopted by the affirmative vote of 10 members, with 0 opposing, and with 0 not voting.

DATED this 14<sup>th</sup> day of April, 2016.

Cedric Cromwell, Chairman  
Mashpee Wampanoag Tribal Council

ATTEST:

Marie A. Stone, Secretary  
Mashpee Wampanoag Tribal Council  
Notary Public, Commission Expires 04-15-2016



**CERTIFICATION OF POSTING**

This is to certify that the Ordinance titled 2016-ORD-004, Mashpee Wampanoag Tribal Homeland Security Department, has been posted in accordance with 2009-ORD-003, Regulating Adoption, Amendment or Repeal of Ordinances and Resolutions.

DATED this 14<sup>th</sup> day of April, 2016.

Cedric Cromwell, CHAIRMAN  
Mashpee Wampanoag Tribal Council

Marie A. Stone, SECRETARY  
Mashpee Wampanoag Tribal Council



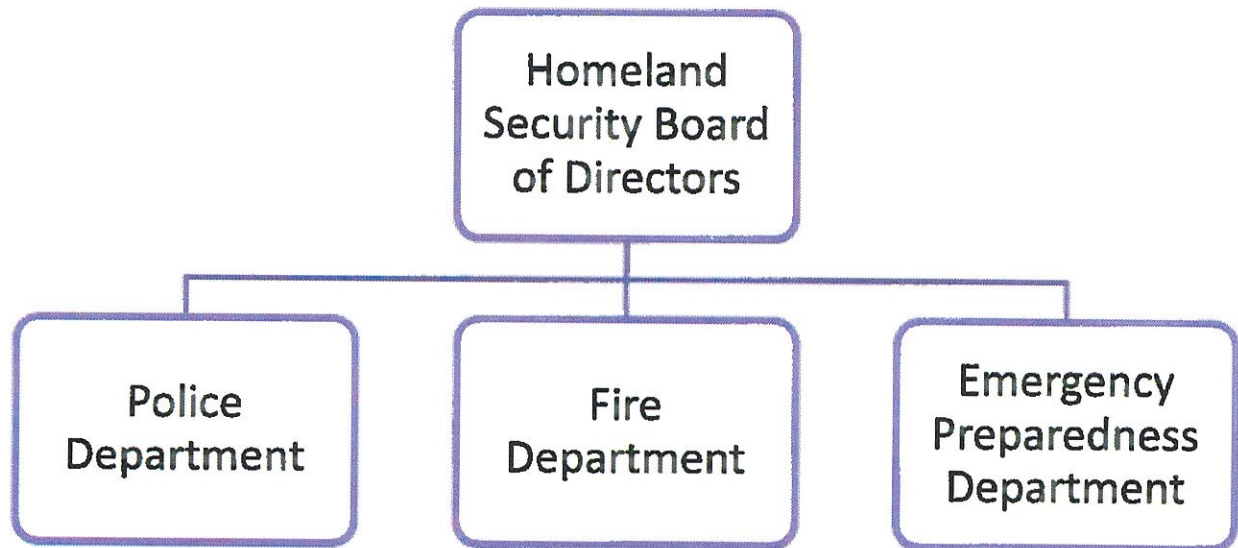


# Mashpee Wampanoag Tribe

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## APPENDIX 1

### Mashpee Wampanoag Tribal Homeland Security Department





# Mashpee Wampanoag Tribe

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## APPENDIX 1

### Mashpee Wampanoag Tribal Homeland Security Department

