#### **TITLE 5 - COMMERCE**

#### **CHAPTER 1 - BUSINESS TRANSACTIONS**

Legislative History: Ordinance No. 14, "To Regulate the Conduct of Business upon the Papago Reservations," was enacted by the Papago Council on June 20, 1947 and approved by the Sells Indian Agency Superintendent on [date unreadable]. [A notation below the Chairman's signature reads "Ord. 14 reviewed and not rescinded by I.O. letter dated Aug. 8, 1947."]

Ordinance No. 14 was amended (to rescind Section VII, "and the portion of Section VI dealing with termination of license for violation of Section VII") by Ordinance No. 38, "Regulations Governing Sanitation of Eating and Drinking Establishments," which was enacted by the Papago Council on May 6, 1960, approved by the Papago Agency Superintendent on May 16, 1960, and became effective on November 4, 1960. (Ordinance No. 38 appears in Title 17 - Health and Safety, Chapter 3 - Restaurant Sanitation Regulations.)

## UNDIBANCE GF THE FAPAGO COUNCIL

To Regulate the Conduct of Business Upon the Papago Reservations:

10.14

### Section I - Licomo Required

It shall be unlawful for any person to engage in or transact any business within the Papago, Gila Bend or San Aavier Indian Exervations without first having obtained from the Papago Council a Tribal Business License therefor, except as provided in Section II, below

## Section II - License Not Required

A Tribal Business License shall not be required of any member of the Papago Tribe of Arizona to cell or barter any produce, livestock, handleraft, or other object raised, produced or sade by him or by a member of his family, nor shall such license be remained.

- A) Of any Church, welfare agency, lodge, or other organisation engaged in raising funds for charitable or religious purposes
  - B) Of any school, athletic, or educational organization holding athletic games, motion pictures, social dances, etc., where the receipts are not used for private gain, or
  - C) Of any member of the Papago Tribe of Arizona to peddle at any ceremony, fiesta, or other celebration, PROVIDED that all concessionaires at the events held by the Papago Fair & Hodeo Association shall pay such face to that body as are required under its regulations

# Section III - Application for Meense

Any person engaging in an activity for which a Tribal Business License is required under this Ordinance shall make written application therefor to the Parago Council.

### Mection IV - Approval of Licenses

All applications for Tribal Business biceases under this Ordinance shall be approved by the lapage Council before issuance, PROVIDED that no licease shall be approved for the conduct of a business at a permanent location unless the applicant has first obtained an assignment of Tribal Land for that location or the permission of the Japage Council for the use of an assignment of a member of the Fapage Triba, if either is necessary. A Liceases for activities other than pedaling, wood buying, and cattle buying for resale, shall be issued for one year, or the remaining fraction thereof, and shall be renewable on the first day of July of each year. Liceases for pedaling, woodbuying, and cattle buying for resale shall be issued for one Louth only. Liceases for pedaling shall not be renewable to cover 12 consective conths unless the applicant has complied with the Indian Service aegulations regarding trading with the Indians. Liceases for pedaling shall not permit such activity within 500 feet of an established trading rost.

#### Soction V - License Fees

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# Section V - License Fees (Continued)

issuance of his license, a fee as prescribed below:

- A) For the operation of a general mercantile business; a specialized mercantile business; a vehicle repair shop (garage); or a restaurant, cafe, or other eating place, 10.00 for each .5,000.00 gross business or remaining fraction thereof done the previous year, upon the swarn statement of the applicant. Licenses for new businesses to be the minimum fee, with an adjustment made at the beginning of the following year based upon the actual business done during the opening period.
- B) For the operation of a gas filling station, \$10.00 per year.
- C) For the operation of a slaughter house, \$50.00 per year,
- D) For peddling or soliciting trade; for buying or hauling wood; or for buying livestock for resale, \$5.00 per month,
- E) For any business not specifically set forth above, a fee to be set by the Papago Council at the time of the approval of the license, or
- F) For any combination of the above businesses, the sum of the fees set forth above for the individual activities.

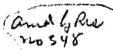
FRGVIDED, that any license fee exceeding \$50.00 may be paid in quarterly installments if the applicant so desires.

# Section VI - Termination of Licenses

Any license issued under this Ordinance shall become void if ownership of the business is transferred, if the licensee or his employee violates the regulation regarding trading with the Indians, if the licensee or his employee commits a major violation of the Papago Law and Order Code, or if Section VII, below, is violated.

### Section VII - Sanitation

A) Any licensed establishment handling food shall be kept in a clean and sanitary condition; perishables shall be kept under sanitary refrigeration shaughtering shall be done only at designated and licensed slaughterhous and all facilities for sanitation shall be open for inspection by a sanitanspector designated by the Fapago Council or by the officer in charge of Sells Agency, who shall demand correction of any improper conditions, and if such conditions are not corrected, shall cause the license to be void



B) No person shall handle food at a licensed establishment unless his so do has been approved in writing by an Indian Service physician within one y

# Section VIII - Disposition of Revenues

All revenues accruing under this ordinance shall be paid into the General Fund of the Papago Tribe.

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dinance 33 of the Papage Council, Resolution 3308, and any and all other linences or resolutions, or portions thereof, regarding the licensing of dinessus on the Payago Reservations are hereby rescinced.

## ction X - "Efective Date

is Ordinance shall become effective July 1, 1947.

## ection XI - Polimitions

ne term business as used in this Ordinanes shall mean business, avocation, ocupation, profession, trade, or calling for personal gain.

he term person shall include firm, company, association, partnership, or erporation.

The foregoing Ordinance was on June 20, 1927, duly enacted by a vote of 14 for and O against, by the rapage Council, pursuant to authority vested in it by Section 2 (a) and Section 3 (e), Article V, of the Constitution of the Tribe, ratioid by the Tribe on December 12, 1936, pursuant to Section 16 of the Act of June 18, 1934, (48 Stat. 984. Said Ordinance is effective as of the date of its approval by the Superintendent of the Solls Agency, subject to its recission by the Secretary of the Interior pursuant to Section 6, Article V, of the Constitution nd By-lens of the Papago Tribe.

THE PAPAGO COUNCIL

Thomas &. Segundo, Chaires

kttoot:

lda L. milson, Secretary

Approved: