

Title 14 - Health and Sanitation

Chapter 2. Waste Disposal and Sewage Facilities

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Sec. 201. Littering.

(a) No person shall abandon, throw or deposit any destructive, injurious or unsightly material, including but not limited to any glass bottles, glass, nails, tacks, wire, cans, rubbish, motor vehicle parts, or animal carcass, upon or alongside any public right of way, public road or highway.

(b) Any person removing a wrecked or damaged vehicle from a public right of way, public road or highway shall at the same time remove any glass, injurious substance or debris which is a remnant or deposit from such vehicle.

(c) No person shall dump or deposit any garbage or refuse of any kind or any animal carcass on any trust land, except on lands specifically designated by the Fort Peck Tribal Executive Board as a public dumping ground.

(d) Violations. Any Indian who violates this Section shall be punished in accordance with Section 470 of Title 7 (Criminal Offenses). Any other person who shall violate this ordinance shall be delivered to the custody of Federal or State law enforcement officers for prosecution under applicable Federal or State law.

Sec. 202. Waste disposal.

No person shall dispose of any body waste, garbage, trash, rubbish or other waste in such a manner as to:

- (a) Contaminate any underground water supply used for domestic purposes;
- (b) Pollute or contaminate the waters of any bathing area or any stream or body of water used for public or domestic water supply purposes or for recreational purposes;
- (c) Create a breeding or harborage place for insects or rodents;
- (d) Make such waste accessible to insects, rodents or other possible carriers of disease which may come into contact with food or drinking water;
- (e) Make such waste an unsightly appearance or source of noxious order; or
- (f) Otherwise be detrimental to the health, welfare and well-being of the community.

Sec. 203. Sewage and other facilities.

Any person who has, possesses or operates any sewage facilities, garbage and refuse disposal facilities, water wells, pumps or plumbing equipment and attachments thereto, shall:

- (a) Operate such facilities or equipment in an approved sanitary manner, so as not to create a public health hazard; and
- (b) Fully maintain and repair such facilities or equipment in such a manner as to keep them operative and so as not to create a public health hazard.

Sec. 204. Enforcement.

The law enforcement agency for the Fort Peck Indian Reservation is authorized to enter any premises, dwelling or housing structure to make inspections pursuant to Sections 202 and 203 of this Chapter. If any person refuses to allow an authorized law enforcement officer to inspect a premises, dwelling or housing structure, the law enforcement agency may apply to the Tribal Court for a warrant to enter and inspect the premises, dwelling or housing structure. The Court may issue such a warrant if it finds, after a hearing, either that there is probable cause to believe that the premises, dwelling or housing structure contains a violation of Section 202 or 203, or that the premises, dwelling or housing structure was

selected for inspection pursuant to a general administrative plan for enforcement of Sections 202 and 203.

Sec. 205. Severability.

Should any section, paragraph, sentence, clause or phrase of this Chapter be declared unconstitutional or invalid for any reason, the remainder of said Chapter shall not be affected thereby.