

**TRIBAL COUNCIL OF THE NORTHERN CHEYENNE TRIBE  
NORTHERN CHEYENNE INDIAN RESERVATION  
LAME DEER, MONTANA**

**ORDINANCE NO. DOI-006 (2020)**

**AN ORDINANCE OF THE NORTHERN CHEYENNE TRIBAL COUNCIL AFFIRMING PRESIDENT PENA'S DELCARATION OF A STATE OF EMERGENCY AND EMERGENCY MEASURES RELATED TO COVID-19 AND ADOPTION OF A STAY AT HOME AND CURFEW ORDER FOR ALL INDIVIDUALS WITHIN THE EXTERIOR BOUNDARIES OF THE NORTHERN CHEYENNE RESERVATION.**

**WHEREAS**, the Northern Cheyenne Tribal Council is the governing body of the Northern Cheyenne Indian Reservation by authority vested in it pursuant to the Amended Constitution and Bylaws of the Northern Cheyenne Tribe as approved by the Secretary of the Interior on May 31, 1996; and,

**WHEREAS**, the Tribal Council is authorized to promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Northern Cheyenne Tribe and any other person or persons coming within the jurisdiction of the Reservation and providing for the maintenance of law and order and the administration of justice by establishing a reservation court and defining its duties and powers pursuant to Article IV, Section 1 (i) of the Amended Constitution; and,

**WHEREAS**, Tribal Council is authorized to administer charity and to protect the health and general welfare of the Tribe pursuant Article IV, Section 1 (m) of the Amended Constitution; and,

**WHEREAS**, the United States Secretary of Health and Human Services declared a public health emergency on January 31, 2020, under section 319 of the Public Health Service Act (42 U.S.C. 247d) in response to COVID-19 as an initial effort to contain the spread of the coronavirus; and,

**WHEREAS**, on March 11, 2020 the World Health Organization announced that the COVID-19 outbreak can be characterized as a pandemic as the rates of Coronavirus infection continued to rapidly escalate around the world and across the United States; and,

**WHEREAS**, U.S. President Donald J. Trump issued a Declaration of National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak on March 13, 2020; and,

**WHEREAS**, Montana Governor Steve Bullock Declared of a State of Emergency to exist in Montana, on March 12, 2020, related to COVID-19 putting the State in the highest alert; and,

**WHEREAS**, Northern Cheyenne Tribal President Rynalea Pena issued a Declaration of a State of Emergency on March 14, 2020 based on known cases of COVID-19 in the State of Montana and further the President declared that this disease is an ultimate threat to the Cheyenne Way of life and the overall balance of society; and,

**WHEREAS**, President Pena issued a Supplemental Declaration of Emergency and Executive Direction on March 15, 2020 which initiated emergency preventative administrative actions to implement necessary

precautions to limit exposure and to decrease the risk of an outbreak of coronavirus infections on the Northern Cheyenne Reservation; and,

**WHEREAS**, on March 26, 2020 Montana Governor Steve Bullock issued a Directive Implementing Executive Order 2-2020 and 3-2020 with this specific Order Providing Measures to STAY AT HOME and Designating Certain Essential Functions that are associated with measures to contain the outbreak of COVID-19; and,

**WHEREAS**, the Northern Cheyenne Tribal Council believes that it is in the best interest of the Northern Cheyenne Tribe and its member's health, safety and welfare to STAY AT HOME during the COVID-19 pandemic to self-isolate and practice social distancing which is defined as physically distancing at least six (6) feet from any other person when they are outside of their home; and,

**WHEREAS**, the Northern Cheyenne Tribal Council in collaboration with other State, Federal and other entities hereby directs and supports the following emergency actions and preventative measures in response to the coronavirus outbreak and potential spread of COVID-19 to the Northern Cheyenne Reservation;

**WHEREAS**, the responsibilities of the Tribal government workforce will be addressed by the Tribal President separate from this Ordinance; now,

**THEREFORE BE IT ORDAINED** that the Tribal Council establishes a STAY AT HOME ORDER and each individual on the Northern Cheyenne Reservation shall comply with SOCIAL DISTANCING;

**BE IT FURTHER ORDAINED** the Tribal Council establishes a CURFEW MANDATE that will be in effect from 8:00 p.m. to 6:00 a.m. except for those individuals performing work on behalf of essential businesses and government entities as well as other nonprofit organizations and those person seeking medical services;

**BE IT FURTHER ORDAINED** the following essential activities are permitted during this STAY AT HOME period and CURFEW MANDATE:

- Engaging in activities or performing tasks essential to health, safety, and welfare of the Northern Cheyenne Reservation Communities, or, to the health, safety and welfare of an individual's family household members, such as obtaining medical supplies or medications, visiting health care professionals, or obtaining supplies they need to work from home.
- Obtaining necessary services or supplies for themselves and their family or household members; or, to deliver those services or supplies to others, such as food or other grocery and cleaning products.
- Engaging in outdoor activity (as defined, such walking, hiking, biking, running, or equestrian activities).
- Performing work on behalf of essential businesses and government entities as well as other nonprofit organizations including travel to and from workplaces.
- Caring for a family member or pet in another household.
- Attending private gatherings or no more than ten (10) non-relatives in a home or place of residence.


**BE IT FURTHER ORDAINED** that this STAY AT HOME ORDER and CURFEW MANDATE shall not, in any way, restrict first responders, federal officers and investigators, or medical or other law enforcement personnel from carrying out their lawful duties.

**BE IT FURTHER ORDAINED** that the Tribal Council affirms the Northern Cheyenne Tribal President's actions contained in the Declaration of a State of Emergency on March 14, 2020 and the Supplemental Declaration of a Statement of Emergency and Executive Direction issued on March 15, 2020 in response to the outbreak of COVID-19 or Coronavirus;


**BE IT FURTHER ORDAINED** that the Northern Cheyenne Tribal Council authorizes the Northern Cheyenne Tribal President's office to take any emergency actions (including enforcement of Section 7-4-9 of the Tribal Law & Order Code) that do not conflict with Federal law, to protect the health, safety and welfare of Tribal members and other residents living on the Northern Cheyenne Reservation during this period of a State of Emergency due to the outbreak of COVID-19 or Coronavirus;

**BE IT FINALLY ORDAINED** that the Tribal Council that all resolutions and ordinances, or parts of the same, that are inconsistent with the above provisions, are hereby repealed to the extent of such inconsistency; and, finally the STAY AT HOME ORDER and CURFEW MANDATE will be in effect until April 10, 2020, subject to extension by the President, and will apply to all individuals within the exterior boundaries of the Northern Cheyenne Indian Reservation and shall be in effect upon approval by this Tribal Council action.

**PASSED, ADOPTED, AND APPROVED** by the Northern Cheyenne Tribal Council with 10 votes for passage and adoption, 0 votes against passage adoption, and 0 abstentions this 28<sup>th</sup> day of March 2020.

  
Rynalea Peña, President  
Northern Cheyenne Tribe

**ATTEST:**

  
Melissa Lonebear, Secretary  
Northern Cheyenne Tribe