

12.101 PREAMBLE AND GENERAL DEFINITIONS

The purpose of the Little Traverse Bay Bands of Odawa Indians' Tribal Comprehensive Business Codes is to establish the policy which the Tribe, its entities, private businesses and individuals may use to conduct business activities within its territorial and governmental jurisdiction. The policies shall apply to each of the Codes contained in Statute, The LTBB Odawa Tribal Comprehensive Business Codes. The provisions of this Statute shall be applied to promote its underlying purposes and policies.

The LTBB Tribal Court has jurisdiction to adjudicate matters arising from this Statute. The Tribe recognizes that a strong Reservation economy must include both tribal and private sector development. It is the policy of LTBB to promote both tribal and private sector development within the exterior boundaries of the Reservation and elsewhere within the jurisdiction of the Tribe for Indian and non-Indian businesses. It is the policy of the Tribe to facilitate and enhance job stability, career opportunities and use of inherent Tribal powers to create and maintain a sound business environment within the Tribe's jurisdiction. Consistent with these goals, it is the policy of the Tribe to promote the least restrictive and most cost effective business environment.

It is the policy of the Tribe that, without waiving any authority over business activities, LTBB shall neither knowingly and unnecessarily obstruct or hinder, nor unreasonably interfere with private sector businesses that operate in accordance with the provisions of this Statute and any other LTBB or applicable law.

Nothing in this Statute shall be construed as creating a claim for monetary or injunctive relief against the Tribe or its officers and employees.

It is the policy of the Tribe to allow the use of tribal land, natural and financial resources and opportunities for the promotion of economic benefits to create jobs, expand business opportunities and secure business independence in order to achieve the goals prescribed in this Statute, consistent with applicable regulations and statutes, enacted now or hereafter.

Under this Statute, the Tribe may entertain proposals from private sector business interests for privatizing Tribal Governmental activities. If approved, the Tribe will enter into a contractual agreement with such business interests for carrying out such contracted services.

The Tribe authorizes businesses operating pursuant to the Tribe's Comprehensive Business Codes to apply for grants and other programs for which the Tribe is eligible, and that the Tribe does not express an interest in applying for, and operate such programs within the Tribe's jurisdiction.

Nothing in this Code shall be construed as a waiver by the Tribe of its authority or jurisdiction over businesses operating within its jurisdiction.

As used in this Statute, unless intended otherwise by the context used, the following means:

- A.** “**Jurisdiction**” means the jurisdiction of the Little Traverse Bay Bands of Odawa Indians, whether within or without the exterior boundaries of the Reservation, as defined in the Tribal Constitution.
- B.** “**Reservation**” means the territory of the Little Traverse Bay Bands of Odawa Indians Reservation as presently and hereafter existing, as defined in the Tribal Constitution.
- C.** “**Tribe**” and “**LTBB**” mean the Waganakising Odawak, also known as the Little Traverse Bay Bands of Odawa Indians.
- D.** “**Statute**” means Statute xx, The LTBB Odawa Tribal Comprehensive Business Codes.
- E.** “**Business Codes**” means The LTBB Odawa Tribal Comprehensive Business Codes.
- F.** “**Tribal Council**” means the LTBB Odawa Tribal Council.
- G.** “**Tribal Court**” means the LTBB Odawa Tribal Court.
- H.** “**Tribal Constitution**” means the Interim Constitution of the LTBB Odawa Tribe or any Tribal Constitution adopted thereafter.
- I.** “**Tribal Law**” means the Tribal Constitution, all laws now or hereafter duly enacted by the Tribal Council, and the Tribal common law pronounced and established by the Tribal Court.
- J.** “**Tribal Member**” means an individual duly enrolled in the Little Traverse Bay Bands of Odawa Indians.

(Source: WOS 2003-07, August 3, 2003, Preamble and General Definitions)