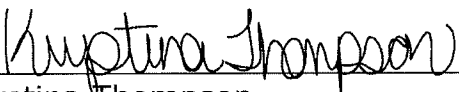


DECLARATION CERTIFYING COPY OF PUBLIC RECORDS

The undersigned hereby certifies that the documents attached hereto are true and correct copies of public records of the Mississippi Band of Choctaw Indians ("MBCI"), to-wit: MBCI Ordinance No. 50-A (copy attached); and, that I am the custodian of the records with respect to such document. I hereby attest under penalties of perjury under the laws of the United States pursuant to 28 U.S.C. §1746, that the information contained in this Declaration is true and correct.

Date: June 17, 2022



Krystina Thompson,
Policy & Legislative Affairs Manager
Office of the Tribal Chief, MBCI



MISSISSIPPI BAND OF CHOCTAW INDIANS
Box 6010
Choctaw, Mississippi 39350

ORDINANCE No. 50-A

AN ORDINANCE SETTING FORTH POLICIES FOR CHOCTAW DEPARTMENT OF
HOMELAND SECURITY AND EMERGENCY MANAGEMENT

WHEREAS, the Tribal Council adopted Ordinance No. 50, AN ORDINANCE SETTING FORTH POLICIES ON EMERGENCY MANAGEMENT, on April 11, 1995, to establish policies and procedures with respect to the handling and disposition of tribal emergencies, and emergencies occurring on or brought to tribal trust lands, and

WHEREAS, the Tribal Council adopted Resolution CHO 08-032, A RESOLUTION TO ADOPT AND IMPLEMENT THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS CALLED FOR IN HOMELAND SECURITY PRESIDENTIAL DIRECTIVE 5 (HSPD-5); and

WHEREAS, in Homeland Security Directive 5 (HSPD-5), the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local, and Tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, the Tribe, must adhere to the Federally-prescribed approach to Emergency Management Planning, has developed strong working relationships with the Mississippi Emergency Management Agency (MEMA) and the Mississippi Office of Homeland Security (MSOHS) in order to achieve the use of standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the Tribe has been advised of the necessity to create a Choctaw Department of Homeland Security and Emergency Management, and to identify a Director of the Choctaw Department of Homeland Security and Emergency Management, and

WHEREAS, it is necessary that the tribal government revise mechanisms for handling emergencies so that they adhere to the Federal rules and regulations prescribed for NIMS compliance with the U.S. Office of Homeland Security and to remain consistent and cooperative with the Mississippi Emergency Management Agency, now therefore be it

ENACTED, that the Tribal Council does hereby promulgate the Choctaw Department of Homeland Security and Emergency Management Policies for the Mississippi Choctaw Reservation (as attached hereto and incorporated herein), and be it further

ENACTED, that the Tribal Council does hereby create a new Department called the Choctaw Department of Homeland Security and Emergency Management and does establish it in the

Ordinance 50-A,
Page 2

Immediate Office of the Chief; and be it further

ENACTED, that the Tribal Council does hereby rescind Ordinance 50 and Resolution CHO 08-32, and be it further

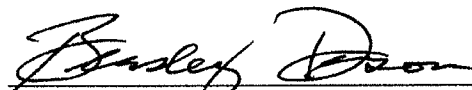
ENACTED, that this Ordinance shall have full force and effect as of its enactment by the Tribal Council.

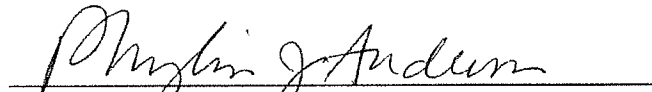
CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 14 of whom, constituting a quorum, were present at the Continuation of a Regular meeting thereof, duly called, noticed, convened, and held this 25th day of July, 2008; and that the foregoing Ordinance was duly Enacted by a vote of 14 members in favor, 0 opposed, and 0 abstaining.

Dated this 25th day of July, 2008.

ATTEST:


Beasley Denson, Tribal Miko


Phylliss J. Anderson, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS
Box 6010
Choctaw, Mississippi 39350

ORDINANCE No. 50-A (Attachment)

POLICIES ON CHOCTAW DEPARTMENT OF HOMELAND SECURITY AND
EMERGENCY MANAGEMENT

I. Intent and Purpose

- (1) It is the intent and purpose of this Ordinance to establish a Choctaw Department of Homeland Security and Emergency Management to ensure the efficient utilization of all tribal resources to combat disasters and emergencies.
- (2) The Choctaw Department of Homeland Security and Emergency Management shall be the coordinating agency for all activity in connection with homeland security and emergency management; it shall be the instrument through which the Tribal Council and the Office of the Tribal Miko may exercise authority and discharge the responsibilities vested in them during disaster and emergencies.
- (3) This Ordinance subscribes to all pertinent provisions, requirements, regulations, and recommended structures described in Homeland Security Presidential Directive 5, as well as the U.S. Department of Homeland Security's National Response Framework, as revised January 2008, and is compliant with the National Incident Management System, Incident Command System, and consistent with the Mississippi Emergency Management Agency's guidelines and those of the Federal Emergency Management Agency.
- (4) This Ordinance will not relieve any tribal department or agency of any responsibilities or authorities granted by the Ordinance, nor will it adversely affect the work of any volunteer agencies organized for relief in disaster emergencies.
- (5) The Tribe's cooperation with the state of Mississippi in regards to emergency management, planning and response is in no way intended to grant any jurisdiction over the Tribe's trust or reservation lands.

II. Definitions

- (1) The following definitions shall apply in the interpretation of this Ordinance:
 - (a) "Attack" shall mean a direct or indirect assault against any existing or future Choctaw trust lands, the tribal government, its environs, or of the United States by the forces of a hostile nation or organization, or the agents thereof, including terrorism or sabotage, or assault by bombing, conventional or nuclear, chemical, or biological.
 - (b) "Director" shall mean the Director of the Choctaw Department of Homeland

Security and Emergency Management.

- (c) "Disaster" includes but is not limited to actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, accident, chemical spill or other impending or actual calamity endangering or threatening to endanger health, life or property of the tribal government or tribal members.
- (d) "Emergency" shall be defined as any occasion or instance on the Choctaw trust lands for which, in the determination of the Tribal Miko, Tribal, State, and/or Federal assistance is needed to supplement Choctaw efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the Choctaw trust lands.
- (e) "Emergency Management" is the basic governmental function of maintaining the public peace, health and safety during an emergency. This term shall include plans and preparations for protection and relief, recovery and rehabilitation from effects of an attack by the forces of an enemy nation or the agents thereof, or a disaster as defined herein. It shall not, however, include any activity that is the primary responsibility of the military forces of the United States or the Mississippi National Guard.
- (f) "Emergency Management Forces" shall mean the employees, resources, equipment and facilities of all tribal departments, boards, institutions, commissions, enterprises and entities; and in addition it shall also include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.
- (g) "Emergency Operations Plan" (EOP) is the "steady-state" plan maintained by various jurisdictional levels for managing a wide variety of potential hazards.
- (h) "Emergency Support Function" (ESF) is a grouping of government and certain private-sector capabilities into an organizational structure to provide the support, resources, program implementation, and services that are most likely to be needed to save lives, protect property and the environment, restore essential services and critical infrastructure, and help victims and communities return to normal, when feasible, following domestic incidents. The ESFs serve as the primary operational-level mechanism to provide assistance to State, local, and Tribal governments or to Federal departments and agencies conducting missions of primary Federal responsibility.
- (i) "Incident" shall mean an occurrence or event, natural or human-caused, that requires an emergency response to protect life or property. Incidents include, but are not limited to, Stafford Act Major Disasters, emergencies and Stafford Act Emergencies, terrorist attacks, terrorist threats, wild land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response.

- (j) “Local Government” shall mean a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; an Indian tribe or authorized tribal organization or, in Alaska, a Native Village or Alaska Regional Native Corporation; or a rural community, unincorporated town or village, or other public entity.
- (k) “Mutual Aid Agreement” is a written agreement between agencies, organizations, states, tribes, and/or jurisdictions that they will assist one another on request by furnishing personnel, equipment, and/or expertise in a specified manner.
- (l) “National Incident Management System” (NIMS) is the system mandated by HSPD-5 that provides a consistent, nationwide approach for Federal, State, local, and Tribal governments; the private sector; and Non-Governmental Organizations to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. NIMS provide for the interoperability and compatibility among Federal, State, local, and Tribal capabilities, the NIMS includes a core set of concepts, principles, and terminology. HSPD-5 identifies these as the Incident Command System (ICS); multi-agency coordination systems; training; identification and management of resources (including systems for classifying types of resources); qualification and certification; and the collection, tracking, and reporting of incident information and incident resources.
- (m) “Regulations” shall include plans, programs and other emergency procedures deemed essential to emergency management as prescribed under the U.S. Department of Homeland Security National Response Framework and Tribal law.
- (n) “Stafford Act Emergency” is defined by the Stafford Act at 42 U.S.C. 5122, as “any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.”
- (o) “Stafford Act Major Disaster” is defined by the Stafford Act at 42 U.S.C. 5122, as any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought) or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major

disaster assistance under this act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

- (p) "Volunteer" shall mean any individual accepted to perform services by an agency that has authority to accept volunteer services when the individual performs services without promise, expectation, or receipt of compensation for services performed.
- (q) "Volunteer, Certified" shall mean any individual who has achieved a level of training or skill in a specific field that gives them a specialized knowledge or skill, and has been recognized by the Choctaw Department of Homeland Security and Emergency Management; also known as a "credentialed" volunteer.
- (r) "Volunteer, Unaffiliated" shall mean an individual who is not formally associated with a recognized voluntary disaster relief organization; also known as a "spontaneous" or "emergent" volunteer.

III. Organization and Appointments

- (1) The organization shall consist of the following:
 - (a) A Choctaw Department of Homeland Security and Emergency Management within the executive branch of the tribal government under the direction of the Tribal Miko.
 - (b) The Choctaw Emergency Management Team shall include the following:
 - Tribal Miko
 - Director, Choctaw Department of Homeland Security and Emergency Management
 - Deputy Director, Choctaw Department of Homeland Security and Emergency Management
 - Emergency Support Function (ESF) #1 Leader: Transportation
 - ESF #2 Leader: Communications
 - ESF #3 Leader: Public Works and Engineering
 - ESF #4 Leader: Fire Department
 - ESF #5 Leader: Emergency Management
 - ESF #6 Leader: Mass Care/Housing/Human Services
 - ESF #7 Leader: Resource Support
 - ESF #8 Leader: Health and Medical Services
 - ESF #9 Leader: Search and Rescue
 - ESF #10 Leader: Oil and Hazardous Material
 - ESF #11 Leader: Animal Control and Natural Resources
 - ESF #12 Leader: Energy and Power
 - ESF #13 Leader: Public Safety and Security
 - ESF #14 Leader: Long-Term Recovery and Mitigation
 - ESF #15 Leader: External Affairs
 - Superintendent, Choctaw Agency
 - Other Necessary Individuals at the discretion of the Tribal Miko or

Director

- (c) The employees and all resources of all tribal departments, boards, institutions, commissions, enterprises and entities shall be available for use in emergency management activities. Duties assigned to tribal departments shall be the same as, or similar to, the normal duties of the department, to the extent possible.
 - (d) Trained and certified volunteer personnel and agencies offering services to and accepted by the Tribe.
- (2) The Tribal Miko, pursuant to Resolution CHO 08-_____ shall identify and designate an emergency line of succession to ensure the continuity of Tribal government in the event of his absence or inability to act in order that these individuals within the line of succession will be officially empowered to assume the emergency duties of the Tribal Miko.
 - (3) The Tribal Miko shall appoint the Director of Choctaw Department of Homeland Security and Emergency Management, and shall submit the name for Tribal Council approval.

IV. Responsibilities of the Choctaw Homeland Security and Emergency Management Director

- (1) The Director of Choctaw Homeland Security and Emergency Management shall be responsible to the Tribal Miko regarding all phases of emergency management activity on the Choctaw Indian Reservation.
- (2) The Director shall be responsible for the planning, coordination and operation of emergency management activities on all tribal trust lands.
- (3) The Director shall maintain liaison with state and federal authorities and the authorities of nearby Local Governments to ensure the most effective emergency operations.
- (4) The Director's duties shall include, but shall not be limited to, the following:
 - (a) Maintaining and updating the Choctaw Comprehensive Emergency Operations Plan. Further, the Director must supply a copy of the Tribe's Emergency Operations Plan, together with any and all revisions to the Plan, and the Mississippi Emergency Management Agency.
 - (b) Supervising the Deputy Director for Choctaw Homeland Security and Emergency Management, the Tribe's Emergency Management Planner, and the Administrative Assistant for the department.
 - (c) Coordinating the recruitment of trained, credentialed volunteer personnel and agencies to augment the personnel and facilities of the Tribe for emergency management purposes.
 - (d) Developing and coordinating plans for the immediate use of all facilities, equipment, manpower and other resources of the Tribe for the purpose of minimizing or preventing damage to persons and property; and protecting and

restoring to usefulness governmental services and public utilities for the public health, safety and welfare.

- (e) Negotiating agreements with owners or persons in control of buildings or other property for use of such buildings or other property for emergency management purposes and designating suitable buildings as public shelters.
 - (f) Negotiating service agreements for emergency services.
 - (g) Educating the populace as to actions necessary and required for the protection of their persons and property in case of enemy attacks, emergencies, or disasters, either impending or present, through public information programs.
 - (h) Conducting public practice alerts to ensure the efficient operation of the Emergency Management Forces and to familiarize residents and tribal employees with emergency management regulations, procedures and operations.
 - (i) Coordinating the activity of all other public and private agencies engaged in any emergency management activity.
 - (j) Exercising any delegated authority by the Tribal Miko.
- (5) The Director shall be the primary point of contact with the tribal jurisdiction to serve as the principal coordinator for NIMS implementation.
- (6) The Director shall utilize the NIMS prescribed Incident Command System to use a Multi-agency Coordination System, to establish a baseline for applicable implementation requirements, to promote intrastate and interagency mutual aid agreements with the approval of the Tribal Council, to see that emergency management personnel complete such training and finally, to inventory Tribal response assets to conform to homeland security resource as may be required under NIMS standards.

V. Emergency Plans

- (1) A comprehensive Choctaw Emergency Operations Plan (CEOP) shall be adopted and maintained by resolution of the Tribal Council. The CEOP, as it pertains to tribal organizations, it is intended that the services, equipment and facilities and personnel of all existing departments and agencies shall be utilized to the fullest extent possible. It shall be the duty of all departments and agencies to perform the functions assigned by the CEOP and as directed by the identified Emergency Support Functions Leaders in accordance with the Emergency Support Functions (ESFs). Each ESF Leaders will develop a Standard Operating Guideline (SOGs) for the implementation of their respective ESFs and shall maintain those SOGs in a current state of readiness at all times.
- (2) The Tribal Miko shall designate those positions within the disaster organization, in addition to his own, for which lines of succession are necessary. In each instance, the responsible person will designate and keep on file with the Director a current list of two (2) persons as successors to his position. The list will be in order of succession and will as nearly as possible designate persons best capable of carrying out all assigned duties and functions.

- (3) Each ESF Leader, department supervisor or department director assigned responsibility in the CEOP shall be responsible for carrying out all duties and functions assigned therein. Such duties shall include, but are not limited to, the organization and training of assigned employees and, where needed, volunteers. In addition, each ESF Leader shall formulate the Standing Operating Guidelines to implement the CEOP for his or her area of responsibility.
- (4) Proposed amendments to the CEOP shall be submitted to the Tribal Miko by the Director. Upon the Tribal Miko's review may then submit the proposed amendments to the Tribal Council with his recommendation for their approval. To ensure cooperation and continuing operational relationships, copies of any and all amendments to the Choctaw Emergency Operations Plan shall be sent to MEMA, the Mississippi Emergency Management Agency on a periodic basis.
- (5) When a required competency or skill for a disaster function is not available within the tribal government, the Tribal Miko shall be authorized to seek assistance from persons outside of the government. The assignment of duties, when of a supervisory nature, shall also include the granting of authority for the persons so assigned to carry out such duties prior to, during and after the occurrence of a disaster. Such services from persons outside of the tribal government may be accepted by the tribal government on a volunteer basis. Such individuals should be already fully trained and credentialed as volunteers in accordance with the Choctaw Emergency Operations Plan.
- (6) Volunteers shall be utilized according to the Choctaw Emergency Operations Plans.

VI. States of Emergency

- (1) Restrictions authorized in states of emergency:
 - (a) A state of emergency shall be deemed to exist whenever during times of public crisis, disaster, rioting, catastrophe or similar public emergency, for any reason public safety authorities are unable to maintain public order or afford adequate protection for lives, safety or property, or whatever the occurrence of any such imminent condition.
 - (b) In the event of an existing or threatened state of emergency endangering the lives, safety, health and welfare of the people on tribal trust lands or any part thereof, or threatening damages to or destruction of property, the Tribal Miko is hereby authorized and empowered to issue a public proclamation, declaring to all persons the existence of such a state of emergency, and, in order to more effectively protect the lives and property of people on tribal trust lands, to place in effect any or all of the restrictions hereinafter authorized.
 - (c) The Tribal Miko is hereby authorized and empowered to limit by the proclamation the application of all or any part of such restrictions to any area specifically designated or described on tribal trust lands and to specific hours of the day or night; and to exempt from all or any part of such restrictions, while acting in the line of and within the scope of their respective duties, law enforcement officers, firemen, and other public employees, rescue squad members, doctors, nurses, employees of hospitals and other medical facilities;

on-duty military personnel, whether state or federal; off-duty employees of public utilities, public transportation companies, and newspaper, magazine, radio, broadcasting, and television broadcasting corporations; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of people on tribal trust lands.

(2) Proclamations imposing prohibitions and restrictions:

- (a) The Tribal Miko by proclamation may impose prohibitions and restrictions specified in section 3 through 8 immediately below in the manner described in those sections. The Tribal Miko may impose as many of the specified prohibitions and restrictions as he finds necessary, because of an emergency, to maintain an acceptable level of public order and services, and to protect lives, safety and property. The Tribal Miko shall recite his findings in the proclamation.
- (b) The proclamation shall be in writing. The Tribal Miko shall take reasonable steps to give notice of the terms of the proclamation to those affected by it and shall post a copy of it at the Tribal Council Hall. The Tribal Miko shall send reports of the substance of the proclamation to the mass communications media serving the affected area. The Tribal Miko shall retain a text of the proclamation and furnish, upon request, certified copies of it.

(3) Evacuation: The Tribal Miko may direct and compel the evacuation of all or parts of the population of tribal trust lands, to prescribe routes, modes of transportation, and destination in connection with the evacuation, and to control ingress and egress of a disaster area, the movement of persons within the area, and the occupancy of premises therein. Details of the evacuation may be set forth or amended in a subsequent proclamation which shall be well publicized.

(4) Curfew:

- (a) The proclamation may impose a curfew prohibiting in certain areas and during certain periods the appearance in public of anyone who is not a member of an exempted class. The proclamation shall specify the geographical area or areas and the period during each 24-hour day to which the curfew applies. The Tribal Miko may exempt from some or all of the curfew restrictions classes of people whose exemption the Tribal Miko finds necessary for the preservation of the public health, safety and welfare. The proclamation shall state the exempted classes and the restrictions from which each is exempted.
- (b) Unless otherwise specified in the proclamation, the curfew shall apply during the specified period each day until the Tribal Miko by proclamation removes the curfew.

(5) Alcoholic beverages: The proclamation may prohibit the possession or consumption of any alcoholic beverage, and may prohibit the transfer, transportation, sale or purchase of any alcoholic beverage on tribal trust lands described in the proclamation. The prohibition, if imposed, may apply to the transfer of alcoholic beverages by employees of tribal gaming enterprises, as well as by anyone else within the geographical area

described.

(6) Restrictions on Dangerous Weapons and Substances:

- (a) The proclamation may prohibit the transportation or possession on one's own premises, or the sale or purchase of any dangerous weapons or substances. The Tribal Miko may exempt from some or all of the restrictions classes of people whose possession, transfer or transportation of certain dangerous weapons or substances is necessary to the preservation of the public's health, safety or welfare. The proclamation shall state the exempted classes and the restrictions from which each is exempted.
- (b) "Dangerous weapons or substances" means:
 - (I) Any deadly weapons, ammunition, explosive, incendiary device, radioactive material or device as defined in DOT 14-288.8(c)(5), gasoline or other instrument or substance designed for a use that carries a threat of serious bodily injury or destruction of property.
 - (ii) Any other instrument or substance that is capable of being used to inflict serious bodily injury or destruction of property, when the circumstances indicate that there is some probability that such instrument or substance will be so used.
 - (iii) Any part of ingredient in any instrument or substance included above when the circumstances indicate a probability that such a part or ingredient will be so used.
- (c) If imposed, the restriction shall apply throughout tribal trust lands or such part thereof as designated in the proclamation.

(7) Restrictions on access to areas:

- (a) The proclamation may prohibit obtaining access or attempting to obtain access to any area, designated in the manner described in this section, in violation of the order, clearly posted notice, or barricade indicating that access is denied or restricted.
- (b) The Tribal Miko shall designate areas to which access or use shall be denied or shall be restricted. The Director and the Director of Law Enforcement Services, and their subordinates or other law enforcement officers, when acting under this authority, shall restrict or deny access or use to any area, street, highway or any other location on tribal trust lands if that restriction or denial of access or use is reasonably necessary to promote efforts being made to overcome the emergency, prevent further aggravation of the emergency, or to promote other necessary emergency functions.

(8) The proclamation may prohibit or restrict:

- (a) Movement of people in public places;

- (b) The operation of offices, business establishments, or other places to or from which people may travel or at which they may congregate; and
 - (c) Other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency within the area designated in the proclamation.
- (9) The Tribal Miko shall by proclamation terminate the entire declaration of emergency or remove any of the prohibitions and restrictions when the emergency no longer requires them.
 - (10) The Tribal Miko may in his discretion invoke the restrictions authorized by this Ordinance in separate proclamations, and may amend the proclamations by means of a superseding proclamation in accordance with the procedures set forth in section 2 above.
 - (11) Any proclamation issued under this Ordinance shall expire five days after its last imposition unless sooner terminated in writing under the same procedures set forth in section 2.

VII. No Governmental or Private Liability

- (1) This Ordinance is an exercise by the tribal government of its police powers for the protection of the public peace, health and safety, and neither the tribal government nor agents or representatives of same, or any individual, receiver, firm, partnership, corporation, association or trustee, or any of the agents thereof, in good faith carrying out, complying with or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this Ordinance, shall be liable for any damage sustained by persons or property as the result of said activity.
- (2) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the tribe the right to inspect, designate and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending or practice disaster situation shall not be civilly liable for the death of, or for loss of or damage to, the property of such persons.

VIII. Violations

- (1) It shall be a criminal offense for any person to violate any of the provisions of this Ordinance or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization as herein defined in the enforcement of the provisions of this Ordinance or any plan issued hereunder.
- (2) Violators subject to the criminal jurisdiction of the tribal Court shall be punished by imprisonment of up to 30 days and by a fine of up to \$50. Violators not subject to the jurisdiction of the tribal Court shall be prosecuted in the courts of the state of Mississippi under applicable laws.

IX. Civil Sanctions

Any person who violates any of the provisions of this Ordinance or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization as herein defined in the enforcement of the provisions of this Ordinance or any plan issued hereunder shall be liable for any actual damages and a civil fine up to \$500 for each single instance, and may be subject to expulsion pursuant to Title XX of the Choctaw Tribal Code.

X. Severability

Should any provisions of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of any other provision of this ordinance, to the ordinance as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and remain valid notwithstanding such declaration.

XI. Conflicting Statutes and Regulations Superseded

At all times when the orders, rules and regulations made and promulgated pursuant to this Ordinance shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent herewith.

XII. Repeal of Conflicting Ordinances

All ordinances or resolutions in conflict with the provisions of this Ordinance are hereby repealed.